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ORIGINAL  
FILE COPY

August 15, 1994

Mrs. Blanca S. Bayo  
Director-Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32301

RE: Docket No. 920260-TL

Dear Mrs. Bayo:

Enclosed for filing in the above-referenced docket, please find an original and fifteen copies of Rebuttal Testimony of Nancy H. Sims for Southern Bell Telephone and Telegraph Company.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

*Nancy B. White*  
Nancy B. White (2)

ACK  *John*  
AFA   
APP  *Man*  
CAF   
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*Norton*  
Enclosures

CTR  cc: All Parties of Record

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**CERTIFICATE OF SERVICE**

**Docket No. 920260-TL**

**Docket No. 900960-TL**

**Docket No. 910163-TL**

**Docket No. 910727-TL**

I HEREBY CERTIFY that a copy of the foregoing has been  
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Nancy B. White (2)

1 SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY  
2 REBUTTAL TESTIMONY OF NANCY H. SIMS  
3 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
4 DOCKET NO. 920260-TL  
5 AUGUST 15, 1994  
6  
7

8 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

9  
10 A. I AM NANCY H. SIMS. MY BUSINESS ADDRESS IS 675  
11 WEST PEACHTREE STREET, N.E., ATLANTA, GEORGIA.

12  
13 Q. BY WHOM ARE YOU EMPLOYED?

14  
15 A. I AM EMPLOYED BY BELLSOUTH TELECOMMUNICATIONS, INC.  
16 D/B/A SOUTHERN BELL (COMPANY OR SOUTHERN BELL).

17  
18 Q. PLEASE GIVE A BRIEF DESCRIPTION OF YOUR BACKGROUND  
19 AND EXPERIENCE.

20  
21 A. I GRADUATED FROM NORTH CAROLINA STATE UNIVERSITY IN  
22 1971, WITH A BACHELOR OF SCIENCE DEGREE. IN 1973,  
23 I WAS EMPLOYED BY SOUTHERN BELL IN THE NORTH  
24 CAROLINA HEADQUARTERS ORGANIZATION. SINCE THAT  
25 TIME I HAVE HELD VARIOUS POSITIONS WITH THE COMPANY

1 AND AT&T. I AM CURRENTLY A DIRECTOR WITH  
2 RESPONSIBILITY FOR THE PRICING AND TARIFFING OF A  
3 VARIETY OF LOCAL EXCHANGE SERVICES FOR THE NINE  
4 STATE REGION.

5

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

7

8 A. THE PURPOSE OF MY TESTIMONY IS TO REBUT MR. ROBERT  
9 KRUKLES' TESTIMONY, WHICH WAS FILED ON BEHALF OF  
10 THE COMMUNICATION WORKERS OF AMERICA (CWA). MORE  
11 SPECIFICALLY, I ADDRESS THE CWA'S PROPOSAL TO  
12 ESTABLISH A "WORKER/CITIZENS COMMITTEE" FUNDED BY  
13 THE \$10M IN 1994 RATE REDUCTIONS THAT WAS NOT  
14 ALLOCATED BY THE STIPULATION AND IMPLEMENTATION  
15 AGREEMENT (THE "SETTLEMENT AGREEMENT") IN THIS  
16 DOCKET. I WILL SHOW WHY THIS PROPOSAL IS  
17 INAPPROPRIATE AND WHY THE COMMISSION'S ORDER ON THE  
18 DISPOSITION OF THE \$10M IS PROPER.

19

20 Q. THE CWA PROTESTED THE COMMISSION'S ORDER NO.  
21 PSC-94-0669-FOF-TL. HOW DID THE COMMISSION DIRECT  
22 THE DISPOSITION OF THE \$10M IN THIS DOCKET?

23

24 A. THE COMMISSION ORDERED THAT THE \$10M REDUCTION BE  
25 DISTRIBUTED AS FOLLOWS:



1       ALTHOUGH I AM NOT AN ATTORNEY, IT IS MY  
2       UNDERSTANDING THAT THIS WAS SUFFICIENT FOR PURPOSES  
3       OF DUE PROCESS.  MOREOVER, WITH ITS PROTEST OF THE  
4       PROPOSED AGENCY ACTION, THE CWA IS NOW HAVING A  
5       FURTHER HEARING.  THE COMMISSION HAS NOT TREATED  
6       THE CWA ANY DIFFERENTLY THAN ANY OTHER PARTY IN  
7       ADDRESSING THIS MATTER OR ANY OTHER MATTER.

