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January 21, 2004

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Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 030852-TP

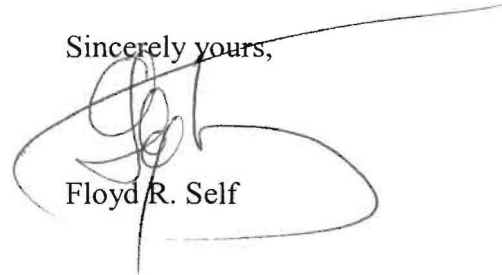
Dear Ms. Bayó:

Enclosed for filing on behalf of MCI WorldCom Communications, Inc. and MCImetro Access Transmission Services LLC are an original and fifteen copies of the Rebuttal Testimony of Lonnie Hardin on behalf of MCI WorldCom Communications, Inc. and MCImetro Access Transmission Services LLC in the above-referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,



Floyd R. Self

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COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of Requirements
arising from Federal Communications
Commission's triennial UNE review:
Location-Specific Review for DS1, DS3
and Dark Fiber Loops, and Route-Specific
Review for DS1, DS3 and Dark Fiber

DOCKET NO. 030852-TP

REBUTTAL TESTIMONY OF

LONNIE HARDIN

On Behalf Of

MCI WORLDCOM COMMUNICATIONS, INC.

AND

MCIMETRO ACCESS TRANSMISSION SERVICES LLC

January 21, 2004

1 **Q. PLEASE STATE YOUR NAME, EMPLOYER, TITLE AND BUSINESS**
2 **ADDRESS.**

3 A. My name is Lonnie Hardin. I am currently employed by MCI as Manager,
4 Access Management, 6929 North Lakewood, Tulsa, Oklahoma 74117.

5 **Q: PLEASE DESCRIBE YOUR BACKGROUND AND EMPLOYMENT-**
6 **RELATED DUTIES:**

7 A. I graduated with honors with a degree in Business and Public Administration in
8 1977 from Oklahoma State University. I had a minor in Economics. I was
9 awarded a Juris Doctorate, with honors, from the University of Tulsa in 1980.
10 From 1980 until 1992, I practiced law in Tulsa, Oklahoma. My practice was a
11 general business practice, with representation of clients in Oklahoma courts and
12 administrative agencies. From 1992 until 1997 I was Director of Economic
13 Development for the City of Owasso, Oklahoma. My duties there included
14 drafting contracts and franchise agreements with cable and telecom providers.

15 In 1997, I joined WorldCom (now MCI) as a Contract Administrator for
16 the Network Planning organization. I negotiated and drafted contracts for the
17 construction of fiber routes, capacity leases, right of way agreements, collocation
18 agreements, master telecommunications agreements, long distance capacity leases
19 and interconnection agreements.

20 In my current position as Manager of Access Planning Southeast, which I
21 have held since 2000, I manage capacity for termination of telecommunications
22 service with the ILEC and CLECs, as well as our use of tariffs and
23 interconnection agreements. I continually optimize the MCI networks through

1 network grooms (i.e., moving traffic from non-owned facility to MCI-owned
2 facility), vendor agreements and tariffs. In my capacity as a manager in local
3 access planning with MCI, I have made public declarations to the Federal
4 Communications Commission (“FCC”) and have provided testimony to the Maine
5 Public Utilities Commission on various subjects, primarily concerning network
6 economics and competition issues.

7 **Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY IN THIS**
8 **PROCEEDING?**

9 A. The purpose of my testimony is to rebut the Joint Direct Testimony and Joint
10 Supplemental Direct Testimony of Verizon witnesses Orville D. Fulp and John
11 White, the Direct Testimony and Supplemental Direct Testimony of BellSouth
12 witness Shelley W. Padgett, and the Direct Testimony of BellSouth witness A.
13 Wayne Gray, particularly with respect to Issues 7, 9, 11, 14 and 16. As such, I
14 focus on the “trigger” analyses set forth by the Triennial Review Order and by
15 Verizon and BellSouth, and address allegations by those ILECs as to whether
16 MCI provisions transport on particular “routes” identified by those carriers.

