

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**PREFILED REBUTTAL TESTIMONY OF**

**RON LINDEMANN**

**ON BEHALF OF**

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.**

**AND**

**TCG SOUTH FLORIDA, INC.**

**DOCKET NO. 000731-TP**

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1 REBUTTAL TESTIMONY OF RON LINDEMANN

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3 AT&T COMMUNICATIONS OF THE

4 SOUTHERN STATES, INC.

5 AND

6 TCG SOUTH FLORIDA, INC.

7 DOCKET NO. 000731-TP

8 **Q. PLEASE STATE YOUR NAME AND ADDRESS.**

9 A. My name is Ron Lindemann, and my business address is 600 N Pine Island  
10 Road, Plantation, Florida, 33324.

11 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT POSITION?**

12 A. I am employed by MediaOne, a subsidiary of AT&T Corp. In Florida  
13 MediaOne operates under the name of AT&T Broadband. My job title is  
14 Director of Operations and New Product Launch for the Florida market. My  
15 responsibilities include overseeing overall operations of the Telephone and  
16 High Speed Data lines of business. Additionally, I am responsible to launch  
17 these new products in recently rebuilt and acquired properties of AT&T.

18 **Q. HAVE YOU PREVIOUSLY FILED TESTIMONY IN THIS DOCKET?**

19 A. Yes. I filed direct testimony addressing Issue 8 of this proceeding.

20 **Q. WHAT IS THE PURPOSE OF THIS TESTIMONY?**

21 A. I will address those portions of Mr. Milner's testimony in which he addresses  
22 Issue 8.

23 **Q. WHAT DOES ISSUE 8 ADDRESS?**

24 A. Issue 8 relates to the terms and conditions which should apply for AT&T to

1 gain access to use BellSouth facilities to serve multi-unit installations. Multi-  
2 unit installations can be multi dwelling units (“MDUs”) if it is a residential  
3 unit or multi tenant units (“MTUs”) if it is a business unit. Issue 8 pertains  
4 to both types of multi unit installations.

5 **Q. IN HIS TESTIMONY MR. MILNER SAYS THAT YOU ARE ASKING**  
6 **THE COMMISSION TO READDRESS THIS ISSUE, DO YOU**  
7 **AGREE?**

8 A. No, I do not. Mr. Milner is correct that this Commission has heard this issue  
9 before in the MediaOne docket, but the Commission has not addressed the  
10 issue with AT&T. Further, in the MediaOne docket the Commission  
11 addressed the issue prior to the FCC decision in the UNE remand case, and  
12 the position which BellSouth continues to advance is at odds with this  
13 decision and with actions in other jurisdictions.

14 **Q. BRIEFLY, WHAT IS THE AT&T POSITION ON THIS ISSUE AND**  
15 **HOW DOES IT DIFFER FROM BELLSOUTH’S?**

16 A. In an multi-unit arrangement, AT&T believes there should be a single point  
17 of interconnection accessible by AT&T technicians which permits AT&T to  
18 have direct access to the end user. Also, AT&T should have access to the  
19 first pair of network terminating wire (NTW). BellSouth continues to assert  
20 that AT&T should have access by means of an intermediate “access terminal”  
21 which is really just an additional terminal which is simply not necessary.  
22 With respect to the NTW, BellSouth will permit its use only if it is not  
23 currently being used by BellSouth.

1       **Q.     WOULDN'T YOU HAVE ACCESS TO CUSTOMERS IN A MULTI-**  
2       **UNIT ENVIRONMENT UNDER BELLSOUTH'S PROPOSAL?**

3       A.     Eventually, yes, but BellSouth would require AT&T, and I assume other  
4       competing carriers as well, to make a connection through a new access  
5       terminal rather than through the existing terminal. The requirement to install  
6       this intermediate access terminal requires an additional and unnecessary  
7       device that simply adds additional impediments to the ability of a competing  
8       carrier to gain access to MDU customers. The position that BellSouth takes  
9       is not consistent with the FCC UNE remand decision or the decision of the  
10      Georgia PSC with respect to a MediaOne arbitration.

11      **Q.     MR. MILNER SAYS THAT THIS INTERMEDIATE ACCESS**  
12      **ARRANGEMENT IS NECESSARY FOR SECURITY AND RECORD**  
13      **KEEPING PURPOSES. DO YOU AGREE?**

14      A.     No. I agree that security and record keeping are important concerns for all  
15      carriers, but neither issue is resolved by the position that BellSouth is taking.  
16      Under AT&T's proposal, which is consistent with the UNE remand order,  
17      AT&T would have access to customers through an existing facility. We  
18      would coordinate any changes with BellSouth and both local carriers would  
19      have records of the transaction. Under BellSouth's proposal, we would have  
20      to go through an intermediate access point to get to a customer, but the same  
21      security and property inventory issues would remain. Indeed, there is no  
22      evidence to suggest that there is any more likelihood of outages or  
23      interruptions if AT&T has direct access than if access is through another

1 layer of equipment. Moreover, it is possible that BellSouth's position would  
2 increase the potential for interruptions because more cabling and more  
3 equipment would be added, introducing more opportunities for problems.  
4 Thus, BellSouth's proposal fails to resolve the problems BellSouth identifies  
5 under AT&T's proposal while providing an inferior and more costly access  
6 proposal.

