

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Consideration of BellSouth )  
Telecommunications, Inc.'s Entry into )  
InterLATA Services Pursuant to Section ) Docket No. 960786-TL  
271 of the Federal Telecommunications )  
Act of 1996. )

**REBUTTAL TESTIMONY**

**OF**

**JERRY WILLIS**

**ON BEHALF OF NUVOX COMMUNICATIONS, INC**

**JULY 20, 2001**

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1       **Q.     PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2       A.     My name is Jerry Willis. My business address is NuVox Communications,  
3             Inc., 301 North Main Street, Greenville, South Carolina 29601.

4       **Q.     PLEASE STATE YOUR OCCUPATION, BACKGROUND AND WORK**  
5             **EXPERIENCE.**

6       A.     I have over thirty-five (35) years of experience in the telecommunications  
7             business and have worked with Alternative Local Exchange Carriers  
8             ("ALECs"), Incumbent Local Exchange Carriers ("ILECs"), Interexchange  
9             Carriers ("IXCs") and consulting firms. I currently serve as the Senior  
10            Director of Network Management for NuVox. My responsibilities include  
11            implementation of switches, collocations, engineering, power and other  
12            elements needed to build the company's telecommunications network.

13      **Q:     WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

14      A:     My testimony rebuts the testimony of BellSouth witnesses Cox and Milner  
15             and describes how BellSouth fails to meet Checklist Item 1. This checklist  
16             item requires all Regional Bell Operating Companies ("RBOCs") seeking in-  
17             region interLATA authority- including BellSouth - to demonstrate that these  
18             companies offer interconnection in accordance with the requirements of  
19             sections 251(c)(2) and 252(d)(1) of the Telecommunications Act of 1996 (the  
20             "'96 Act"). In particular, BellSouth fails to provide to NuVox  
21             interconnection at prices that comply with the cost-based pricing standards of  
22             the '96 Act.

23

1       **Q:    DOES BELLSOUTH CHARGE NUVOX RATES CONSISTENT WITH**  
2       **THE COST-BASED STANDARDS ESTABLISHED BY THE '96 ACT**  
3       **AND THE FCC?**

4       A:    No. BellSouth has entered into interconnection agreements with NuVox and  
5       other ALECs that require BellSouth to provide interconnection at cost-based  
6       rates. However, *in practice* BellSouth has not charged the rates included in  
7       the NuVox – BellSouth Interconnection Agreement (the “Interconnection  
8       Agreement”). Instead, BellSouth has charged NuVox much higher tariffed  
9       access rates for interconnection trunks and facilities. NuVox’s experience  
10      shows that BellSouth consistently charges tariffed access rates for  
11      interconnection trunks and facilities, rather than the cost-based rates NuVox is  
12      entitled to under the FCC’s rules and its Interconnection Agreement.

13      **Q.    UNDER WHAT CIRCUMSTANCES DOES NUVOX ORDER**  
14      **SERVICES THROUGH THE ACCESS SERVICES REQUEST (“ASR”)**  
15      **PROCESS RATHER THAN THE NUVOX–BELLSOUTH**  
16      **INTERCONNECTION AGREEMENT?**

17      A.    BellSouth requires NuVox to order interconnection trunks and facilities and  
18      local facilities to its customers through the access service request (“ASR”)  
19      process. Once interconnection orders are placed via the ASR, BellSouth  
20      cannot distinguish them from orders for switched or special access. Thus,  
21      despite having agreed to charge the rates in the Interconnection Agreement  
22      which are purportedly cost-based, BellSouth has charged NuVox much higher  
23      special access rates.

1       **Q.     HOW HAS BELL SOUTH'S PRACTICE OF CHARGING SPECIAL**  
2       **ACCESS RATES RATHER THAN THE RATES INCLUDED IN THE**  
3       **INTERCONNECTION AGREEMENT IMPACTED NUVOX'S**  
4       **BUSINESS?**

5       A.     The rates in BellSouth's Special Access Tariff are much higher than the rates  
6       included in the Interconnection Agreement. Accordingly, BellSouth requires  
7       NuVox to pay higher recurring and non-recurring charges for trunking and  
8       local access to its customers provided by BellSouth to NuVox. For instance,  
9       the non-recurring and recurring charges for a DS-1 loop to a NuVox customer  
10      within Density Zone 1 in Attachment Two of the Interconnection Agreement  
11      are \$0 and \$206.19. The non-recurring and recurring rate for a DS-1 in  
12      BellSouth's Special Access Tariff are \$930.00 and \$354.00 respectively. This  
13      is a difference of \$147.81 for the recurring charge and \$930.00 for the non-  
14      recurring charge. BellSouth is requiring ALECS like NuVox to pay higher  
15      charges for interconnection due to the fact that BellSouth has failed to devote  
16      the resources to develop a process whereby it can distinguish interconnection  
17      orders from standard orders for access services.

18      **Q.     PLEASE SUMMARIZE YOUR TESTIMONY.**

19      A.     Until BellSouth reforms its practice of charging access for some, if not all,  
20      interconnection trunks and facilities, it cannot demonstrate compliance with  
21      Checklist Item 1. Moreover, BellSouth's practice of charging access for  
22      interconnection trunks and facilities results in financial hardship for ALECs  
23      like NuVox because it forces ALECs to pay higher rates for interconnection

1 trunks and facilities.

2 **Q: DOES THIS CONCLUDE YOUR TESTIMONY?**

3 **A: Yes.**

## CERTIFICATE OF SERVICE

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Rebuttal Testimony of Jerry Willis on Behalf of NuVox Communications, Inc. has been furnished by (\*) hand delivery or by U. S. Mail on this 20<sup>th</sup> day of July, 2001, to the following:

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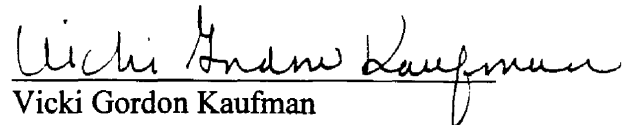
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