

**ORIGINAL**

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**DOCKET NO. 000649-TP**

**PREFILED REBUTTAL TESTIMONY  
OF LEE OLSON  
ON BEHALF OF WORLDCOM, INC.**

**September 7, 2000**

DOCUMENT NUMBER-DATE

1116 SEP-7 8

FPSC-RECORDS/REPORTING **006200**

1 Q. PLEASE STATE YOUR NAME.

2 A. Lee M. Olson.

3 Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

4 A. I am employed as a Planning Engineer in WorldCom's Local Network  
5 Planning organization. My work address is 6 Concourse Parkway, Suite 400,  
6 Atlanta, Ga. 30328. In my testimony I will use the term "WorldCom" to refer to  
7 both MCImetro Access Transmission Services, LLC and MCI WORLDCOM  
8 Communications, Inc.

9 Q. HAVE YOU PREVIOUSLY FILED DIRECT TESTIMONY IN THIS  
10 DOCKET?

11 A. Yes.

12 Q. HAVE ANY ISSUES COVERED IN YOUR DIRECT TESTIMONY BEEN  
13 CONSOLIDATED SINCE THAT TESTIMONY WAS FILED?

14 A. Yes. WorldCom and BellSouth have agreed to consolidate Issue 35 with Issue  
15 34.

16 Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

17 A. The purpose of my rebuttal testimony is to respond to arguments made by  
18 BellSouth witnesses Milner and Cox concerning issues 32-34, 36-37 and 53A.

19

20 **ISSUE 32**

21

22 *Should there be any charges for use of a joint optical interconnection*  
23 *facility built 50% by each party? (Attachment 4, Sections 1.6.1.8,*  
24 *1.6.1.9.)*  
25

1 Q. MS. COX CLAIMS THAT WORLDCOM SHOULD COMPENSATE  
2 BELLSOUTH FOR THE USE OF BELLSOUTH INTERCONNECTION  
3 FACILITIES WITH RESPECT TO TRANSIT TRAFFIC WHICH  
4 TRAVERSES A JOINT FIBER FACILITY. PLEASE RESPOND TO  
5 THIS ASSERTION.

6 A. Ms. Cox' approach to the issue mischaracterizes the nature of the jointly  
7 constructed mid-span meet SONET ring that the transit traffic will traverse. Ms.  
8 Cox describes the situation as involving traffic flowing over WorldCom  
9 provided facilities in the first instance and being diverted to BellSouth facilities  
10 in the event of a service interruption. Ms. Cox proposes a charge when the  
11 transit traffic flows over the BellSouth provided facilities. (Cox Direct, page 26-  
12 27.)

13 Q. IN WHAT WAY HAS MS. COX MISCHARACTERIZED THE NATURE  
14 OF A MID-SPAN MEET SONET RING?

15 A. Contrary to Ms. Cox' description, the SONET ring is not operated as a series of  
16 discrete, separate facilities. It is a seamless, integrated whole in which traffic  
17 can flow in either direction around the ring. The facilities are provided equally  
18 by each party and neither route is primary. The suggestion that BellSouth  
19 facilities are being used as opposed to WorldCom facilities, or vice versa, is  
20 meaningless in the context of a SONET ring constructed jointly by each party  
21 and which is operated as a single, integrated system. There is no use of  
22 BellSouth as opposed to WorldCom facilities; rather, what is being used is a  
23 jointly constructed, single, integrated system which each party paid equally to

1 construct. There is no BellSouth facility being used to deliver transit traffic.  
2 The interconnection facility being used is a jointly constructed, jointly operated  
3 system. WorldCom should not have to pay a second time to use an  
4 interconnection facility for which it has already paid 50% of the construction  
5 cost.

6 **Q. SHOULDN'T BELL SOUTH BE COMPENSATED FOR HANDLING**  
7 **TRANSIT TRAFFIC?**

8 A. Yes, BellSouth should be compensated for the functions it actually performs.  
9 Therefore, BellSouth is entitled to charge the tandem switching rate for the  
10 tandem switching it provides as part of the transit service. However,  
11 BellSouth's proposal to charge for transport of transit traffic is not right because  
12 BellSouth does not provide transport. As noted above, transport is provided by  
13 a jointly constructed interconnection facility, not by a BellSouth facility.

14 The only common transport that would be applicable would be for  
15 transporting the completed call once it goes off of the joint SONET mid-span  
16 fiber meet. For example, when a call is originated by a WorldCom end user,  
17 goes across WorldCom's network, then goes across the joint SONET mid-span  
18 fiber meet, then uses BellSouth's network, it is at this point, where the joint  
19 SONET mid-span fiber meet ends, and BellSouth's network begins, that  
20 BellSouth could charge WorldCom common transport for the use of its network.