8

9 Q.   IS THE DISPOSITION OF THE MONIES IN THE MANNER  
10       ORDERED BY THE COMMISSION MORE APPROPRIATE THAN THE  
11       CWA'S PROPOSAL? (ISSUE #3)

12

13 A.   YES.  THE COMMISSION'S DECISION IS MORE  
14       APPROPRIATE.

15

16 Q.   WHY WAS IT APPROPRIATE FOR THE COMMISSION TO ORDER  
17       THE ELIMINATION OF THE CHARGE FOR BILLED NUMBER  
18       SCREENING FOR RESIDENCE AND BUSINESS CUSTOMERS?

19

20 A.   THE MAIN PURPOSE OF BILLED NUMBER SCREENING IS TO  
21       REDUCE FRAUD THROUGH THE DETERRENCE OF UNAUTHORIZED  
22       BILLING.  FRAUD IS EXPENSIVE FOR EVERYONE: THE  
23       CUSTOMER, THE COMPANY, AND ULTIMATELY THE  
24       RATEPAYER.  FRAUD IS AN EVER INCREASING PROBLEM AND  
25       A CONCERN WHICH HAS CAPTURED THE ATTENTION OF ALL

1 REGULATORS, INCLUDING THE FCC AND CONGRESS.  
2  
3 BECAUSE OF THE INCREASE IN FRAUD AND THE RELATIVELY  
4 LOW COST OF TECHNICALLY PROVIDING SCREENING, IT IS  
5 MORE BENEFICIAL TO THE COMPANY AND TO ITS CUSTOMERS  
6 IF BILLED NUMBER SCREENING IS OFFERED FREE OF  
7 CHARGE. THE END USER WHO IS HAVING OR MAY HAVE A  
8 PROBLEM WILL BE MORE WILLING TO SUBSCRIBE TO BILLED  
9 NUMBER SCREENING IF IT IS AN OPTION FOR WHICH HE IS  
10 NOT CHARGED. THE COMPANY AND ALL ITS CUSTOMERS ARE  
11 WINNERS AS A CONSEQUENCE OF A REDUCED LEVEL OF  
12 FRAUD.

13  
14 IN ADDITION, AS A PART OF THE SETTLEMENT, BILLED  
15 NUMBER SCREENING BECAME A NONCHARGEABLE SERVICE TO  
16 THE INDEPENDENT PAYPHONE PROVIDERS. THE  
17 ELIMINATION OF THE CHARGE FOR RESIDENCE AND  
18 BUSINESS CUSTOMERS THEREBY PLACED ALL CUSTOMERS ON  
19 AN EQUAL FOOTING.

20  
21 Q. WHY WAS IT APPROPRIATE FOR THE COMMISSION TO ORDER  
22 A REDUCTION IN THE DIRECT INWARD DIAL TRUNK  
23 TERMINATION CHARGES?

24  
25 A. DIRECT INWARD DIALING (DID) SERVICE PERMITS



1 INCOMING CALLS TO A PBX SYSTEM OR OTHER TYPE OF  
2 CUSTOMER PREMISES EQUIPMENT TO REACH A SPECIFIC  
3 STATION LINE WITHOUT THE ASSISTANCE OF AN  
4 ATTENDANT. WITH TECHNOLOGICAL ADVANCES, "DID" IS  
5 BECOMING LESS OF A CENTRAL OFFICE BASED SERVICE.  
6 ADVANCEMENTS IN CUSTOMER PROVIDED EQUIPMENT ALLOW  
7 CALLS TO BE DIRECTED IN MUCH THE SAME WAY AS "DID"  
8 SERVICE. "DID" SERVICE IS USED BY A CROSS SECTION  
9 OF BUSINESSES AS WELL AS CARRIERS, AND A REDUCTION  
10 IN THE RATE FOR THIS INCREASINGLY COMPETITIVE  
11 SERVICE OFFERING WILL ALLOW THE COMPANY TO PRICE  
12 ITS SERVICE MORE IN LINE WITH THE DEMANDS OF THE  
13 MARKET AND THEREBY RETAIN GREATER REVENUES THAN IT  
14 MIGHT IF HIGHER RATES WERE MAINTAINED.