17 **Q. IN PRESENTING YOUR TESTIMONY, WHAT DID YOU REVIEW?**

18 A. I reviewed the Triennial Review Order, as well as testimony, exhibits, and
19 discovery filed in this case. I also reviewed MCI’s network in Florida and
20 relevant company databases. I conducted a route-by-route analysis of the routes
21 identified in the exhibits provided by Ms. Padgett and Messrs. Fulp and White.

22 **Q: BASED ON YOUR REVIEW, WHAT ARE YOUR CONCLUSIONS?**

1 A: MCI does not deploy dedicated transport on routes between ILEC wire centers in
2 the BellSouth or Verizon service territories in Florida. Consequently, MCI cannot
3 constitute a “self-provisioning” or a “wholesale” transport trigger with regard to
4 either ILEC.

5 BellSouth presents no evidence as to transport routes between ILEC wire
6 centers actually provisioned by MCI. The evidence presented by BellSouth as to
7 impairment appears to be based upon a cursory review of sites where MCI has a
8 collocation in the ILEC facilities at each end of what BellSouth deems to be a
9 “route.” This is a deficient analysis and misses the point of the Triennial Review
10 Order. Moreover, my review of the actual MCI network topology and
11 architecture reveals that on none of the routes listed by BellSouth does MCI
12 actually provide transport.

13 The evidence presented by Verizon is likewise deficient, and MCI has no
14 transport routes between ILEC wire centers within the Verizon territory.

15 **Q: WHAT ARE SIGNIFICANT PARTS OF THE TRIENNIAL REVIEW**
16 **ORDER THAT YOU REVIEWED?**

17 A; The Triennial Review Order defines a “route” as “a transmission path between
18 one of an incumbent LEC’s wire centers or switches and another of the incumbent
19 LEC’s wire centers or switches.” 47 C.F.R. §51.319(e). As I will discuss below,
20 this definition is key to the determination whether transport on specific routes
21 should no longer be available on an unbundled basis.

22 Dedicated DS3 transport consists of ILEC interoffice transmission
23 facilities that have a total digital signal speed of 44.736 megabytes per second and

1 are dedicated to a particular customer or carrier. §51.319(e)(2). An ILEC shall
2 provide a requesting carrier with nondiscriminatory access to dedicated DS3
3 transport on an unbundled basis except where the Florida Public Service
4 Commission (“Commission”) finds that one of the triggers for dedicated DS3
5 transport exists, or as a result of a “potential deployment analysis.”
6 §51.319(e)(2). The triggers consist of a “self-provisioning” trigger and a
7 “competitive wholesale facilities” trigger. §51.319(e)(2)(1). To satisfy the self-
8 provisioning trigger for DS3 transport, the Commission must find, among other
9 requirements, that each of three or more competing providers (unaffiliated with
10 each other or with the ILEC) has “deployed its own transport facilities and is
11 operationally ready to use those transport facilities to provide dedicated DS3
12 transport along the particular route.” §51.319(e)(2)(i)(A)(1). To satisfy the
13 wholesale trigger for DS3 transport, the Commission must find, among other
14 things, that each of two or more competing providers (unaffiliated with each other
15 or with the ILEC) has “deployed its own transport facilities,” is “operationally
16 ready to use those facilities to provide dedicated DS3 transport along the
17 particular route” and is “willing immediately to provide, on a widely available
18 basis, dedicated DS3 transport along the particular route.” §51.319(e)(2)(i)(B)(1)
19 & (2).