21 **Q. MS. COX STATES THAT WORLDCOM HAS PREVIOUSLY AGREED**  
22 **TO BELL SOUTH'S PROPOSED LANGUAGE IN AN AMENDMENT**  
23 **THAT COVERS AN INTERCONNECTION ARRANGEMENT FOR A**



1 A. BellSouth asserts that it cannot be required to construct SONET interconnection  
2 facilities. Ms. Cox cites the FCC's discussion of SONET rings as a UNE --  
3 unbundled transport -- and the Eighth Circuit's recent ruling as the basis for her  
4 position. My testimony will focus on the FCC's treatment of this issue; we will  
5 address the Eighth Circuit's decision in our brief.

6 **Q. PLEASE ADDRESS THE ARGUMENT OFFERED BY BELL SOUTH IN**  
7 **OPPOSITION TO INTERCONNECTION VIA A MEET POINT**  
8 **ARRANGEMENT JOINTLY ENGINEERED AND OPERATED AS A**  
9 **SONET SYSTEM.**

10 A. BellSouth has chosen to confuse the FCC's interconnection rules with its  
11 statement regarding construction of new SONET transport facilities as an  
12 unbundled network element. The FCC ruled in its UNE Remand Order that  
13 ILECs are not required to construct new SONET rings in order to fill new  
14 entrant's requests for unbundled transport. Third Report and Order, CC Docket  
15 No. 96-98, ¶ 324 (FCC, November 5, 1999) (UNE Remand Order). In this  
16 Order the FCC was addressing the Supreme Court's remand of its unbundled  
17 network element rules, and nothing else. It was not addressing interconnection  
18 rules for example. The UNE Remand Order addresses unbundled transport -- an  
19 unbundled network element. It does not address interconnection issues at all.  
20 The UNE Remand Order simply is not applicable to interconnection.

21 **Q. ARE THE FCC'S INTERCONNECTION RULES DIFFERENT THAN**  
22 **THE UNE TRANSPORT RULE?**

1 A. Yes they are. The FCC UNE rule limits an ILEC's transport unbundling  
2 obligation to existing facilities, and does not require ILECs to construct new  
3 transport facilities for ALECs. UNE Remand Order, ¶ 324. An ILEC's  
4 interconnection obligations are much greater.

5 The FCC has ruled that ILECs must accommodate meet point  
6 interconnection arrangements upon request even if doing so requires some  
7 modification of the ILEC's facilities. The FCC has held that ILECs are  
8 obligated to provide meet point interconnection even though the creation of such  
9 arrangements may require some build out of facilities by the ILEC. Local  
10 Competition Order, ¶ 553 ("In a meet point arrangement each party pays its  
11 portion of the costs to build out the facilities to the meet point.") The FCC  
12 refers to this obligation of the ILEC to engage in construction as an  
13 accommodation of interconnection. Thus, ILECs are required to undertake  
14 some new construction, such as to engineer a meet point interconnection  
15 arrangement operated as SONET transmission system, to accommodate  
16 interconnection.

17 **Q. IS THE FCC'S RULE REQUIRING AN ILEC TO ACCOMMODATE**  
18 **INTERCONNECTION REQUIRING CONSTRUCTION OF NEW**  
19 **FACILITIES DIFFERENT THAN ITS RULE REGARDING ACCESS TO**  
20 **UNBUNDLED NETWORK ELEMENTS?**

21 A. Yes it is. The FCC has obligated ILECs to accommodate all technically feasible  
22 methods of interconnection by engaging in new construction if necessary. On

1 the other hand, the FCC has noted that this rule does not apply to access to  
2 unbundled network elements. The FCC has held that:

3 In a meet point arrangement each party pays its portion of the  
4 costs to build out the facilities to the meet point. We believe that,  
5 although the Commission has authority to require incumbent  
6 LECs to provide meet point arrangements upon request, such an  
7 arrangement only makes sense for interconnection pursuant to  
8 section 251 (c)(2) but not for unbundled access under section 251  
9 (c)(3).

