

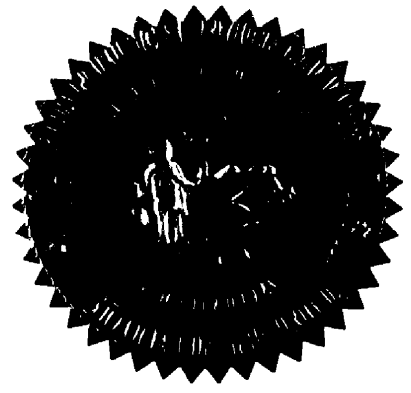
**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

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DOCKET NO. 010102-TP

In the Matter of

**INVESTIGATION OF PROPOSED
UPDATES TO THE ROUTING DATA
BASE SYSTEM (RDBS) AND
BUSINESS RATING INPUT DATA-
BASE SYSTEM (BRIDS) AFFECTING
THE TAMPA TELECOMMUNI-
CATIONS CARRIERS.**



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**VOLUME 1
PAGES 1 THROUGH 199**

PROCEEDINGS: HEARING

**BEFORE: COMMISSIONER J. TERRY DEASON
COMMISSIONER BRAULIO L. BAEZ
COMMISSIONER MICHAEL A. PALECKI**

DATE: Tuesday, March 27, 2001

**TIME: Commenced at 9:30 a.m.
Concluded at 4:00 p.m.**

**PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida**

**REPORTED BY: JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting**

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6 Intermedia Communications, Inc., and MCI WorldCom
7 Communications, Inc,

8 MARSHA RULE, 101 North Monroe Street,
9 Suite 700, Tallahassee, Florida 32301, appearing on
10 behalf of AT&T Communications of the Southern
11 States, Inc., and AT&T Wireless Services, Inc.

12 SCOTT SAPPERSTEIN, 3625 Queen Palm Drive,
13 Tampa, Florida 33619-1309, appearing on behalf of
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15 DONNA McNULTY, The Atrium, Suite 105, 325
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18 Inc.

19 KAREN M. CAMECHIS, Pennington, Moore,
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21 10095 Tallahassee, Florida 32302-2095, appearing on
22 behalf of Time Warner Telecom of Florida, L.P.

23

24

25

1 APPEARANCES CONTINUED:

**2 CHARLES J. BECK, Associate Public Counsel,
3 Office of Public Counsel, c/o The Florida
4 Legislature, 111 West Madison Street, Room 812,
5 Tallahassee, Florida 32399-1400, appearing on behalf
6 of the Citizens of Florida.**

**7 KIMBERLY CASWELL, Post Office Box 110,
8 MC7, Tampa, Florida 33601, appearing on behalf of
9 Verizon-Florida, Incorporated.**

**10 LEE FORDHAM, FPSC Division of Legal
11 Services, 2540 Shumard Oak Boulevard, Tallahassee,
12 Florida, appearing on behalf of the Commission
13 Staff.**

14**15****16****17****18****19****20****21****22****23****24****25**

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COMMISSIONER DEASON: Call the hearing to order.

Could I have the notice read, please.

MR. FORDHAM: Pursuant to notice, this time and place has been set for hearing in Docket Number 010102-TP, investigation of proposed updates to the routing database system and business rating input database system affecting the Tampa Telecommunications Carriers.

COMMISSIONER DEASON: Take appearances.

MS. CASWELL: Kimberly Caswell on behalf of Verizon Florida, Incorporated.

MR. BECK: Charlie Beck, Office of the Public Counsel, appearing on behalf of Florida citizens.

MS. CAMECHIS: Karen Camechis with the Pennington Law Firm appearing on behalf of Time Warner Telecom of Florida.

MR. SELF: Floyd Self and Doc Horton of the Messer Caparello and Self law firm, appearing on behalf of AT&T, Intermedia, and WorldCom. I would also like to enter appearances for Marsha Rule on behalf of AT&T, Scott Sapperstein on behalf of Intermedia, and Donna McNulty on behalf of WorldCom.

MR. FORDHAM: Lee Fordham, Legal staff.

COMMISSIONER DEASON: Okay. Preliminary matters.

1 **MR. FORDHAM: Yes, Commissioner, we have two.**
2 **The first concerns a two-day late-filed protest by**
3 **Verizon. The reason this was filed late, Commissioner,**
4 **from the beginning the PAA was promulgated as a temporary**
5 **stopgap immediate tool pending the hearing, which is set**
6 **only one week after the conclusion of the protest period**
7 **for the PAA.**

8 **Because of the inevitability of the hearing, the**
9 **hearing was irrevocably set and would occur with or**
10 **without a protest, it was assumed that a protest might not**
11 **be needed. But we, in discussing it, determined that to**
12 **procedurally justify the hearing itself, that we probably**
13 **ought to have the protest just so that we would be in**
14 **compliance with the normal procedure. So we would ask**
15 **that the Commission this morning as a perfunctory matter**
16 **accept the late-filed protest.**

17 **COMMISSIONER DEASON: Any objection? Hearing no**
18 **objection, show then that that filing is accepted.**

19 **MR. FORDHAM: Thank you, Commissioner. The**
20 **second item concerns a motion for reconsideration of an**
21 **order denying intervention by Ms. Peggy Arvanitas.**
22 **Normally those would be set at agenda and heard by the**
23 **panel since it was a nonfinal order that was asked to be**
24 **reconsidered would be heard by the panel. But because the**
25 **next agenda it could be set on is a week after the**

1 hearing, it would, in essence, render the motion for
2 reconsideration moot if we held it for agenda.