20 Similarly, an ILEC shall provide a requesting carrier with
21 nondiscriminatory access to dark fiber transport on an unbundled basis except
22 where the Commission finds that one of the triggers for dark fiber transport exists,
23 or as a result of a “potential deployment analysis.” §51.319(e)(3). Dark fiber

1 consists of unactivated optical interoffice transmission facilities. *Id.* Like DS3
2 transport, the dark fiber triggers consist of a “self-provisioning” trigger and a
3 “competitive wholesale facilities” trigger. To satisfy the self-provisioning trigger
4 for dark fiber transport, the Commission must find, among other requirements,
5 that each of three or more competing providers (unaffiliated with each other or
6 with the ILEC) has “deployed its own dark fiber facilities, which may include
7 dark fiber facilities that it has obtained on a long-term, indefeasible-right of use
8 basis.” §51.319(e)(3)(i)(A)(1). To satisfy the wholesale trigger for dark fiber
9 transport, the Commission must find, among other things, that each of two or
10 more competing providers (unaffiliated with each other or with the ILEC) has
11 “deployed its own dark fiber, including dark fiber that it has obtained from an
12 entity other than the incumbent LEC, and is operationally ready to lease or sell
13 those facilities for the provision of fiber-based transport along the particular
14 route,” and that the competing provider is “willing immediately to provide, on a
15 widely available basis, dark fiber along the particular route.” §51.319(e)(3)(i)(B)
16 (1) & (2).

17 **Q: YOU HAVE DESCRIBED THE TRIGGERS FOR DS3 TRANSPORT AND**
18 **DARK FIBER TRANSPORT. WHAT ABOUT DS1 TRANSPORT?**

19 A. The self-provisioning triggers of the Triennial Review Order do not apply to DS1
20 transport. To satisfy the wholesale trigger for DS1 transport, the Commission
21 must find, among other requirements, that each of two or more competing
22 providers (unaffiliated with each other or with the ILEC) has “deployed its own
23 transport facilities and is operationally ready to use those facilities to provide

1 dedicated DS1 transport along the particular route,” and the competing provider is
2 “willing immediately to provide, on a widely available basis, dedicated DS1
3 transport along the particular route.” §51.319(e)(1)(ii)(A) & (B).

4 **Q: WHAT IS SIGNIFICANT ABOUT THE LANGUAGE OF THE**
5 **TRIENNIAL REVIEW ORDER THAT YOU HAVE CITED?**

6 A. Although all parts of this language must be given effect, the FCC clearly evinced
7 the intent, with regard to application of the triggers for transport, that there be a
8 “route” between ILEC wire centers that is actually deployed by the CLEC and is
9 operationally ready for transport, and that there be specific evidence that each
10 route alleged as such by an ILEC in fact be deployed and operationally ready for
11 transport, on a capacity-specific basis (DS3, DS1 and dark fiber, respectively).
12 As such, neither the “backhaul” of traffic from an MCI collocation to an MCI
13 switch, which I discuss below, nor a “route” consisting of a path between an MCI
14 collocation in wire center A and MCI’s switch or node, and a path between an
15 MCI collocation in wire center B and that switch, constitutes “dedicated
16 transport.” *See* Triennial Review Order, ¶¶ 365-67. This makes sense because I
17 assume that the trigger rules were set up to help determine if alternative facilities
18 exist that would make the purchase of ILEC facilities unnecessary.

19 **Q: PLEASE DESCRIBE MCI’S NETWORK DESIGN.**

20 A. As described in Gary Ball’s Direct Testimony, competitors’ network architectures
21 ordinarily are composed of several fiber rings in a city. These rings connect
22 points where traffic from customers is aggregated. This description applies to
23 MCI’s network architecture. “On-net” collocation arrangements, which I define

1 below, aggregate the traffic, which is then transmitted to MCI's switch. MCI's
2 network is designed and built to carry (i.e., "backhaul") traffic from each of these
3 aggregation points to MCI's switch. There is typically not more than one ILEC
4 wire center on a ring, and I confirmed that not more than one ILEC wire center is
5 in fact on an MCI ring in BellSouth's or Verizon's service territory in Florida.
6 Therefore, it is axiomatic that MCI does not have transport between collocations
7 in two ILEC wire centers in BellSouth's or Verizon's Florida territory.