10 Local Competition Order, ¶ 553.

11 **Q. WHAT HAS THE FCC SAID WITH RESPECT TO MEET POINT**  
12 **ARRANGEMENTS?**

13 **A.** As noted in my Direct Testimony, the FCC has specifically directed that ILECs  
14 are required to accommodate any technically feasible means of interconnection,  
15 such as meet point arrangements. The FCC also has held “that it is reasonable to  
16 require each party to bear a reasonable portion of the economic costs of the  
17 arrangement.” Local Competition Order, ¶ 553. WorldCom’s proposal that  
18 each party bear 50% of the cost associated with a meet point arrangement  
19 operated as a SONET transmission system is consistent with these rules. As the  
20 FCC noted, “[n]ew entrants will request interconnection pursuant to section  
21 251(c)(2) for the purpose of exchanging traffic with ILECs. In this situation, the  
22 incumbent and the new entrant are co-carriers and each gains value from the  
23 interconnection arrangement.” Local Competition Order, ¶ 553.

1 Q. WOULD YOU PLEASE SUMMARIZE YOUR REBUTTAL TESTIMONY  
2 ON THIS ISSUE?

3 A. BellSouth has offered no substantive reasons why it objects to interconnection  
4 via a fiber meet point arrangement jointly engineered and operated as a SONET  
5 transmission system. Instead, BellSouth has objected to this form of  
6 interconnection based upon FCC language indicating that ILECs need not  
7 construct new SONET systems so as to provide ALECs with unbundled  
8 transport. The FCC's rules regarding unbundled transport, a UNE, are not  
9 applicable to interconnection methods, which is a different subject, covered by  
10 different parts of the Act and different parts of the FCC's Orders. The FCC's  
11 interconnection rulings make clear that any technically feasible form of  
12 interconnection, including meet point arrangements, must be made available.  
13 The FCC's interconnection rulings also require ILECs to undertake construction  
14 necessary to accommodate interconnection, unlike the UNE transport rule relied  
15 upon by BellSouth.

16 WorldCom's proposal that we build half of the joint SONET mid-span  
17 fiber meet and BellSouth build the other half of the joint SONET mid-span fiber  
18 meet is quite reasonable, fair, in accordance with the Act, and an efficient way  
19 to pass traffic and monitor and maintain such interconnection capacity.

20

21

#### ISSUE 34

22

*Is BellSouth obligated to provide and use two-way trunks that carry each  
23 party's traffic? (Attachment 4, Sections 2.1.1.2 and 2.1.2.)*

24

1 Q. WHAT IS BELLSOUTH'S POSITION WITH RESPECT TO THE USE  
2 OF TWO-WAY TRUNKS?

3 A. Ms. Cox has indicated that BellSouth supports the use of two-way trunks but  
4 that BellSouth retains the right to use one-way trunks for its traffic if it so  
5 chooses.

6 Q. CAN BELLSOUTH'S POSITION BE RECONCILED WITH THE FCC'S  
7 REGULATIONS?

8 A. No, it cannot. The FCC's regulations state that "[i]f technically feasible, an  
9 incumbent LEC shall provide two-way trunking upon request." 47 C.F.R.  
10 51.305(f). Nothing in the regulation provides BellSouth with the right to use  
11 one-way trunking for its traffic if an ALEC such as WorldCom requests two-  
12 way trunking.

13 Q. DOES BELLSOUTH ASSERT THAT TWO-WAY TRUNKING IS NOT  
14 TECHNICALLY FEASIBLE?

15 A. No.

16 Q. MS. COX CITES PARAGRAPH 219 OF THE FCC'S LOCAL  
17 COMPETITION ORDER AS SUPPORT FOR HER ASSERTION THAT  
18 BELLSOUTH HAS THE RIGHT TO UTILIZE ONE-WAY TRUNKS IF  
19 IT SO CHOOSES. (COX DIRECT, PAGE 33) PLEASE ADDRESS THIS  
20 MATTER.

21 A. Ms. Cox cites paragraph 219 but she does not quote it. The paragraph reads as  
22 follows:

1 We identify below specific terms and conditions for  
2 interconnection in discussing physical or virtual collocation (i.e.,  
3 two methods of interconnection). We conclude here, however,  
4 that where a carrier requesting interconnection pursuant to  
5 section 251 (c)(2) does not carry a sufficient amount of traffic to  
6 justify separate one-way trunks, an incumbent LEC must  
7 accommodate two-way trunking upon request where technically  
8 feasible. Refusing to provide two-way trunking would raise costs  
9 for new entrants and create a barrier to entry. Thus, we conclude  
10 that if two-way trunking is technically feasible, it would not be  
11 just, reasonable, and nondiscriminatory for the incumbent LEC to  
12 refuse to provide it.