3 Therefore, staff is recommending that that
4 motion be considered prior to the beginning of the hearing
5 today. Each of you has been provided with staff's
6 recommendation and comments regarding the motion.

7 COMMISSIONER DEASON: Okay. This is
8 reconsideration. And the full panel would consider the
9 original decision of the prehearing officer to deny
10 intervention, correct?

11 MR. FORDHAM: That is correct.

12 COMMISSIONER DEASON: Okay. Do we have a motion
13 or do we need discussion?

14 COMMISSIONER PALECKI: I have read the motion
15 and the staff's recommendation and I am prepared to move
16 the staff recommendation.

17 COMMISSIONER BAEZ: Second.

18 COMMISSIONER DEASON: It has been moved and
19 seconded. All in favor say aye.

20 (Simultaneous affirmative vote.)

21 COMMISSIONER DEASON: Show then that the motion
22 carries unanimously. The motion for reconsideration is
23 denied.

24 MR. FORDHAM: Thank you, Commissioner. Staff is
25 unaware of any additional preliminary matters.

1 **COMMISSIONER DEASON:** Do the parties have any
2 preliminary matters? Ms. Caswell.

3 **MS. CASWELL:** I'm not sure if this is the right
4 time, but I would like to add two items to the official
5 recognition list, if I could.

6 **COMMISSIONER DEASON:** We can go ahead and do
7 that at this point.

8 **Staff,** do we have that list yet, the recognition
9 list?

10 **MR. FORDHAM:** Commissioners, I thought you did,
11 but --

12 **CHAIRMAN DEASON:** How about -- if you have an
13 extra copy, how about giving that to me. I don't seem to
14 have it right in front of me at the moment.

15 **MR. FORDHAM:** And staff certainly does not
16 object to the addition of the items by Verizon.

17 **MS. CASWELL:** And these items would be two
18 sections of our general services tariff. A.3, which is
19 basic local exchange service, and A.200, which is the
20 local exchange maps. And I apologize, I don't have copies
21 of those today, but I will get them to staff and the
22 parties as soon as possible. Thank you.

23 **COMMISSIONER DEASON:** Any objection? First of
24 all, let me -- since we are on the official recognition
25 list, do all the parties have a copy of the list that has

1 been prepared by staff? Any objection? Hearing no
2 objection, very well.

3 Any objection to the addition of two items as
4 described by Ms. Caswell? No objection. Staff has no
5 objection. So we will identify the official recognition
6 list as Exhibit Number 1, and it will be modified to
7 include the items as described by Ms. Caswell. And being
8 that there is no -- first, let me ask, do the parties have
9 any supplemental items to be added to this list?

10 MS. CAMECHIS: Commissioner, I would ask that
11 the interconnection agreement between Verizon and Time
12 Warner Telecom of Florida be added to the list. I'm not
13 sure if staff or Verizon would object.

14 COMMISSIONER DEASON: Any objection?

15 MS. CASWELL: No.

16 COMMISSIONER DEASON: Staff.

17 MR. FORDHAM: None by Staff.

18 COMMISSIONER DEASON: Okay. We will also make
19 that addition to this list.

20 Any other additions to this list? Mr. Self.

21 MR. SELF: Yes, Commissioner. I guess to be
22 consistent if we could also add the interconnection
23 agreements between GTE or Verizon and Intermedia, AT&T,
24 and WorldCom, as well.

25 COMMISSIONER DEASON: Any objection to the

1 addition of those items?

2 MR. FORDHAM: None by Staff.

3 CHAIRMAN DEASON: Very well. Show then that
4 those items are also amended onto this list. Any other
5 additions? That then should conclude – I understand that
6 as we proceed through this hearing there may be other
7 additions. But at it exists now, what has been identified
8 as the official recognition with the additional items will
9 be Exhibit Number 1. And being that there is no
10 objection, show then that Exhibit Number 1 is admitted.

11 (Exhibit Number 1 marked for identification and
12 admitted into the record.)

13 COMMISSIONER DEASON: Other preliminary matters,
14 Ms. Caswell?

15 MR. FORDHAM: Commissioner, while we are on
16 exhibits, and thank you for admitting Number 1, staff only
17 has one other exhibit, and we would like to move that or
18 have it identified as Exhibit Number 2. And that is a
19 composite exhibit of all the docket correspondence in this
20 docket.