15

16 Q. WHY WAS IT APPROPRIATE FOR THE COMMISSION TO ORDER  
17 A REDUCTION IN MOBILE SERVICE INTERCONNECTION  
18 RATES?

19

20 A. IN ACCORDANCE WITH COMMISSION ORDER NO. 20475  
21 ISSUED ON DECEMBER 20, 1988, IN DOCKET NUMBER  
22 870675-TL, SOUTHERN BELL, TOGETHER WITH ALL OTHER  
23 LOCAL EXCHANGE COMPANIES (LECS), WAS DIRECTED TO  
24 MAKE MODIFICATIONS IN MOBILE INTERCONNECTION USAGE  
25 RATES IN CONJUNCTION WITH CHANGES IN THE RATE

1 LEVELS FOR INTRASTATE INTEREXCHANGE CARRIER  
2 SWITCHED ACCESS. THE COMMISSION'S ORDER OUTLINED  
3 THE EXACT FORMULA TO BE USED IN CALCULATING THE  
4 MOBILE INTERCONNECTION RATES.

5  
6 IN THE TERMS OF THE SETTLEMENT AGREEMENT, SOUTHERN  
7 BELL AGREED TO MAKE REDUCTIONS IN INTRASTATE  
8 SWITCHED ACCESS RATES TO BRING THEM IN LINE WITH  
9 THE CURRENT INTERSTATE SWITCHED ACCESS RATES. THE  
10 FIRST PHASE OF THE INTRASTATE SWITCHED ACCESS  
11 REDUCTIONS WAS EFFECTIVE ON 7/1/94 AND EQUALED  
12 \$50M. AS PREVIOUSLY ORDERED, THE REDUCED ACCESS  
13 CHARGES WERE REQUIRED BE USED IN RECALCULATING THE  
14 MOBILE INTERCONNECTION USAGE RATES. THE RESULT WAS  
15 AN ADDITIONAL REDUCTION OF \$6.95M IN MOBILE  
16 SERVICES RATES, WHICH BECAME PART OF THE \$10M RATE  
17 REDUCTION.

18  
19 Q. WOULD IT BE APPROPRIATE TO USE THE \$10M TO FUND A  
20 "WORKER/CITIZENS COMMITTEE" AS PROPOSED IN THE  
21 TESTIMONY FILED BY THE CWA? (ISSUE #2)

22  
23 A. NO. SOUTHERN BELL DOES NOT SUPPORT THE CWA'S  
24 PROPOSAL. FIRST, BASED ON THE CWA'S BRIEF  
25 DESCRIPTION OF ITS POSITION, IT APPEARS THAT THE

1 CWA PROPOSES TO USURP THE FUNCTIONS OF SUCH  
2 EXISTING AGENCIES AS THE OFFICE OF PUBLIC COUNSEL  
3 AND THE PUBLIC SERVICE COMMISSION. THESE ARE  
4 AGENCIES THAT ARE CHARGED, IN THE AREA OF  
5 TELECOMMUNICATIONS, WITH TAKING INTO CONSIDERATION  
6 THE NEEDS OF THE PUBLIC. THE FLORIDA LEGISLATURE  
7 ALSO IS ACTIVE IN THE AREA OF TELECOMMUNICATIONS.  
8 RELATED ENTITIES LIKE THE FCC AND CONGRESS PERFORM  
9 SIMILAR FUNCTIONS AT THE FEDERAL LEVEL.

10

11 THERE ARE ALSO SEPARATE CONSUMER GROUPS SUCH AS THE  
12 FLORIDA CONSUMER ACTION NETWORK (FCAN) AND THE  
13 AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP) THAT  
14 SEEK TO EDUCATE AND REPRESENT THE NEEDS OF THE  
15 USING AND CONSUMING PUBLIC. IN SO DOING, THEY HAVE  
16 PARTICIPATED IN ISSUES BEFORE THE COMMISSION.

17

18 SECOND, THE CWA ITSELF IS SUPPORTED BY DUES PAID BY  
19 ITS MEMBERS. IT WOULD SEEM LOGICAL THAT THE  
20 COMPANY'S EMPLOYEES (WHO ARE MEMBERS OF THE CWA)  
21 COULD RECEIVE EXPERT EDUCATION AND REPRESENTATION  
22 BY THE CWA ITSELF.

