

1 Q. SHOULD THE COMMISSION BE CONCERNED ABOUT MR. REYNOLDS'S
2 SECOND CLAIM THAT QCC DOES NOT GENERATE THE SAME TRAFFIC
3 VOLUMES AS AT&T?

4 A. Yes. First, [REDACTED]
5 [REDACTED] As such, this *post hoc* rationalization is not credible.⁴⁷
6 Further, there is no evidence to indicate that the cost to MCI in provisioning switched
7 access to AT&T is lower than the cost to MCI in provisioning switched access to QCC
8 due to differences in traffic volumes. Hence, granting AT&T but not QCC switched
9 access discounts on the basis of traffic volumes amounts to discrimination against QCC
10 simply because it is a smaller provider than AT&T. The economic concern is the same
11 as that discussed above, that these practices can serve to preclude the least-cost
12 provider from serving as the least-price provider and lead to inefficient foreclosure. In
13 the absence of a cost justification, this disparate rate treatment is unjustified from an
14 economic perspective.

15 Q. WHAT CONCLUSIONS DO YOU DRAW ABOUT MR. REYNOLDS' CLAIMS
16 THAT QCC IS NOT SIMILARLY SITUATED TO AT&T?

17 A. Mr. Reynolds' claims fall victim to the same fallacy as that of Mr. Wood in that he
18 identifies meaningless distinctions to support his contention that QCC is not similarly
19 situated to the favored IXCs. For all of the reasons that I have identified above and in
20 my direct testimony, it is critical that any claims on the part of the CLECs that QCC is
not similarly situated to AT&T be grounded in economic reality – that any difference
in rates for switched access be explained by differences in costs for switched access.

COM _____
AFD _____
APA _____
ECO _____
ENG _____
GCD _____
IDM _____
TEL _____
CLK _____

⁴⁷ *QCC v. MCI metro, et al*, Docket No. 08F-259T, Decision No. C11-1216 (mailed Nov. 15, 2011) at ¶ 75.
("Further, we find most persuasive QCC's argument that none of the unfiled off-tariff agreements ties the
discount to the IXC to the purchase of specific volumes of switched access service. To the contrary, all of the
unfiled agreements at issue in the instant proceeding grant the discount in unlimited fashion, regardless of how
much switched access a favored IXC purchases. This alone is fatal to the claim that differences in site or traffic
volumes justify price differentiation in this case.")

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