21 COMMISSIONER DEASON: A composite of
22 correspondence within the docket?

23 MR. FORDHAM: Correct.

24 COMMISSIONER DEASON: Has this been provided to
25 the parties?

1 **MR. FORDHAM:** As a routine matter of -- as it
2 came in they were provided copies, Commissioner.

3 **COMMISSIONER DEASON:** Any objection to
4 Exhibit 2?

5 **MR. SELF:** Mr. Chairman, I have no objection. I
6 would at least like the chance just to double-check his
7 list against my list, maybe when we take a break later
8 just to make sure.

9 **COMMISSIONER DEASON:** Okay. Well, this exhibit
10 then has been identified. We'll wait and move it after a
11 break, give you a reasonable time to review that. Just
12 remind me. Staff, remind me.

13 (Exhibit Number 2 marked for identification.)

14 **MR. FORDHAM:** That would be fine, Commissioner.
15 And we will not be using our third exhibit that we had
16 originally proposed in our prehearing statement. We are
17 withdrawing that.

18 **COMMISSIONER DEASON:** Very well. Other
19 preliminary matters?

20 **Ms. Caswell,** do you have any others?

21 **MS. CASWELL:** No, Mr. Chairman.

22 **COMMISSIONER DEASON:** Okay. Any other
23 preliminary matters?

24 **MR. SELF:** No, sir.

25 **COMMISSIONER DEASON:** Very well. I do not

1 recall when I reviewed the prehearing order whether there
2 were going to be opening statements. I believe that there
3 are not to be opening statements. Is that correct? Any
4 party wishing to make an opening statement? Very well.

5 Commissioners, unless you all have something of
6 a preliminary nature, I think we can go ahead and swear in
7 witnesses. We ask all witnesses who will be testifying in
8 this proceeding and who are present in the room please
9 stand and raise your right hand.

10 (Witnesses sworn.)

11 **COMMISSIONER DEASON:** Please be seated.

12 I believe we are now prepared to take the first
13 witness.

14 **MS. CASWELL:** Verizon calls Beverly Menard.

15 -----

16 **BEVERLY MENARD**

17 was called as a witness on behalf of Verizon Florida Inc., and,
18 having been duly sworn, testified as follows:

19 **DIRECT EXAMINATION**

20 **BY MS. CASWELL:**

21 **Q** Would you please state your name and business
22 address?

23 **A** Beverly Y. Menard. My business address is One
24 Tampa City Center, Tampa, Florida.

25 **Q** By whom are you employed and in what capacity?

1 **A** **I am employed by Verizon Communications as the**
2 **Assistant Vice-President, Advocacy Support.**

3 **Q** **Did you file direct testimony in this**
4 **proceeding?**

5 **A** **Yes, I did.**

6 **Q** **Do you have any additions or corrections to that**
7 **testimony?**

8 **A** **No, I do not.**

9 **Q** **So that if I were to ask you those same**
10 **questions today, would your answers remain the same?**

11 **A** **Yes, they would.**

12 **Q** **Were there any exhibits to your direct**
13 **testimony?**

14 **A** **Yes, there are five exhibits.**

15 **MS. CASWELL: Mr. Chairman, at this time could**
16 **we have those five exhibits marked as Composite Exhibit**
17 **BYH – well, it was Composite Exhibit BYH-1, wasn't it?**

18 **THE WITNESS: BYM.**

19 **COMMISSIONER DEASON: Yes.**

20 **MS. CASWELL: Exhibit 3 it would be.**

21 **COMMISSIONER DEASON: There are a total of five**
22 **exhibits?**

23 **MS. CASWELL: Yes, BYM-1 through BYM-5.**

24 **COMMISSIONER DEASON: They will be marked as**
25 **Composite Exhibit 3.**

1 MS. CASWELL: Thank you.

2 (Composite Exhibit Number 3 marked for
3 identification.)

4 BY MS. CASWELL:

5 Q Did you file rebuttal testimony in this
6 proceeding?

7 A Yes, I did.

8 Q Do you have any additions or corrections to that
9 testimony?

10 A No, I do not.

11 Q So that if I were to ask you those same
12 questions today, your answers would remain the same?

13 A Yes, they would.

14 Q Do you have any exhibits to your rebuttal
15 testimony?

16 A Yes, there is one exhibit attached to my
17 rebuttal testimony.

18 MS. CASWELL: Mr. Chairman, may I have that one
19 Exhibit BYM-6, marked for identification?

20 COMMISSIONER DEASON: Yes, it will be identified
21 as Exhibit 4.

22 MS. CASWELL: Thank you. And at this time I
23 would like to ask to have the testimony inserted into the
24 record as though read.

25 CHAIRMAN DEASON: Without objection show the

1 testimony is inserted.