8 Most competitors' network architectures, MCI's included, are ordinarily
9 composed of a series of rings emanating from a central node and connecting to a
10 single Bell central office or switch. In contrast, an ILEC network normally
11 consists of a series of interlocking and parallel SONET rings within a given
12 service area. The CLEC network architecture is more appropriately described as
13 a star or hub and spoke arrangement rather than the concentric and interlocking
14 ring arrangement found with the ILEC.

15 **Q: WHAT DO YOU MEAN BY "ON NET" COLLOCATION?**

16 A: An "on-net" collocation is a collocation that is physically connected to MCI's
17 global network by MCI owned facilities. In contrast, "off-net" collocation
18 means that non-owned facilities are being used to connect collocation location to
19 MCI's global network. The difference is significant, because only "on-net"
20 collocations, given the Triennial Review Order's definitions, can be considered
21 for determination of whether MCI deploys dedicated transport on particular
22 routes.

1 **Q: DO ILECS ASSUME THE TYPICAL CLEC NETWORK DESIGN FOR**
2 **PURPOSES OF THE TRIENNIAL REVIEW?**

3 A. No, as one may discern from the schematic drawings submitted by BellSouth.
4 Moreover, ILECs typically assume that if a CLEC has collocations in ILEC wire
5 center "A" and a collocation in ILEC wire center "B," a "transport route" must
6 exist between those points. For the reasons stated above, this is an incorrect
7 assumption.

8 In addition, there typically is no granular analysis by ILECs of actual
9 deployed capacity levels. The FCC did not determine that there is no impairment
10 for any capacity level wherever OCn level deployment is evident. The ILECs'
11 premise instead appears to be that if any kind of fiber facilities have been
12 deployed to a given collocation, then MCI (or another CLEC) is "operationally
13 ready" to deploy any level of capacity, including DS 1 or DS 3, even if there is no
14 evidence that a transport route exists or if the carrier is actually providing service
15 at those capacity levels.

16 On a technical level, it is not the case that every piece of fiber-optic
17 equipment is automatically capable of providing a DS 1 or a DS 3. Even the
18 fiber-optic equipment that is capable of providing such services must be equipped
19 with the appropriate line cards and multiplexing equipment before it may be
20 deemed "operationally ready." Although it may not be unreasonable to conclude
21 a carrier may be *capable* of channelizing OCn level deployment to a DS1 or DS3
22 under certain conditions, the triggers require actual deployment, not potential
23 deployment, of the necessary equipment. Moreover, such CLEC transport

1 facilities must exist before it is even necessary to worry about whether or not they
2 can be channelized.

3 **Q: WHAT IS SIGNIFICANT ABOUT THE DESIGN OF MCI'S NETWORK**
4 **FOR PURPOSES OF THIS PROCEEDING?**

5 A. From a customer perspective, an ILEC interoffice transport route has a built-in
6 advantage versus any transport that could be offered by a CLEC, because the
7 ILEC route remains on the ILEC network and directly connects the two points.
8 For MCI to connect the two points, it must take the traffic back to a central node,
9 change to another ring and carry the traffic back out to the terminating point, and
10 hand the traffic to the ILEC. This introduces at least four additional points of
11 failure. Customers are concerned about failure points within carriers' networks,
12 particularly since September 11, 2001.