13 Paragraph 219, like rule 51.305 (f) requires BellSouth to provide two-way  
14 trunking upon request.

15 **Q. MS. COX CLAIMS THAT “PARAGRAPH 219 OF THE FCC’S LOCAL**  
16 **COMPETITION ORDER DISCUSSES THE SITUATION IN WHICH A**  
17 **CARRIER DOES NOT HAVE SUFFICIENT VOLUME TO JUSTIFY**  
18 **ONE-WAY TRUNKS. THAT IS THE ONLY INSTANCE WHERE TWO-**  
19 **WAY TRUNKS MUST BE ACCOMMODATED. IN ALL OTHER**  
20 **CASES, BELL SOUTH IS PERMITTED TO UTILIZE ONE-WAY**  
21 **TRUNKS.” (COX DIRECT, PAGE 33.) PLEASE COMMENT.**

22 **A.** Ms. Cox has mischaracterized the paragraph in question. Paragraph 219 does  
23 not refer to the situation where a carrier (meaning either BellSouth or the

1 ALEC) does not have sufficient volume to justify one-way trunks. As can be  
2 seen above from the actual quotation, it refers to the situation “where a carrier  
3 requesting interconnection pursuant to section 251 (c)(2)” (i.e. the ALEC) does  
4 not carry a sufficient amount of traffic to justify separate one-way trunks. In  
5 other words, it permits the ALEC, not BellSouth, to use one-way trunks if the  
6 ALEC’s traffic justifies one-way trunks. If the ALEC finds that its traffic does  
7 not warrant one-way trunks it has the right to order two-way trunks and  
8 BellSouth is obligated by this paragraph and the regulation previously cited to  
9 provide them.

10 **Q. MS. COX RAISES A NUMBER OF OTHER OBJECTIONS TO TWO-**  
11 **WAY TRUNKING. PLEASE ADDRESS THOSE OBJECTIONS.**

12 **A.** All of the “complex” issues which BellSouth raises (Cox Direct, page 33) about  
13 two way trunking can be answered quite directly:

- 14 1) The number of trunks required is the regular, day-to-day work of our  
15 companies’ traffic engineers, who meet periodically to discuss the relevant  
16 factors, such as traffic volumes and blocking criteria;
- 17 2) Facility augmentation occurs when the 75% trigger of trunk utilization is  
18 reached;
- 19 3) Tandem trunk groups will always be required, and direct end office trunk  
20 groups should be considered when traffic volumes justify (again, part of the  
21 traffic engineers’ day-to-day functions);
- 22 4) The facilities to be used will be WorldCom’s facilities on its side of the joint  
23 optical midspan fiber meet, the joint optical midspan fiber meet itself (which

- 1 both companies own), and BellSouth's facilities on its side of the joint  
2 SONET midspan fiber meet;
- 3 5) The interconnection point(s) will be where the joint optical midspan fiber  
4 meet is – so one point will be at WorldCom's fiber optic terminal (FOT),  
5 and the other will be at BellSouth's FOT;
- 6 6) WorldCom will perform the administrative control function of the two way  
7 trunks;
- 8 7) Compensation – the basic principle is that WorldCom will pay when it uses  
9 BellSouth's network to deliver traffic to the latter's customers, and also for  
10 transiting functions, and BellSouth will pay when it uses WorldCom's  
11 network to deliver traffic to WorldCom's customers.

12 Finally, it should be noted that BellSouth has interconnected with non-  
13 competing independent telephone companies via two-way trunks for years and  
14 has not raised any concerns regarding the issue with them.

15 **Q. MS. COX ALSO ASSERTS THAT ONE-WAY TRUNKING IS**  
16 **REQUIRED BECAUSE BELL SOUTH MAY WANT TO TRUNK**  
17 **DIRECTLY TO A WORLDCOM END OFFICE. PLEASE ADDRESS**  
18 **THIS ASSERTION.**

19 **A.** Ms. Cox digresses a little from the two-way trunk issue when she discusses end  
20 office trunking, because they are two different subjects. However, to address  
21 that point: Ms. Cox' statement about the possibility that WorldCom would be  
22 uncooperative about direct end office trunking is untrue. It is WorldCom's  
23 position and practice to establish direct end office trunks between BellSouth's

1 end offices and WorldCom's switch where traffic volumes warrant. WorldCom  
2 would like for its customers' calls to be completed, as well as for its customers  
3 to receive calls, and establishing efficient direct end office, two-way trunks,  
4 where traffic volumes warrant, makes good engineering and economic sense.  
5 WorldCom would always have trunks through the tandem to handle the volume  
6 to other end offices. WorldCom is willing to compensate BellSouth for its use  
7 of the tandem to reach those geographic areas.