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DIRECT TESTIMONY OF BEVERLY Y. MENARD

Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND POSITION WITH VERIZON.

A. My name is Beverly Y. Menard. My business address is One Tampa City Center, Tampa, Florida 33601-0110. My current position is Assistant Vice President - Advocacy Support and I am employed by Verizon Communications.

Q. WILL YOU BRIEFLY STATE YOUR EDUCATIONAL BACKGROUND AND BUSINESS EXPERIENCE?

A. I joined GTE Florida Incorporated (now known as Verizon Florida Inc.) in February 1969. I was employed in the Business Relations Department from 1969 to 1978, holding various positions of increasing responsibility, primarily in the area of cost separations studies. I graduated from the University of South Florida in June of 1973, receiving a Bachelor of Arts Degree in Business Administration with an Accounting Major. Subsequently, I received a Master of Accountancy Degree in December of 1977 from the University of South Florida. In March of 1978, I became Settlements Planning Administrator with GTE Service Corporation. In January of 1981, I was named Manager-Division of Revenues with GTE Service Corporation, where I was responsible for the administration of the GTE division of revenues procedures and the negotiation of settlement matters with AT&T. In November of 1981, I became

1 Business Relations Director with GTE Florida Incorporated. In that
2 capacity, I was responsible for the preparation of separations studies
3 and connecting company matters. Effective February 1987, I became
4 Revenue Planning Director. In this capacity, I was responsible for
5 revenue, capital recovery and regulatory issues. On October 1, 1988,
6 I became Area Director - Regulatory and Industry Affairs. In that
7 capacity, I was responsible for regulatory filings, positions and
8 industry affairs in eight southern states plus Florida. In August 1991,
9 I became Regional Director - Regulatory and Industry Affairs for
10 Florida. I was responsible for regulatory filings, positions and industry
11 affairs issues in Florida. Effective November 2000, I assumed my
12 new position. I am responsible for the support of all regulatory filings
13 and positions advocated in the Southeast Region for Verizon.

14

15 **Q. HAVE YOU EVER TESTIFIED BEFORE THE FLORIDA PUBLIC**
16 **SERVICE COMMISSION?**

17 A. Yes. I have testified before this Commission on numerous occasions.

18

19 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS**
20 **DOCKET?**

21 A. The purpose of my testimony is to present Verizon's position on the
22 issues identified for resolution in association with the recognition of
23 Verizon's existing five Tampa rate centers.

24

25

1 **Q. DO YOU KNOW WHEN THE FIVE RATE CENTERS IN TAMPA**
2 **WERE ESTABLISHED?**

3 A. No. In reviewing Verizon's records, we have not been able to find any
4 records which reflect this information. However, we believe that they
5 have existed for at least 30 years, as the Commission's report on
6 extended area service (EAS) routes shows EAS was established
7 between Tampa South and Palmetto in 1969 and Tampa North and
8 Zephyrhills in 1970.

9

10 **Q. WHAT ARE THE LOCAL EXCHANGE ROUTING GUIDE (LERG)**
11 **AND ROUTING DATABASE SYSTEM (RDBS)?**

12 A. The LERG is a document which gives information on all switches in
13 the public switched telephone network and enables carriers to know
14 where an NXX code resides in the network (i.e., which carrier is
15 responsible for making assignments for the NXX code). LERG is an
16 output product of RDBS. The RDBS is the Telcordia system that
17 houses NPA-NXX code information and allows carriers to determine
18 how to route calls to the NXX.

19

20 **Q. WHEN THE TAMPA RATE CENTERS WERE ESTABLISHED, WHO**
21 **WAS RESPONSIBLE FOR ASSIGNING NXX CODES IN THE 813**
22 **AREA CODE?**

23 A. GTE Florida Incorporated (now Verizon Florida Inc.) was responsible
24 for assigning the NXX codes. At that time, the 813 area code
25 encompassed all of GTE Florida's territory and Sprint's territory south

1 of GTE (which was subsequently changed to the 941 area code).
2 Until late 1995 or early 1996, GTE and Sprint were the only local
3 exchange carriers in the 813 area code.

4

5 **Q. WHEN GTE ESTABLISHED A NEW NXX CODE, HOW DID SPRINT**
6 **KNOW THE RATE CENTER FOR AN NXX CODE IN THE TAMPA**
7 **AREA?**

8 A. Prior to the transfer of the Florida code administration function, when
9 new NXXs were established, a manual mode of phone calls, faxes,
10 etc. was used to determine the calling scope of any new NXX, since
11 it could not be determined by the LERG assignments. This was due
12 to the fact that the LERG only showed Tampa as the exchange and
13 there was no designation in the LERG showing the proper Tampa rate
14 center.