13 **Q: WHY WOULD A CUSTOMER WANT MCI TO ENGINEER A**
14 **TRANSPORT ROUTE BETWEEN TWO ILEC WIRE CENTERS?**

15 A: The only reason I can think why a customer would ask MCI to transport traffic
16 between two ILEC wire centers would be if the customer wanted a physically and
17 operationally redundant (i.e., redundant to the ILEC's network) local area
18 network (LAN). I underscore "and operationally" because it is likely that the
19 ILEC can already offer customers physically redundant transport through the use
20 of its interoffice SONET facilities. As such, from a customer's perspective, a
21 primary benefit of bringing a CLEC into its LAN design would be operational
22 redundancy. Of course, the customer must be willing to pay for this service.

1 Such might be the case if the customer is a large corporation (e.g. banking) or
2 government agency. (e.g. FAA, NASA).

3 **Q: HOW WOULD YOU CHARACTERIZE THIS KIND OF SERVICE?**

4 A. It would be a point-to-point MCI private line route between our collocations in
5 two ILEC wire centers.

6 **Q: DOES MCI OFFER SUCH A SERVICE?**

7 A. MCI offers private line service. The issue here, however, is whether MCI
8 provides such service on a point-to-point route between MCI's collocations in
9 ILEC wire centers. MCI does not provide such point-to-point service to end users
10 or carriers in BellSouth's or Verizon's service territory in Florida. Consequently,
11 as stated at the beginning of my testimony MCI does not provide dedicated
12 transport in these areas.

13
14 **Issue 9: Along what particular routes have three or more competing**
15 **providers, not affiliated with each other or the ILEC, including intermodal**
16 **providers of service comparable in quality to that of the ILEC, deployed**
17 **their own DS-3 level dedicated transport facilities (including leased,**
18 **purchased or UNE dark fiber with the carrier's own optronics attached to**
19 **activate the fiber) and are operationally ready to use those transport**
20 **facilities?**

21
22 **Issue 14: Along what particular routes have three or more competing**
23 **providers, not affiliated with each other or the ILEC, deployed their own**
24 **dark fiber transport facilities?**

25
26 **Q: DID VERIZON LIST MCI AS SELF-PROVIDING TRANSPORT ON**
27 **ROUTES IN FLORIDA?**

28 A: Yes. Verizon listed MCI as self-providing transport on 19 dark fiber transport
29 routes (exhibit F.1) and 19 DS3 transport routes. (Exhibit F.2.)

1 **Q: WHAT IS THE BASIS FOR VERIZON’S CONCLUSION THAT MCI IS**
2 **SELF-PROVIDING TRANSPORT, AND VERIZON’S IDENTIFICATION**
3 **OF ROUTES FOR WHICH SUCH TRANSPORT IS BEING PROVIDED?**

4 A. Verizon first assumes that facilities collocated by MCI in Verizon’s wire center
5 “A” and Verizon’s wire center “B” establishes a “route.” (Fulp and White Direct,
6 p. 17.) As discussed above, the existence of collocation facilities alone do not
7 establish a transport route. Verizon then makes another “key assumption” - that
8 OCn-level “transport facilities” deployed by CLECs entering those collocations
9 are capable of channelizing to DS1 or DS3 capacity services. Verizon apparently
10 then further assumes that DS1s and DS3s have been actually deployed and are
11 operationally ready. (Fulp and White Direct, pp. 18-21; exhibit E.9; Fulp and
12 White Supplemental Direct, p. 4.) This is not a capacity-specific, route-by-route
13 analysis. In fact, this process does not analyze any “route.” Finally, Verizon also
14 assumes that self-provisioned fiber facilities have self-provisioned dark fiber.
15 (Fulp and White Direct, pp. 21-22.)

16 **Q: WHAT WAS THE RESULT OF YOUR ANALYSIS OF VERIZON’S**
17 **EVIDENCE AND MCI’S DATA?**

18 A. In sum, Verizon does not engage in a granular, route-specific and capacity-
19 specific analysis. As stated above, since MCI has no transport routes between
20 ILEC wire centers within the Verizon territory, Verizon cannot present any
21 evidence to support a claim of no impairment.

