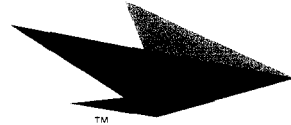


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EMBARQ™

Embarq Corporation  
Mailstop: FTLH00102  
1313 Blair Stone Rd.  
Tallahassee, FL 32301  
EMBARQ.com

March 20, 2007

Ms. Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RECEIVED  
07 MAR 20 PM 4:51  
COMMISSION CLERK

RE: Docket No. 060767-TP, Petition of MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services for arbitration of disputes arising from negotiation of interconnection agreement with Embarq Florida, Inc.

CMP

COM 5 Dear Ms. Cole:

CTR 1 Enclosed for filing on behalf of Embarq Florida, Inc. are the original and fifteen (15) copies of:

ECR \_\_\_\_\_  
GCL 1 • Rebuttal Testimony of Edward C. Hart 02488-07

OPC \_\_\_\_\_  
RCA \_\_\_\_\_ • Rebuttal Testimony of James M. Maples 02489-07

SCR \_\_\_\_\_  
SGA \_\_\_\_\_ • Rebuttal Testimony of Edward B. Fox 02490-07

SEC \_\_\_\_\_ Copes are being served pursuant to the attached Certificate of Service.

OTH \_\_\_\_\_ Please acknowledge receipt of this filing by stamping and initialing a copy of this letter and returning same to the courier. If you have any questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

*Susan S. Masterton*

Susan S. Masterton

Enclosures

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Susan S. Masterton  
COUNSEL

LAW AND EXTERNAL AFFAIRS- REGULATORY

Voice: (850) 599-1560  
Fax: (850) 878-0777

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02488 MAR 20 5

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE  
DOCKET NO. 060767-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail and hand delivery\*, or U.S. Mail this 20<sup>th</sup> day of March, 2007 to the following:

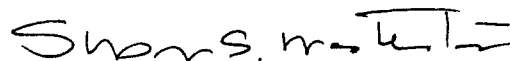
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Susan S. Masterton

**ORIGINAL**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

|   |                      |
|---|----------------------|
| Petition of MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services for arbitration of disputes arising from negotiation of interconnection agreement with Embarq Florida, Inc. | Docket No. 060767-TP |
|---|----------------------|

**REBUTTAL TESTIMONY OF**

**EDWARD C. HART**

**ON BEHALF OF**

**EMBARQ FLORIDA, INC.**

**March 20, 2007**

DOCUMENT NUMBER-DATE

02488 MAR 20 5

FPSC-COMMISSION CLERK

1     **INTRODUCTION**

2

3     **Q.     Please state your name, title and business address.**

4     **A.**     My name is Edward “Ted” C. Hart. I am employed by Embarq Management  
5             Company, an affiliate of Embarq Florida, Inc., as a Senior Manager of Business  
6             Strategy and Policy in the Wholesale Markets Division. My business address is  
7             9300 Metcalf Avenue, Overland Park, Kansas.

8

9     **Q.     Are you the same Ted Hart who filed direct testimony in this proceeding on**  
10            **February 20, 2007?**

11    **A.**     Yes, I am.

12

13    **Q.     What is the purpose of your testimony?**

14    **A.**     The purpose of my testimony is to provide context and facts that rebut certain  
15            testimony provided by Verizon Access’ Witness Don Price related to Calling  
16            Party Number (CPN) issues.

17

18    **Issue #3 – NO CPN**

19

20    **Q.     On page 17 lines 20 – 22, Mr. Price cites language proposed by Verizon**  
21            **Access that he suggests is superior to Embarq’s proposed language with**  
22            **regard to traffic lacking CPN. Why does Embarq object to Verizon Access’s**  
23            **proposed language?**

1     **A.**     As Mr. Price states, the parties have already agreed to a compensation mechanism  
2             for a threshold amount of traffic that contains no CPN. Verizon Access has  
3             proposed an additional category of traffic (above the agreed upon 10% threshold)  
4             that would be included in the agreed upon compensation mechanism. The amount  
5             of traffic that might fall under this additional category is unlimited, that is, it is  
6             possible under Verizon Access's proposal that Verizon Access could claim that it  
7             was technically infeasible to provide CPN on 100% of the traffic it delivers to  
8             Embarq for termination. The potential impact of Verizon Access's proposal is  
9             clear when viewed in light of Verizon Access's current PLUs, as discussed in my  
10            Direct Testimony at page 8, line 13.

11

12    **Q.**     **Does Embarq have operational concerns relating to implementation of**  
13             **Verizon Access's proposal?**

14    **A.**     Yes. What Mr. Price fails to mention is that Embarq cannot practically determine  
15             whether it was or is possible for Verizon Access to pass or have passed CPN on  
16             the traffic that traverses the trunks established between the parties. In fact, if a  
17             call record detail is changed or altered, it is not possible under most  
18             circumstances, and without significant investigative work, for Embarq to  
19             determine if there was some malfeasance or technical glitch which led to the  
20             dropping of the record. All the Embarq can do is determine that the number is not  
21             there.

22

1 **Q. So, under Verizon Access’s proposed language, how would the parties**  
2 **determine if it was technically feasible for Verizon Access to provide CPN on**  
3 **the “No CPN” traffic that exceeds the 10% threshold?**

4 **A.** Since there is no way that Embarq can tell whether it was “technically feasible”  
5 for Verizon Access to transmit the CPN, to implement Verizon Access’s proposed  
6 language the parties would need to establish an ongoing mechanism for Verizon  
7 Access to demonstrate technical infeasibility for the portion of the “No CPN”  
8 traffic in excess of the 10% threshold where it alleges that this condition exists.  
9 Such a process would be extremely administratively burdensome and costly to  
10 implement. In fact, the 10% threshold was established specifically to avoid  
11 imposing this type of cumbersome process to justify the absence of CPN on any  
12 particular portion of the traffic. In this context, Verizon Access’s proposal makes  
13 absolutely no sense and reveals Verizon Access’s true intent, which is to avoid the  
14 payment of Embarq’s intrastate access charges on traffic for which such charges  
15 are rightfully due.

16  
17 **Q. On page 18, line 22 through the page 19 line 7, Mr. Price discusses the**  
18 **unfairness of the applying intrastate access rates when a party cannot pass**  
19 **CPN due to technical constraints. Where does Mr. Price’s fairness**  
20 **discussion fail?**

21 **A.** Mr. Price fails to mention that there is currently a very small amount of traffic that  
22 traverses the parties’ local interconnections that lacks CPN. The current rates of  
23 “No CPN” traffic are well under rates that would cause the 10% threshold to

1 trigger. Traffic lacking CPN would have to increase exponentially for the  
2 intrastate access rates to apply.

3  
4 **Q. Why is Verizon Access's proposal unreasonable?**

5 **A.** CPN is crucial for determining traffic jurisdiction. The Florida PSC has held in  
6 the past that intrastate access is an appropriate rating mechanism for traffic of  
7 unknown origin. It is appropriate in this matter as well. Application of the PLU  
8 as Mr. Price suggests would provide a presumption that the lowest local rates  
9 should be applied to unknown traffic. Embarq rejects that notion and believes  
10 that the Commission should uphold its prior rulings in this matter. Embarq's  
11 proposed language is consistent with prior Commission rulings and provides a fair  
12 compensation mechanism for a reasonable amount of traffic where it might be  
13 technically infeasible for Verizon Access to provide CPN. Therefore, the  
14 Commission should reject Verizon Access's ill-motivated and self-serving  
15 language and approve the language proposed by Embarq.

16  
17 **Q. Does this conclude your testimony?**

18 **A.** Yes.