23

24 WITH THE DEVELOPMENT OF THE "INFORMATION HIGHWAY,"  
25 ISSUES SUCH AS UNIVERSAL AND AFFORDABLE ACCESS,

1 UNBUNDLED SERVICES, AND CUSTOMER CHOICE (ISSUES  
2 THAT CONCERN THE CWA) ARE NOT BEING IGNORED BY THE  
3 COMPANY, THE CONSUMER OR THE REGULATORS. IN FACT,  
4 WITH THE INCREASING FOCUS ON LOCAL COMPETITION,  
5 THESE ISSUES ARE ALREADY BEING ADDRESSED IN OPEN  
6 PROCEEDINGS IN FLORIDA AND BY THE FCC AND CONGRESS.

7  
8 IN ADDITION, THERE IS A LEGAL IMPEDIMENT TO THE  
9 CWA'S PROPOSAL. THE COMMISSION IN ITS ORDER NO.  
10 PSC-94-0669-FOF-TL ISSUED JUNE 2, 1994, HELD,

11  
12 WITH RESPECT TO CWA'S PROPOSAL, THIS  
13 COMMISSION IS A CREATURE OF STATUTE.  
14 AS SUCH, IT IS AXIOMATIC THAT THE  
15 COMMISSION HAS ONLY THAT AUTHORITY  
16 WHICH IS EXPRESSLY DELEGATED TO IT BY  
17 STATUTE OR THAT WHICH IS REASONABLY  
18 IMPLIED FROM ITS STATUTORY AUTHORITY.  
19 NOTHING IN EITHER CHAPTERS 350 OR  
20 364, FLORIDA STATUTES, EXPRESSLY  
21 AUTHORIZES OR SUGGESTS THAT [THE  
22 COMMISSION] MAY CREATE A  
23 "WORKERS/CITIZENS COOPERATION  
24 COMMITTEE" OR THAT WE MAY DELEGATE TO  
25 ANY SUCH ENTITY THE PERFORMANCE OF

1 ANY FUNCTION OTHERWISE WITHIN OUR  
2 AUTHORITY. TO ATTEMPT ANY SUCH  
3 CREATION OR DELEGATION IS BEYOND OUR  
4 AUTHORITY AND WOULD BE IMPERMISSIBLE.

5  
6 WHILE I AM NOT AN ATTORNEY, I AM TOLD THAT THE  
7 COMMISSION'S ANALYSIS IS CORRECT AND THAT FOR IT TO  
8 ESTABLISH SUCH A COMMITTEE WOULD BE AN UNLAWFUL  
9 DELEGATION OF THE COMMISSION'S FUNCTIONS AND  
10 AUTHORITY.

11

12 Q. THE CWA SAYS THAT, AS AN ALTERNATIVE TO IS  
13 "WORKER/CITIZENS COMMITTEE" PROPOSAL, THE RATEPAYER  
14 (RESIDENCE AND SMALL BUSINESS) SHOULD RECEIVE THE  
15 BENEFITS OF THE \$10M. HAS THE RATEPAYER ALREADY  
16 GREATLY BENEFITED FROM THE SETTLEMENT IN THIS  
17 DOCKET?

18

19 A. YES. MR. KRUKLES HAS NOT RECOGNIZED THE TOTAL  
20 IMPACT OF THE SETTLEMENT. HE HAS FOCUSED ONLY ON  
21 THE \$10M AND HAS NOT LOOKED AT THE OVERALL EFFECTS  
22 OF THE SETTLEMENT. ON PAGE 8, LINES 16-18, OF MR.  
23 KRUKLES TESTIMONY HE STATES, "THE REFUND MONIES  
24 SHOULD BE USED IN A MANNER THAT DIRECTLY AFFECTS  
25 RESIDENTIAL AND SMALL BUSINESS CUSTOMERS." HE GOES

1 ON TO SAY, "THE CWA LOCALS WOULD RATHER HAVE THE  
2 REFUND DOLLARS BE SPREAD AMONGST THE LARGEST NUMBER  
3 OF RATE-PAYORS [SIC]. ANY BASIC REDUCTION THAT  
4 AFFECTS ALL RESIDENTIAL CUSTOMERS AND BUSINESS  
5 ENTITIES WOULD BE PREFERABLE" (PAGE 8, LINES  
6 21-24).