22 **Issue 7: Along what particular routes have two or more competing**
23 **providers, not affiliated with each other or the ILEC, including intermodal**
24 **providers of service comparable in quality to that of the ILEC, deployed**
25 **their own DS-1 level dedicated transport facilities (including leased, purchase**

1 or UNE dark fiber with the carrier's own optronics attached to activate the
2 fiber) and are willing to provide DS-1 level transport immediately over their
3 own facilities on a widely available basis to other carriers?
4

5 **Issue 11:** Along what particular routes have two or more competing
6 providers, not affiliated with each other or the ILEC, including intermodal
7 providers of service comparable in quality to that of the ILEC, deployed
8 their own DS-3 level dedicated transport facilities (including lease, purchase
9 or UNE dark fiber with the carrier's own optronics attached to activate the
10 fiber), are operationally ready to use those transport facilities, and are
11 willing to provide DS-3 level dedicated transport immediately over their
12 facilities on a widely available wholesale basis to other carriers?
13

14 **Issue 16:** Along what particular routes have two or more competing
15 providers, not affiliated with each other or the ILEC, deployed their own
16 dark fiber transport facilities (including dark fiber obtained from an entity
17 other than the ILEC), are operationally ready to lease or sell those transport
18 facilities to provide transport along the route, and are willing to provide dark
19 fiber immediately over their facilities on a widely available wholesale basis to
20 other carriers?
21

22 **Q: DID YOU ALSO REVIEW VERIZON'S LIST OF WHOLESALE**
23 **ROUTES?**

24 A. Yes. Verizon lists MCI as providing wholesale service on 26 DS1 and DS3
25 transport routes and on 26 dark fiber transport routes. (Exhibit F.3.)

26 **Q: WHAT DO YOU CONCLUDE AS A RESULT OF THIS REVIEW?**

27 A. Again, Verizon's testimony does not state on a route-by-route basis the evidence
28 for this identification. In any event, since MCI has no transport routes between
29 ILEC wire centers within the Verizon territory, Verizon cannot present any
30 evidence to support a claim of no impairment.

31
32 **Issue 7:** Along what particular routes have two or more competing
33 providers, not affiliated with each other or the ILEC, including intermodal
34 providers of service comparable in quality to that of the ILEC, deployed
35 their own DS-1 level dedicated transport facilities (including leased, purchase
36 or UNE dark fiber with the carrier's own optronics attached to activate the

1 fiber) and are willing to provide DS-1 level transport immediately over their
2 own facilities on a widely available basis to other carriers?
3

4 **Issue 9:** Along what particular routes have three or more competing
5 providers, not affiliated with each other or the ILEC, including intermodal
6 providers of service comparable in quality to that of the ILEC, deployed
7 their own DS-3 level dedicated transport facilities (including leased,
8 purchased or UNE dark fiber with the carrier's own optronics attached to
9 activate the fiber) and are operationally ready to use those transport
10 facilities?
11

12 **Issue 11:** Along what particular routes have two or more competing
13 providers, not affiliated with each other or the ILEC, including intermodal
14 providers of service comparable in quality to that of the ILEC, deployed
15 their own DS-3 level dedicated transport facilities (including lease, purchase
16 or UNE dark fiber with the carrier's own optronics attached to activate the
17 fiber), are operationally ready to use those transport facilities, and are
18 willing to provide DS-3 level dedicated transport immediately over their
19 facilities on a widely available wholesale basis to other carriers?
20

21 **Issue 14:** Along what particular routes have three or more competing
22 providers, not affiliated with each other or the ILEC, deployed their own
23 dark fiber transport facilities?
24

25 **Issue 16:** Along what particular routes have two or more competing
26 providers, not affiliated with each other or the ILEC, deployed their own
27 dark fiber transport facilities (including dark fiber obtained from an entity
28 other than the ILEC), are operationally ready to lease or sell those transport
29 facilities to provide transport along the route, and are willing to provide dark
30 fiber immediately over their facilities on a widely available wholesale basis to
31 other carriers?
32
33

34 **Q: DID BELL SOUTH LIST MCI AS PROVIDING TRANSPORT ON**
35 **ROUTES IN FLORIDA?**

36 **A.** Yes. BellSouth listed MCI as providing transport on 27 routes. In each instance,
37 MCI is listed as providing dark fiber transport routes, DS1 transport routes and
38 DS3 transport routes. (Exhibit SWP-8.)