7 **Q. DOES MR. MILNER GIVE ANY TECHNICAL REASONS WHY**  
8 **YOUR PROPOSED METHOD OF ACCESS IS NOT FEASIBLE?**

9 A. No he does not.

10 **Q. HAVE YOU HAD ANY EXPERIENCE WITH ACCESS TO MDUs IN**  
11 **THE MANNER YOU PROPOSE?**

12 A. Yes. As I stated in my direct, the AT&T proposed method of access is  
13 consistent with the manner in which MediaOne has made MDU access  
14 available to BellSouth. We have not encountered the problems suggested by  
15 Mr. Milner. Further, other ILECs provide MDU access consistent with our  
16 proposed approach.

17 **Q. WHAT OTHER CONCERNS DOES AT&T HAVE WITH**  
18 **BELLSOUTH'S PROPOSAL?**

19 A. If access terminals have to be placed at every separate building that AT&T  
20 wants to access, and such placement is dependent on first requesting such  
21 access, as BellSouth's proposal requires, then AT&T will be delayed in being  
22 able to provide service to customers in Florida. Based on the very limited  
23 experience to date with this process in Georgia, it has taken months to get one

1 property fitted with these “access terminals.” Based upon this experience, it  
2 would be years before competition would occur in the residential market in  
3 Florida for those customers who reside in multi unit buildings.

4 **Q. MR. MILNER SAYS THAT THEIR POSITION HAS BEEN**  
5 **APPROVED BY GEORGIA. DO YOU AGREE?**

6 A. No, I do not. Mr. Milner says in his testimony that the Georgia PSC  
7 “required the use of an access terminal, but concluded that a BellSouth  
8 employee did not have to be present” when loops are moved from one  
9 terminal to another. (Page 12, Milner Direct Testimony) The statement is  
10 misleading because of a difference in the way terms are defined. Mr. Milner  
11 refers to existing terminals as “BellSouth terminals” and to the intermediate  
12 terminals as “access terminals,” whereas the Georgia Commission required  
13 access to the BellSouth terminals. In any event, Georgia did not order that  
14 access to MDU customers be through a separate, additional terminal,  
15 irrespective of what you call it nor do they require that a BellSouth technician  
16 be present. This decision was entered after the FCC UNE remand decision  
17 and we believe it correctly applies the requirements in this instance. The  
18 Florida MediaOne decision referenced by Mr. Milner was prior to the UNE  
19 Remand Order.

20 **Q. WITH REFERENCE TO ACCESS TO THE FIRST NTW PAIR, AT**  
21 **PAGE 9 OF HIS TESTIMONY, MR. MILNER SAYS BELLSOUTH**  
22 **BELIEVES THIS ISSUE TO BE SETTLED. DO YOU AGREE?**

23 A. Not entirely. It still appears that BellSouth will only make available any pair

1 that does not have working service on it. If a customer is currently receiving  
2 service from BellSouth, the pair serving that customer does not become  
3 available until taken out of service. That would require AT&T to rewire the  
4 premises, thus incurring additional, unnecessary costs. I would add that in  
5 the Florida MediaOne case, this Commission directed that MediaOne should  
6 have access to the first pair.

7 **Q. HOW WOULD AT&T PROPOSE THAT NTW BE ACCESSED?**

8 A. It is our proposal that all carriers should be able to access all inside wire pairs  
9 at a single point at the MPOE. All carriers, including BellSouth, would have  
10 the same access and customers can be served more efficiently.

11 **Q. ON PAGES 18-20, MR. MILNER REFERENCES TESTIMONY  
12 GIVEN RECENTLY BY MS. BRENDA KAHN AS SUGGESTING  
13 THAT AT&T HAS ALTERNATIVES TO USING BELLSOUTH'S  
14 FACILITIES IN GARDEN STYLE SETTINGS. ARE YOU  
15 FAMILIAR WITH THIS TESTIMONY?**

16 A. Yes, I have reviewed Mr. Milner's statements and those of Ms. Kahn. I agree  
17 that in some situations there are alternatives available to AT&T, but that does  
18 not relieve BellSouth of its obligation to provide access to its facilities nor  
19 does it justify the position BellSouth is taking. Further, alternatives that may  
20 be available in a garden apartment scenario may not be — and probably are  
21 not — available in a high rise situation. In that environment, space is much  
22 more limited and confined than in a garden apartment scenario where the  
23 various cabinets are attached to the exterior walls. I believe that Ms. Kahn

1                   agreed that it is more important to address the high rise situation, but I would  
2                   add that in either scenario, we believe that access to customers should be  
3                   through one point. That is consistent with existing decisions and  
4                   requirements and is the most efficient and effective method of access.

5           **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

6           A. Yes it does.