15

16 **Q. WHAT HAPPENED WHEN ALTERNATIVE LOCAL EXCHANGE**
17 **CARRIERS (ALECS) BEGAN REQUESTING NXX CODES IN THE**
18 **TAMPA AREA?**

19 A. The code administrator would discuss the request with the carrier to
20 determine which Tampa rate center the code would be assigned.
21 Historically, the ALECs' NXXs have been established as a Tampa
22 Central rate center. The rationale was that most ALECs were starting
23 their services for business customers located in the downtown area.
24 As a result, Tampa Central was the code used for the ALEC NXXs in
25 all GTE switches and GTE's billing system.

1 **Q. WHEN DID GTE TRANSFER THE CODE ADMINISTRATION**
2 **FUNCTION?**

3 A. The transfer to Lockheed Martin (now Neustar) occurred on June 6,
4 1998.

5

6 **Q. WHAT WAS LOCKHEED MARTIN'S POSITION ON THE MANUAL**
7 **PROCESS THAT WAS BEING UTILIZED FOR THE FIVE TAMPA**
8 **RATE CENTERS?**

9 A. Lockheed Martin stated that they would not continue the manual
10 process.

11

12 **Q. WHEN DID VERIZON BEGIN REFLECTING THE FIVE TAMPA**
13 **RATE CENTERS IN THE LERG?**

14 A. Verizon is a member of an industry forum called CIGRR (Common
15 Interest Group on Routing and Rating), which discusses RDBS
16 issues. In April 1999, in response to the ongoing industry concerns
17 posed at CIGRR, GTE broke out the localities for its codes to reflect
18 where in the existing five-tariffed rate centers in Tampa the code
19 resided. Since the locality population is at the discretion of the
20 Operating Company Name/Number (OCN), there was no way to
21 insure that other service providers would do the same population.

22

23 **Q. DID VERIZON'S CHANGES TO THE LERG SOLVE THE PROBLEM**
24 **ON THE PROPER RATE CENTER DESIGNATION FOR NEW**
25 **TAMPA NXX CODES?**

1 A. No. At future CIGRR meetings, a continued issue for discussion was
2 the difficulty in knowing how to route and rate the call properly in the
3 network for the Tampa area via the LERG/RDBS. A working group
4 to deal with this issue was formed between representatives from
5 Neustar, Sprint, BellSouth, KMC, GTE Wireless, Telcordia, Alltel and
6 GTE. The group held three conference calls, on April 19, 2000, May
7 17, 2000 and June 28, 2000. As a result of the conference calls, I
8 contacted Commission Staff member Levent Ileri to make him aware
9 of the industry effort to harmonize the LERG with GTE's tariffs. The
10 due date for the conversion was determined in compliance with all
11 current industry guidelines. On August 15, 2000, letters were drafted
12 and sent via registered mail or registered e-mail to all OCNs within the
13 Tampa area by GTE under their new Verizon letterhead. At that time,
14 the new rate center names and localities were requested by Verizon
15 to be built in RDBS by Telcordia. Verizon also went ahead and made
16 all the required changes to their NXXs to show the proper Tampa rate
17 center as the exchange with the planned effective date of February 1,
18 2001. My Exhibit BYM-1, attached, is a copy of the notification that
19 was sent to the affected carriers.

20

21 **Q. SHOULD THE TAMPA MARKET AREA BE CONSIDERED ONE**
22 **RATE CENTER?**

23 A. No. The five Tampa rate centers have been in existence for over 30
24 years. The rate centers do not have the same calling scopes. Exhibit
25 BYM-2, attached, shows the current calling scopes for the five Tampa

1 rate centers. As noted in the exhibit, all the Tampa rate centers have
2 seven-digit dialing between the five Tampa rate centers. However,
3 the Tampa rate centers have different ECS (extended calling service)
4 and EAS calling scopes.

5

6 **Q. IS VERIZON ADVOCATING THAT THE ALECS HAVE TO USE THE**
7 **SAME LOCAL CALLING AREAS AS VERIZON?**

8 A. No. An ALEC is free to determine the local calling areas for its own
9 customers. However, for Verizon customers, an ALEC NXX code has
10 to be reflected in the LERG with only one of the five Tampa rate
11 center designations so that Verizon knows how to correctly rate the
12 call for calls made to the NXX from Verizon end users.

13

14 An ALEC could choose to have all calls from their end users treated
15 as local calls for any calls they originate and terminate in the Verizon
16 territory. However, they must have an NXX for each Verizon rate
17 center where the ALEC customers are physically located. This
18 requirement applies whether the customer is located in Tampa
19 Central, Tampa North, Clearwater or New Port Richey.

20

21 **Q. DO VERIZON'S TARIFFS REFLECT THE FIVE TAMPA RATE**
22 **CENTERS FOR TOLL CALLS?**

23 A. Yes. Section A18 of the tariff shows the five Tampa rate centers and
24 the required information for rating toll calls.

