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November 16, 2000

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RECORDS AND REPORTING

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Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

Re: Docket No. 000084-TP

Dear Ms. Bayo:

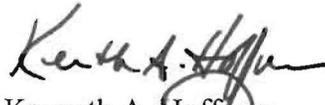
Enclosed herewith for filing in the above-referenced docket on behalf of US LEC of Florida Inc. ("US LEC") are the following documents:

1. Original and fifteen copies of US LEC's Notice of Withdrawal of Portion of its Notice of Intent to Request Confidential Classification; and 14830-00
2. Original and fifteen copies of US LEC's Request for Confidential Classification. 14831-00

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

Thank you for your assistance with this filing.

Sincerely,


Kenneth A. Hoffman

KAH/rl
Enclosures
Trib.3

APP
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SEC
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(x-ref. 13852-00)

This confidentiality request was filed by or for a "telco" for DN 14832-00. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

14831 NOV 16 00

unedited version of the pertinent parts of the Prefiled Rebuttal Testimony and Confidential Exhibit (WM-1) included in Exhibit A have been submitted to the Division of Records and Reporting on this date under a separate cover and with the information asserted to be confidential highlighted in yellow.

3. The documents asserted to be confidential were provided to the Division of Records and Reporting, together with a Notice of Intent to Request Confidential Classification, on October 27, 2000.

4. The information asserted to be confidential on page 2, line 22 through page 3, line 2 of Ms. Montano's Prefiled Rebuttal Testimony addresses the types of switches that US LEC has installed in the State of Florida and a description of network facilities that interconnect with BellSouth end offices in Florida. Confidential Exhibit (WM-1) identifies, for each US LEC switch in Florida, the subtended BellSouth end offices and the pass-through BellSouth end offices.

5. All of the above described information relates to US LEC's competitive interests in that it specifically describes how and where US LEC, a competitive local exchange carrier, has interconnected its network with BellSouth, and the specific types of switching facilities employed by US LEC for interconnection with BellSouth. Disclosure of this information would impair the competitive interests and business of US LEC by providing opportunities for US LEC's competitors to identify where US LEC has built its network in Florida, where US LEC has interconnected with specific BellSouth end offices, the type of switches employed by US LEC in the US LEC network, and the manner in which US LEC has interconnected with specific BellSouth end offices.

6. US LEC affirmatively asserts that the above described information is intended to be and is treated by US LEC as private and has not been disclosed to the public. Moreover, US LEC

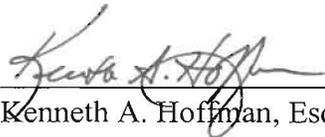
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by U. S. Mail to the following this 16th day of November, 2000:

Earl Edenfield, Esq.
Douglas Lackey, Esq.
BellSouth Telecommunications, Inc.
675 West Peachtree Street, N.E.
Suite 4300, BellSouth Center
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Earl Edenfield, Esq.
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Kenneth A. Hoffman, Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition by BellSouth Telecommunications, Inc.)
for approval of arbitration of an interconnection)
agreement with US LEC of Florida Inc. pursuant)
to the Telecommunications Act of 1996.)
_____)

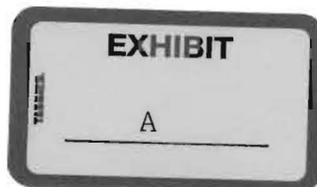
Docket No. 000084-TP

REBUTTAL TESTIMONY OF
WANDA MONTANO
ON BEHALF OF
US LEC OF FLORIDA, INC.
October 27, 2000

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1 Q. PLEASE STATE YOUR NAME, YOUR POSITION WITH US LEC OF
2 FLORIDA, INC. ("US LEC") AND BUSINESS ADDRESS?

3 A. My name is Wanda Montano . Currently, I am Vice President of Regulatory
4 and Industry Affairs for US LEC Corp. and responsible for regulatory and
5 industry relations of its operating subsidiaries, including US LEC of Florida
6 Inc. ("US LEC"). My business address is Three Morrocroft Centre,
7 Charlotte, NC 28211.