8

9

### ISSUE 36

10 *Does WorldCom, as the requesting carrier, have the right pursuant to*  
11 *the Act, the FCC's Local Competition Order, and FCC regulations, to*  
12 *designate the network point (or points) of interconnection at any*  
13 *technically feasible point? (Attachment 4, Sections 1.3 and 1.3.1,*  
14 *Attachment 5, Section 2.1.4.)*  
15

16 **Q. WHAT IS BELL SOUTH'S POSITION WITH RESPECT TO POINTS OF**  
17 **INTERCONNECTION?**

18 A. BellSouth's position appears to be that when WorldCom enters a LATA, it is  
19 required to connect to BellSouth in every local calling area, regardless of  
20 whether WorldCom has any customers in a particular local calling area. Under  
21 BellSouth's position, WorldCom is required to pick up BellSouth's originating  
22 local traffic in each calling area at a point designated by BellSouth or at the  
23 BellSouth end office.

24 **Q. IS THIS AN APPROPRIATE INTERCONNECTION ARCHITECTURE**  
25 **FOR TWO EQUAL CO-CARRIERS?**

1 A. No it isn't. An appropriate arrangement would be for WorldCom to deliver its  
2 traffic to BellSouth's network and for BellSouth to deliver its traffic to  
3 WorldCom's network. BellSouth proposes, in contrast, to deliver its traffic only  
4 part of the way, to a point on its network, and have WorldCom bear the burden  
5 of bringing BellSouth's traffic the rest of the way through BellSouth's network.  
6 Under BellSouth's proposal, WorldCom would be required to deliver  
7 WorldCom traffic to the BellSouth network but BellSouth would not be required  
8 to deliver its traffic to the WorldCom network.

9 **Q. DOES BELLSOUTH'S PROPOSAL IMPOSE CHARGES ON**  
10 **WORLDCOM FOR TRAFFIC WHICH ORIGINATES ON**  
11 **BELLSOUTH'S NETWORK?**

12 A. Yes, as explained by Ms. Cox, either (1) WorldCom must build facilities as  
13 BellSouth indicates, or (2) BellSouth will charge WorldCom to transport  
14 BellSouth's traffic. This proposal directly contradicts 47 C.F.R. 51.703(b).  
15 This regulation provides that "A LEC may not assess charges on any other  
16 telecommunications carrier for local telecommunications traffic that originates  
17 on the LEC's network." As noted by Ms. Cox, BellSouth proposes to charge  
18 transport fees to WorldCom for traffic which originates on BellSouth's network.  
19 The regulation unambiguously bars BellSouth from imposing such charges.  
20 Moreover, BellSouth is not permitted to accomplish by indirect means—that is,  
21 designating a point of interconnection which shifts the cost of transporting  
22 BellSouth traffic to WorldCom—what the regulation cited above flatly  
23 prohibits. BellSouth should not be permitted an end-run around this regulation.

1 **Q. IS WORLDCOM ENTITLED TO BUILD ITS NETWORK IN THE**  
2 **MOST EFFICIENT METHOD POSSIBLE?**

3 A. Yes, one of the purposes of the Act is to encourage new and more efficient  
4 network configurations. BellSouth pays lip service to this principle but its  
5 proposal belies its words. BellSouth's proposal forces WorldCom to mimic  
6 BellSouth's network. It forces WorldCom to build facilities to places where it  
7 would not be economic for WorldCom to do so based on traffic volumes.  
8 Specifically, BellSouth proposes that WorldCom be required to build facilities  
9 to each BellSouth local calling area. At its core, BellSouth's point of  
10 interconnection proposal is an attempt to dictate WorldCom's network  
11 architecture, to make it look more like BellSouth's. BellSouth has no right under  
12 the Act to do so. Ultimately, this dispute is caused by BellSouth's desire to  
13 impose a particular network design on WorldCom.

14 **Q. DOES PARAGRAPH 209 OF THE FCC'S LOCAL COMPETITION**  
15 **ORDER, CITED BY MS. COX AT PAGE 50, GIVE ILECS THE RIGHT**  
16 **TO CHOOSE A POINT OF INTERCONNECTION?**

17 A. No, nothing in that paragraph grants ILECs the right to designate a point of  
18 interconnection. The whole thrust of the paragraph is to emphasize the right of  
19 ALECs to make efficient network choices. BellSouth reads into the paragraph a  
20 right for incumbents to choose points of interconnection that simply does not  
21 appear in the paragraph.