1 **Q: WHAT IS THE BASIS FOR BELLSOUTH’S CONCLUSION THAT MCI**
2 **IS PROVIDING TRANSPORT, AND BELLSOUTH’S IDENTIFICATION**
3 **OF ROUTES FOR WHICH TRANSPORT IS BEING PROVIDED?**

4 A. Like Verizon, BellSouth first assumes that facilities collocated by MCI in
5 BellSouth’s wire center “A” and BellSouth’s wire center “B” establishes a
6 “route.” (Padgett Direct, pp. 15-16, 18; Gray Direct, pp. 8, 10.) BellSouth
7 assumes that since it is possible (as MCI admits) to connect points on their
8 networks, this capability establishes an actually deployed, operationally ready
9 transport facility. As such, BellSouth appears to be melding a potential
10 deployment analysis with an actual deployment analysis. As discussed above,
11 these facts alone do not establish a transport route.

12 BellSouth then, like Verizon, bootstraps the assumption of “routes” to the
13 assumption that OCn-level “transport facilities” deployed by CLECs entering
14 those collocations are capable of channelization to DS1 or DS3 capacity services.
15 (Padgett Direct, pp. 16-17; Gray Direct, pp. 8-9.) Again, as discussed above, this
16 melds potential deployment with actual deployment analysis, and is not a
17 capacity-specific, route-by-route analysis. Finally, BellSouth, like Verizon, also
18 assumes that self-provisioning CLECs necessarily provision both lit and unlit
19 facilities. (Padgett Direct, pp. 18-19.)

20 **Q: WHAT WAS THE RESULT OF YOUR ANALYSIS OF BELLSOUTH’S**
21 **EVIDENCE AND MCI’S DATA?**

1 A. As is the case with Verizon, BellSouth does not engage in a granular, route-
2 specific and capacity-specific analysis. As stated above, MCI has no transport
3 routes between ILEC wire centers within the BellSouth territory.

4 **Q: DOES BELLSOUTH IDENTIFY MCI AS A WHOLESALE PROVIDER?**

5 A. Yes. BellSouth describes MCI as providing wholesale service generally. (Exhibit
6 SWP-6.) BellSouth states that “(a)ny route that qualifies for the self-provisioning
7 trigger could meet the wholesale facilities trigger also – the only question is
8 whether the competitive carrier chooses to offer transport on it to other carriers.”
9 (Padgett Direct, p. 19.)

10 **Q: DOES BELLSOUTH’S ANALYSIS COMPORT WITH THE TRIENNIAL**
11 **REVIEW ORDER?**

12 A. No. BellSouth’s testimony does not state on a route-by-route basis the evidence
13 for this identification. This not only fails to present a granular, route-by-route
14 analysis, once again it melds the potential deployment analysis with the actual
15 deployment analysis. In any event, since MCI has no transport routes between
16 ILEC wire centers within the BellSouth territory, BellSouth cannot present any
17 evidence to support a claim of no impairment.

18 **Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

19 A. Yes, it does.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Hand Delivery (*), electronic mail, and/or U. S. Mail this 21st day of January, 2004.

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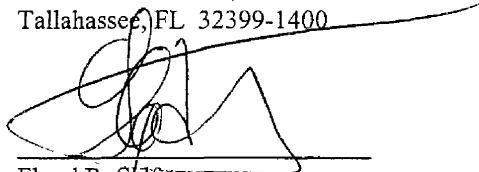
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