25

1 **Q. HOW WOULD MULTIPLE RATE CENTERS AFFECT THE**
2 **NUMBERING RESOURCES IN THE TAMPA MARKET AREA?**

3 A. If ALECs desire to serve customers who are located in all five Tampa
4 rate centers, they would require additional NXX codes. Verizon is
5 very cognizant of the concern about the potential premature exhaust
6 of the 813 NPA. For these reasons, Verizon worked with Neustar to
7 insure that the proper recognition of the Tampa rate center could be
8 accommodated in the 813 area code. As of May 17, 2000, there were
9 331 codes still available to be assigned in the 813 area code. The
10 current date projected for area code relief in the 813 area code is
11 fourth quarter 2006.

12

13 As a result of the FCC's Report and Order in CC Docket No. 99-200,
14 released March 31, 2000, the Tampa MSA (which includes the 813
15 area code) will eventually be on the FCC's implementation schedule
16 for thousand block number pooling. However, the implementation
17 schedule is unknown at this time. The implementation of thousand
18 block number pooling should help conserve numbering resources in
19 the 813 area code.

20

21 **Q. WHAT EFFECT WILL VERIZON'S CHANGES TO ITS ROUTING**
22 **DATABASE SYSTEM (RDBS) AND BUSINESS RATING**
23 **INFORMATION DATABASE SYSTEM (BRIDS) HAVE ON OTHER**
24 **TELECOMMUNICATIONS CARRIERS IN THE TAMPA MARKET**
25 **AREA?**

1 A. The first thing that carriers will have to do is to determine which
2 Tampa rate center that their customers actually occupy. After the
3 notifications were sent, a number of conference calls were held with
4 various members of the ALEC industry to help explain the changes
5 and the impact they would have on the ALECs. As a result of the
6 conference calls, a number of exhibits were prepared to assist the
7 ALECs in determining the proper rate center for their customers.
8 Exhibit No. BYM-2 was done to outline the various Tampa rate
9 centers and the calling scopes of the rate centers. An initial list was
10 prepared and sent to the ALECs to identify the zip codes by rate
11 center. I then got a series of maps for Tampa and using the legal
12 descriptions contained in Section A200 of the tariffs (which was
13 discussed with the ALECs for use in identifying the boundaries of the
14 rate centers), I refined the list of zip codes and then sent it to the
15 carriers. The attached Exhibit BYM-3 contains the zip code listing.
16 In addition, I offered that any ALEC could e-mail me addresses and
17 we would verify them in our databases and let them know the proper
18 Tampa rate center for the address.

19
20 As a result of the ALECs' concerns about the ability to identify the
21 proper rate centers for their customers, I requested a listing of all
22 ALEC numbers in the 813 area code from our 911 database (the
23 extract was done as of October 20, 2000). I then went through the list
24 and looked up every address in the post office database to determine
25 the zip code for the address. Using the information in Exhibit BYM-3,

1 many addresses were then easily associated with their proper rate
2 center. For the addresses that were not immediately identifiable, I
3 then looked at my street address map to identify the proper rate
4 center. As a result, I prepared an analysis showing the results of my
5 study. I looked up over 58,000 addresses. The summary results are
6 shown in the attached Exhibit BYM-4, which was provided to the
7 FPSC staff and the ALECs, showing that for the rate centers which
8 are simply shown as Tampa in the LERG (since some ALECs have
9 started showing the proper Tampa rate centers in the location field of
10 the LERG), over 98 percent of the customers using these ALEC
11 codes are physically located in the Tampa Central rate center.
12 Therefore, Tampa Central is the proper rate center for these existing
13 codes.

14

15 **Q. IF AN ALEC IS SERVING CUSTOMERS WHO ARE NOT**
16 **PHYSICALLY LOCATED IN THE TAMPA CENTRAL RATE**
17 **CENTER, IS VERIZON ADVOCATING THAT THESE CUSTOMERS**
18 **MUST CHANGE THEIR TELEPHONE NUMBER?**

19 A. No. Verizon recommends that existing customers should be
20 considered grandfathered in the Tampa Central rate center as long as
21 they stay with the existing ALEC, even if they are not physically
22 located in the Tampa Central rate center. They would be allowed to
23 add lines in the ALEC's NXX.

24

25

1 Of course, if a customer decided to return to Verizon for service and
2 they are not physically located in the Tampa Central rate center, the
3 customer would be required to take a number change, in accordance
4 with the current local number portability guidelines. Verizon is not
5 trying to penalize any existing customers or ALECs.

6

7 **Q. WHY WOULD A CUSTOMER BE REQUIRED TO CHANGE HIS**
8 **PHONE NUMBER IF THEY WANTED VERIZON TO SERVE THEM?**

9 A. When the FCC implemented number portability, service provider
10 number portability was implemented. This allows a customer to move
11 from one provider to another, while remaining at the same location.
12 Under the guidelines which were developed, a customer is only
13 allowed to port between carriers within the same rate center. If the
14 customer is physically located in the Tampa North rate center, the
15 customer must be assigned to an NXX which is associated with the
16 Tampa North rate center. If the ALEC's NXX code is assigned to the
17 Tampa Central rate center, the customer must change his number for
18 Verizon to be able to serve him. This is the only way that Verizon can
19 insure that the customer's calls get billed in the same manner as all
20 other customers located in the same rate center.