1 **Q. DOES THE FCC'S ORDER LIMIT AN ALEC'S RIGHT TO CHOOSE A**  
2 **POINT OF INTERCONNECTION TO A CHOICE INVOLVING ONLY**  
3 **THE ALEC'S ORIGINATING TRAFFIC, AS MS. COX ASSERTS?**

4 A. No. Paragraph 172 of the Local Competition Order provides: "The  
5 interconnection obligation of section 251 (c)(2), discussed in this section, allows  
6 competing carriers to choose the most efficient points at which to exchange  
7 traffic with incumbent LECs, thereby lowering the competing carriers costs of,  
8 among other things, transport and termination of traffic."

9 Several points are worth noting. First, it is the ALEC that has the right  
10 to choose a point of interconnection pursuant to Section 251(c) (2), not the  
11 incumbent. Second, the ALEC chooses a point at which "to exchange traffic"  
12 with incumbents. The phrase "exchange of traffic" refers to traffic originating  
13 on both carrier's networks. Nothing in the FCC's order suggests that the ALEC  
14 can designate a point at which to deliver its traffic but it cannot designate a point  
15 at which to receive ILEC traffic. To the contrary, the ALEC has the right to  
16 designate a point at which to exchange traffic. The FCC reiterated this point in  
17 footnote 464 of the Local Competition Order, noting that "[o]f course,  
18 requesting carriers have the right to select points of interconnection at which to  
19 exchange traffic with an incumbent LEC under section 251(c)(2)." Contrary to  
20 BellSouth's position, nothing in this language limits the ALEC's right to  
21 designate an efficient point of interconnection to originating traffic only.

22 **Q. DID THE FCC REJECT A POINT OF INTERCONNECTION**  
23 **PROPOSAL MADE BY MCI IN THE LOCAL COMPETITION ORDER?**

1 A. Yes, the FCC rejected an MCI proposal that would have allowed ILECs such as  
2 BellSouth to designate a point of interconnection on MCI's network. The MCI  
3 proposal would have allowed both the ALEC and the ILEC to designate a point  
4 of interconnection on the other's network. The FCC rejected this proposal and  
5 instead established the right of ALECs under section 252(c)(2) to designate any  
6 technically feasible point of interconnection. Ms. Cox notes this decision and  
7 concludes that "this ruling does not give an ALEC the right to establish the Point  
8 of Interconnection for ILEC originated traffic as MCI sought to do. It also  
9 rejects an attempt by MCI to interconnect at some place other than the ILEC's  
10 existing local network." (Cox Direct, page 52) There is a significant leap of  
11 faith, or logic, in this conclusion. Nothing in this decision of the FCC prevents  
12 the ALEC from establishing the point of interconnection. In fact, the decision  
13 cited by Ms. Cox specifically rejected a proposal which would have allowed the  
14 ILEC to designate a point of interconnection.

15 **Q. PLEASE DESCRIBE WHERE THE POINTS OF INTERCONNECTION**  
16 **WOULD BE UNDER WORLDCOM'S PROPOSAL.**

17 A. The points of interconnection would be the fiber optic terminal in WorldCom's  
18 office and the fiber optic terminal in BellSouth's office, at either end of the fiber  
19 meet point arrangement. These points of interconnection are fair to each party  
20 in that each party delivers its own traffic all the way into the interconnection  
21 facility which connects the two networks. In contrast, BellSouth's proposal  
22 requires WorldCom to bear the burden of transporting BellSouth's traffic as well  
23 as WorldCom's.

1 **Q. BELLSOUTH'S TESTIMONY DESCRIBES ITS NETWORK,**  
2 **INCLUDING THE TANDEMS IN ITS NETWORK. PLEASE**  
3 **COMMENT ON THAT TESTIMONY.**

4 **A.** The ubiquity of BellSouth's network, including its tandems, illustrates why the  
5 interconnection architecture described in my Direct Testimony is reasonable.  
6 Just as BellSouth can terminate to any end office the traffic which WorldCom  
7 delivers to BellSouth's tandem, so can BellSouth bring to its tandem any traffic  
8 which originates in a BellSouth end office. Traffic flows in both directions on  
9 the BellSouth network and there is no sound reason why WorldCom should be  
10 forced to duplicate that network to transport BellSouth's traffic.