7  
8 THE SETTLEMENT IN THIS DOCKET, INCLUDING THE  
9 EXISTING DISPOSITION OF THE \$10M, HAS GIVEN  
10 SOMETHING BACK TO ALMOST, IF NOT EVERY, SOUTHERN  
11 BELL CUSTOMER. FOR INSTANCE, THE \$1.00 MONTHLY  
12 CHARGE FOR TOUCH-TONE SERVICE HAS BEEN ELIMINATED.  
13 THIS ALONE IS A SAVINGS OF \$12 A YEAR FOR SINGLE  
14 LINE RESIDENCE AND BUSINESS CUSTOMERS.

15  
16 IN ADDITION, AT&T HAS COMMITTED TO FLOW THROUGH TO  
17 ITS CUSTOMERS THE REDUCTION IN INTRASTATE SWITCHED  
18 ACCESS CHARGES. OTHER INTEREXCHANGE CARRIERS ARE  
19 LIKELY TO FOLLOW THE ACTIONS OF AT&T. THE  
20 REDUCTIONS IN THE CHARGES FOR PBX TRUNKS, NETWORK  
21 ACCESS REGISTERS (NARS) AND HUNTING WILL GREATLY  
22 REDUCE THE COSTS FOR BUSINESSES, WHICH SHOULD HELP  
23 TO KEEP DOWN THE RISING COSTS OF GOODS AND SERVICES  
24 WHICH ARE PURCHASED BY CONSUMERS.

25

1 THE SETTLEMENT HAS ALSO BENEFITED PERSONS WITH LOW  
2 INCOME IN FLORIDA. ONE OF THE MAJOR STUMBLING  
3 BLOCKS FOR THE LOW INCOME FAMILY IS HAVING ENOUGH  
4 MONEY TO PAY THE UP FRONT CHARGES FOR BASIC  
5 TELEPHONE SERVICE. THE SETTLEMENT HAS ADDRESSED  
6 THIS PROBLEM THROUGH THE RESTRUCTURE AND REPRICING  
7 OF SERVICE CONNECTION CHARGES. A RESIDENCE  
8 SUBSCRIBER WILL SEE ALMOST A 50% REDUCTION IN THE  
9 CHARGE TO ESTABLISH A SINGLE LINE, AND THE BUSINESS  
10 CUSTOMER WILL REALIZE A 35% REDUCTION. IN  
11 ADDITION, CERTAIN LOW INCOME RESIDENTIAL CUSTOMERS  
12 WHO QUALIFY WILL BE ABLE TO RECEIVE A \$7.00 PER  
13 MONTH REDUCTION IN THEIR BILL UNDER THE NEW  
14 LIFELINE PROGRAM.

15  
16 IN SUMMARY, THE RESIDENCE CUSTOMER, THE BUSINESS  
17 CUSTOMER (SMALL, MEDIUM AND LARGE), THE  
18 INTEREXCHANGE CARRIER, THE INDEPENDENT PAY  
19 TELEPHONE PROVIDER, THE PAGING SERVICE PROVIDER,  
20 THE CELLULAR SERVICE PROVIDER, THE LOW INCOME  
21 GROUP, AND THE SHARED TENANT SERVICE PROVIDER HAVE  
22 ALL BENEFITED FROM THE SETTLEMENT IN THIS DOCKET.  
23 THE DISPOSITION OF THE SETTLEMENT AMOUNTS HAVE BEEN  
24 MADE IN SUCH A WAY AS TO GIVE A BENEFIT TO A BROAD  
25 BASE OF SOUTHERN BELL'S CUSTOMERS. IT HAS ALSO

1 ALLOWED SOUTHERN BELL AN OPPORTUNITY TO HAVE INPUT  
2 IN THE STRATEGIC PRICING OF ITS SERVICES SO IT CAN  
3 CONTINUE TO ATTRACT CUSTOMERS IN A MARKET WHICH IS  
4 BECOMING MORE COMPETITIVE. THIS, IN TURN, WILL  
5 HELP TO KEEP THE COMPANY'S BASIC RATES LOW.

6

7 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

8

9 A. YES.

10

11

12

13

14

15

16

17

18

19

20

21

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23

24

25