21

22 **Q. HAS VERIZON'S RECOGNITION IN THE LERG OF THE EXISTING**
23 **FIVE TAMPA RATE CENTERS HAD ANY IMPACT ON LOCAL**
24 **NUMBER PORTABILITY (LNP)?**

25 A. No. Tampa became LNP-capable in September, 1998. The FCC

1 required LNP deployment in all of the top 100 Metropolitan Statistical
2 Areas (MSAs) by year end 1998. Verizon chose voluntarily to move
3 beyond the minimum requirements of the FCC order and completed
4 LNP implementation in all of our Florida locations effective August,
5 1999.

6
7 The requirement for a customer to change their phone number if they
8 were not physically located in the Tampa Central rate center, but were
9 served by a Tampa Central ALEC NXX code and wanted to be served
10 by Verizon has existed since September, 1998.

11
12 The issues associated with the five Tampa rate centers and LNP were
13 discussed in the LNP workshops held with FPSC staff during October,
14 1997. The five rate areas in Tampa have been explained in
15 numerous industry meetings since the industry started deploying LNP.

16

17 **Q. WHAT ARE SOME OF THE DIFFERENCES IN A CUSTOMER'S**
18 **CALLS DEPENDING ON THE TAMPA RATE CENTER WHERE HE**
19 **IS LOCATED?**

20 **A.** When a customer is located in Tampa Central or Tampa North, calls
21 to Dade City and San Antonio (both in Sprint's territory) are ECS
22 calls. If the customer is located in Tampa East, South or West, calls
23 to Dade City and San Antonio are toll calls. If a customer is located
24 in Tampa South, calls to Palmetto are local calls. If the customer is
25 located in any other Tampa rate center, calls to Palmetto are toll calls.

1 **Q. WHAT IMPACT DOES VERIZON'S RECOGNITION OF THE**
2 **EXISTING FIVE TAMPA RATE CENTERS IN THE LERG/RDBS**
3 **HAVE ON ALECS?**

4 A. It has no immediate impact whatsoever. There have been no
5 changes to rating or routing as a result of Verizon's recognition of the
6 existing Tampa rate centers. There has been a perception that
7 recognizing the Tampa rate centers in the LERG changes the ALEC's
8 calling scope to one-fifth the calling scope they currently have. As
9 discussed previously, the ALEC's codes have been recognized as
10 Tampa Central rate center codes if there is no designation in the
11 LERG. As shown on Exhibit BYM-2, the calling scopes for each
12 Tampa rate center are very comparable. However, the ALEC codes
13 need to be shown in the LERG with the proper Tampa rate center so
14 there is no question as to the rate center where the customers are
15 located. Any new NXX codes need to be established with the correct
16 Tampa rate center designation. This is no different than any other
17 rate center in Verizon's territory.

18

19 **Q. IF ALECS START USING THE CORRECT TAMPA RATE**
20 **CENTERS, WILL THIS HAVE AN IMPACT ON INTERCARRIER**
21 **COMPENSATION?**

22 A. It should not. In Verizon's interconnection agreements, local, EAS
23 and ECS traffic are all treated as local service for compensation
24 purposes. As shown in Exhibit BYM-2, the calling scopes for all
25 Tampa rate centers are comparable.

1 **Q. SHOULD A NUMBER POOLING TRIAL BE IMPLEMENTED IN THE**
2 **TAMPA METROPOLITAN STATISTICAL AREA (MSA)? IF SO,**
3 **WHEN SHOULD THE NUMBER POOLING TRIAL BEGIN?**

4 A. Verizon is not opposed to a number pooling trial for the Tampa MSA.
5 The Tampa MSA encompasses both the 813 and 727 area codes. If
6 a number pooling trial is implemented, a pooling administrator will
7 have to be selected. After the pooling administrator is selected,
8 industry meetings will need to be held with all affected carriers to
9 establish the time frames for the implementation of pooling. A new
10 pooling trial will need to be coordinated with the other pooling trials
11 that are already scheduled. Verizon believes that it could be ready to
12 implement a pooling trial six months after a Commission order
13 establishing a pooling trial.

14
15 **Q. WHAT OTHER NUMBER CONSERVATION MEASURES, IF ANY,**
16 **SHOULD THE COMMISSION IMPLEMENT IN THIS DOCKET?**

17 A. The Commission should not implement any additional conservation
18 measures in this docket other than consideration for a number pooling
19 trial. As a result of the FCC's decisions in 2000, a number of
20 conservation measures are already being implemented on a
21 nationwide basis. Any other such measures should be considered in
22 the generic Docket Number 981444-TP, so they can be done on a
23 uniform basis throughout the state and all affected parties can
24 participate in the proceeding.