11 **Q. MS. COX USES A HYPOTHETICAL CALL FLOW FROM A**  
12 **BELLSOUTH CUSTOMER IN LAKE CITY TO A WORLDCOM**  
13 **CUSTOMER IN LAKE CITY TO ILLUSTRATE BELLSOUTH'S**  
14 **POSITION. PLEASE COMMENT ON THAT EXAMPLE.**

15 **A.** The example illustrates that BellSouth objects to having to carry its customers  
16 call from its Lake City end-office to its Jacksonville tandem, where WorldCom  
17 would then pick up the call. BellSouth's position requires WorldCom to build  
18 facilities to Lake City to pick up the call, or alternatively, to pay BellSouth to  
19 transport the call from Lake City to Jacksonville. As noted above, FCC  
20 regulations prohibit BellSouth from imposing charges on WorldCom for this  
21 traffic, because it originates on BellSouth's network. BellSouth's desire to have  
22 WorldCom build facilities to Lake City is an indirect method of accomplishing  
23 the same objective as the prohibited charges. Moreover, BellSouth's position,

1 requiring a point of interconnection in Lake City, is an attempt to force  
2 WorldCom to duplicate BellSouth's network design. BellSouth is saying in  
3 effect "we have facilities in Lake City and WorldCom should have to put  
4 facilities there as well."

5 **Q. WHY SHOULDN'T WORLDCOM BE REQUIRED TO DUPLICATE**  
6 **BELLSOUTH'S NETWORK?**

7 A. First, it should be noted that in several places Ms. Cox acknowledges that  
8 WorldCom has the right to design its network as it chooses. Notwithstanding  
9 these statements, BellSouth in fact proposes a point of interconnection provision  
10 that would require WorldCom to duplicate BellSouth's network design. The  
11 Commission should affirm the right of ALECs to design their own networks by  
12 rejecting BellSouth's point of interconnection position, which requires  
13 WorldCom to duplicate BellSouth's network. Second, the Act is intended to  
14 foster more efficient, newer network designs. Imposing BellSouth's older,  
15 embedded, architecture on ALECs is inconsistent with this fundamental  
16 objective of the Act. Third, imposing these network costs on new entrants that  
17 do not have the volume of business to justify these investments will serve as a  
18 barrier to entry and prevent the growth of competition.

19 **Q. SHOULD THE COMMISSION BE CONCERNED THAT**  
20 **WORLDCOM'S POSITION THAT WORLDCOM IS ENTITLED TO**  
21 **DESIGNATE THE POINT OF INTERCONNECTION, AND**  
22 **BELLSOUTH IS NOT, IS NOT SYMMETRICAL?**

1 A. No. The Act imposes certain obligations only on ILECs such as BellSouth. One  
2 of these obligations is the obligation to provide interconnection at any  
3 technically feasible point for the facilities of new entrants. This obligation is not  
4 imposed by the Act on ALECs, only on incumbents. The Act does not call for  
5 symmetry; it grants certain rights to ALECs and imposes certain obligations on  
6 incumbents.

7 **Q. DOES BELL SOUTH'S POSITION REQUIRE WORLDCOM TO**  
8 **ESTABLISH MULTIPLE POINTS OF INTERCONNECTION?**

9 A. Yes, BellSouth's position would require WorldCom to establish points of  
10 interconnection in each BellSouth local calling area. As noted in my Direct  
11 Testimony, both the Ninth Circuit Court of Appeals and the U.S. District Court  
12 for Pennsylvania have ruled that multiple points of interconnection cannot be  
13 imposed under the Act because interconnection at a single point is technically  
14 feasible.

15 In addition, the FCC affirmed an ALEC's right to a single point of  
16 interconnection in its recent Order granting SBC Communications' application  
17 to provide long distance service in Texas. The Commission explained that :

18 Section 251, and our implementing rules, require an incumbent  
19 LEC to allow a competitive LEC to interconnect at any  
20 technically feasible point. This means that a competitive LEC  
21 has the option to interconnect at only one technically feasible  
22 point in each LATA.

1 In the Matter of Application by SBC Communications Inc. Pursuant to Section  
2 271 of the Telecommunications Act of 1996, Memorandum Opinion and Order,  
3 CC Docket No. 00-65 (FCC 00-238, Released June 30, 2000) (footnotes  
4 omitted).

5 **Q. IS WORLDCOM ATTEMPTING TO SHIFT COSTS TO BELLSOUTH**  
6 **AS MS. COX CLAIMS?**

7 A. No. WorldCom's interconnection proposal requires each party to deliver its  
8 traffic to its fiber optic terminal connected to the interconnection facility. Each  
9 party delivers its traffic to the other and bears the cost of doing so. In contrast,  
10 BellSouth's position requires WorldCom to bear the cost of transporting  
11 *BellSouth's* traffic by requiring WorldCom to build unnecessary facilities or by  
12 charging WorldCom a transport charge for BellSouth's traffic. BellSouth's  
13 proposal shifts to WorldCom the cost of transporting BellSouth's traffic.