8 Q. ARE YOU THE SAME WANDA MONTANO WHO FILED DIRECT
9 TESTIMONY IN THIS DOCKET?

10 A. Yes, I am.

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

12 A. The purpose of my testimony is to rebut portions of the direct testimony of
13 Cynthia Cox filed on behalf of BellSouth concerning Issue 6b. Issue 6b
14 concerns whether US LEC should be compensated for the tandem switching
15 elemental rates for purposes of reciprocal compensation if the Commission
16 determines that elemental rates apply.

17 Q. ON PAGE 32 OF HER TESTIMONY, BEGINNING AT LINE 10, MS.
18 COX STATES THAT "IN ORDER FOR US LEC TO
19 APPROPRIATELY CHARGE BELLSOUTH FOR TANDEM
20 SWITCHING ON ANY CALL, US LEC MUST DEMONSTRATE TO
21 THE COMMISSION THAT: (1) ITS SWITCHES SERVE A
22 COMPARABLE GEOGRAPHIC AREA TO THAT SERVED BY
23 BELLSOUTH'S TANDEM SWITCHES AND THAT (2) ITS
24 SWITCHES PERFORM LOCAL TANDEM FUNCTIONS." DO YOU
25 AGREE WITH MS. COX'S STATEMENT?

1 A. No, I do not. FCC Rule 51.711(a)(3) requires symmetrical reciprocal
2 compensation rates for transport and termination of local telecommunications
3 traffic and specifically provides that "where the switch of a carrier other than
4 an incumbent LEC serves a geographic area comparable with the area served
5 by the incumbent LEC's tandem switch, the appropriate rate for the carrier
6 other than an incumbent LEC is the incumbent LEC's tandem interconnection
7 rate." There is nothing in the rule which even speaks to a requirement that
8 the ALEC demonstrate that the facilities on its network, here, US LEC's
9 switch, provides the same services as BellSouth's tandem and end office
10 switches. The rule only requires US LEC's switch to serve a geographic area
11 comparable to the area served by BellSouth's tandem and end office switches.
12 Mr. Gates addresses this issue more fully in his testimony.

13 **Q. IF THE COMMISSION DETERMINES THAT FCC RULE**
14 **51.711(A)(3) IMPORTS A REQUIREMENT THAT US LEC'S**
15 **SWITCH PERFORM THE SAME SERVICES OR FUNCTIONS AS**
16 **BELLSOUTH'S TANDEM AND END OFFICE SWITCHES, IS US**
17 **LEC STILL ENTITLED TO BE COMPENSATED BY BELLSOUTH**
18 **PURSUANT TO BELLSOUTH'S TANDEM INTERCONNECTION**
19 **RATE?**

20 A. Yes, because US LEC's switch in each LATA in Florida performs the same
21 or similar functions as BellSouth's tandem and end office switches in the
22 same geographic area. [REDACTED]

23 [REDACTED]

24 [REDACTED] As shown in Confidential Exhibit __ (WM-1), [REDACTED]

25 [REDACTED]

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[REDACTED] shown on Confidential Exhibit __ (WM-1), [REDACTED]

Q. DO YOU HAVE AN OPINION AS TO WHETHER US LEC'S SWITCHES IN THE FLORIDA LATAS PROVIDE A SIMILAR FUNCTION TO BELL SOUTH'S TANDEM AND END OFFICE SWITCHES?

A. Yes, I do. As US LEC's network is currently configured, with direct trunking to multiple BellSouth end offices, when a call to a US LEC customer originates on BellSouth's network, it is routed by BellSouth to one of several interconnections points with US LEC's network. The call then is routed to US LEC's switch, and, from there, it is switched and routed to US LEC's end-user customer. Based on this architecture and configuration, it is my opinion that US LEC's switch provides a similar function to BellSouth's tandem and end office switches.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes, it does.