14 **Q. DOES WORLDCOM'S POSITION IMPOSE ADDITIONAL COSTS ON**  
15 **BELLSOUTH?**

16 A. No it does not. WorldCom's position implements two straightforward and fair  
17 principles: First, each party bears the cost of delivering its traffic to the other  
18 party and neither party bears costs associated with the other party's originating  
19 traffic. As previously noted, this principle is embedded in 47 C.F.R. 51.703(b).  
20 Second, ALECs are entitled to build the most efficient network they can devise  
21 and are not required to duplicate the existing network architecture of ILECs.

22 **Q. DOES BELLSOUTH'S POSITION IMPOSE ADDITIONAL COSTS ON**  
23 **WORLDCOM?**

1 A. Yes. It requires WorldCom to build facilities to points where the investment is  
2 not justified by the volume of business. WorldCom should not be stuck with  
3 additional costs of receiving calls from BellSouth simply because of the way  
4 BellSouth designed its legacy network.

5 **ISSUE 37**

6 *Should BellSouth be permitted to require WorldCom to fragment its*  
7 *traffic by traffic type so it can interconnect with BellSouth's network?*  
8 *(Attachment 4, Sections 2.2.6-2.2.7.)*  
9

10 **Q. MR. MILNER STATES THAT PART OF THE DISPUTE BETWEEN**  
11 **THE PARTIES CONCERNS THE PROVISIONING OF TWO-WAY**  
12 **TRUNKING. IS THAT THE CASE?**

13 A. Yes. I have explained WorldCom's position on the two-way trunking issue in  
14 my discussion of Issue 34,

15 **Q. MR. MILNER COMPLAINS THAT WORLDCOM'S POSITION**  
16 **WOULD PREVENT BELL SOUTH FROM USING DIRECT END**  
17 **OFFICE TRUNKING. IS THAT A VALID POINT?**

18 A. No. An agreement to put different kinds of traffic on a single trunk would not  
19 prevent BellSouth from using direct end office trunking.

20 **Q. MR. MILNER ALSO RAISES THE CONCERN THAT SEPARATE**  
21 **TRUNKS ARE REQUIRED FOR CERTAIN TYPES OF TRAFFIC,**  
22 **SUCH AS E911 TRAFFIC. IS WORLDCOM PREPARED TO ADDRESS**  
23 **THAT CONCERN?**

1 A. Yes. There are certain types of traffic, such as E911 traffic, that are routed over  
2 separate trunk groups, and WorldCom has no problem making it clear that it  
3 does not intend for such traffic to be routed over combination trunk groups.

4 What is important to WorldCom is that it should be able to combine  
5 local, intraLATA and transit traffic on one trunk group. If BellSouth wishes to  
6 continue to separate its traffic between local, intraLATA toll and transit traffic  
7 with other ALECs, or within its own network, that of course is its business  
8 decision. WorldCom is only proposing that these three traffic types be carried  
9 on one trunk group for the traffic going over the joint optical midspan fiber meet  
10 between WorldCom and BellSouth, for network efficiency reasons.

11 **ISSUE 53A**

12 *Should WorldCom be required to utilize direct end office trunking in*  
13 *situations involving tandem exhaust or excessive traffic volumes?*  
14 *(Attachment 4, Section 2.4)*

15  
16 **Q. MS. COX STATES THAT IN SITUATIONS INVOLVING TANDEM**  
17 **EXHAUST OR EXCESSIVE TRAFFIC VOLUME, WORLDCOM**  
18 **SHOULD BE REQUIRED TO UTILIZE DIRECT END OFFICE**  
19 **TRUNKING FOR THE TRANSPORT OF ITS TRAFFIC. DOES**  
20 **BELLSOUTH'S POSITION GIVE RISE TO POSSIBLE UNFAIR**  
21 **TREATMENT?**

22 A. Yes. One concern is that BellSouth's proposed language might be used to  
23 require WorldCom to remove trunks from a BellSouth tandem, supposedly to  
24 relieve congestion. The unfairness of such a requirement would be that  
25 WorldCom's tandem trunks simply would be replaced by someone else's trunks,

1           perhaps BellSouth's. BellSouth should not be able to require the removal of  
2           existing WorldCom trunks from a tandem in cases of tandem exhaust or  
3           excessive traffic volume.

4   **Q.    DOES THAT CONCLUDE YOUR REBUTTAL TESTIMONY?**

5   **A.    Yes.**

6