25

1 **Q. HOW SHOULD COST RECOVERY BE ESTABLISHED IF THE**
2 **COMMISSION ORDERS A NUMBER POOLING TRIAL?**

3 A. Docket Number 001503-TP has already been established to deal with
4 the cost recovery for the pooling trials that have already been
5 scheduled. It is anticipated the results of this docket would apply for
6 any number pooling trials that are established.

7
8 **Q. SHOULD VERIZON BE ORDERED TO IMPLEMENT RATE CENTER**
9 **CONSOLIDATION IN THE TAMPA MARKET AREA?**

10 A. No, not at this time. This area encompasses a large geographical
11 area. It contains most of Hillsborough county, a portion of Pinellas
12 county, and a large portion of the Pasco county area contained in
13 Verizon's territory. Exhibit BYM-5 is a map showing the Verizon rate
14 centers and county boundaries.

15
16 As part of the Commission's work on rate center consolidation,
17 Verizon looked at the possibility of combining the five Tampa rate
18 centers. However, it was determined that the revenue impact would
19 be too large. Therefore, the task force report submitted to the
20 Commission Staff on September 28, 2000 only proposed combining
21 the Tampa South and Tampa East rate centers. It was also proposed
22 to combine the Tampa North rate center with the Zephyrhills
23 exchange. The potential revenue requirement that would have to be
24 recovered for the 813 area code for the proposed rate center
25 consolidations was \$6,500,000.

1 **Q. WERE THERE ANY ISSUES IDENTIFIED WITH RATE CENTER**
2 **CONSOLIDATION?**

3 A. Yes. There were two main issues. One was whether the Commission
4 has the authority to order rate center consolidation. The other issue
5 identified by the ILECs is that their support for rate center
6 consolidation was premised on the capability to cover the revenue
7 loss and the cost of implementing rate center consolidations.

8

9 **Q. DO YOU BELIEVE THE COMMISSION HAS THE AUTHORITY TO**
10 **ORDER RATE CENTER CONSOLIDATIONS FOR VERIZON?**

11 A. No, I do not. While I am not an attorney, there have not been any
12 additional EAS or ECS dockets established for price-regulated ILECs
13 since Chapter 364 was modified effective July 1, 1995. The rationale
14 is contained in Section 364.385(2), Florida Statutes, which provided
15 that all applications for extended area service or extended calling
16 service pending before the Commission before March 1, 1995 were
17 governed by the law that existed prior to July 1, 1995. No new
18 proceedings governed by the law as it existed prior to July 1, 1995
19 could be initiated after July 1, 1995. Since consolidation of any
20 Tampa rate centers would involve mandating additional EAS or ECS
21 calling areas, it does not appear the Commission has the authority to
22 order the consolidations under Chapter 364.

23

24 **Q. DOES VERIZON HAVE ANY ADDITIONAL CONCERNS WITH**
25 **RATE CENTER CONSOLIDATIONS?**

1 A. Yes. In recent years, Verizon has embraced rate center
2 consolidation where it could be implemented without impact to our
3 revenues or proper 911 call routing. Recently, the FCC provided an
4 interpretation of the FCC Numbering Resource Optimization (NRO)
5 Order to the North American Number Plan Administrator (NANPA)
6 which resulted in Verizon being denied the codes it had requested.
7 When Verizon inquired as to why NANPA declined the code requests,
8 Verizon was told that the FCC had instructed NANPA to begin
9 managing numbering resources at a rate center level. This new
10 approach means that any carrier with multiple switches in the same
11 rate center would be required to move numbers from a switch with
12 more than six months of numbering resources to another switch within
13 the rate center that was nearing number exhaust. Verizon does not
14 have the system capability to accommodate such a requirement.
15 Investigation is underway to determine how much system
16 enhancement will be required, but in the interim, we cannot support
17 rate center consolidation where the final result would be a rate center
18 with multiple Verizon switches. Since each Tampa rate center
19 contains multiple switches, Verizon cannot support any additional rate
20 center consolidations at this time.

21

22 **Q. WHAT IS VERIZON'S RECOMMENDATION ON RATE CENTER**
23 **CONSOLIDATION AT THIS TIME?**

24 A. The issues of the Commission's authority for rate center consolidation
25 and recovery of revenue losses and cost of implementing rate center

1 consolidation should be dealt with in Docket No. 981444-TP, the
2 proceeding intended to generically address such issues. Once these
3 issues are resolved, it would take twelve to eighteen months to
4 implement any rate consolidation plan.

5

6 **Q. SHOULD VERIZON BE REQUIRED TO UNDO CHANGES MADE**
7 **PRIOR TO AUGUST 15, 2000, IN ITS RDBS AND BRIDS**
8 **SYSTEMS? IF SO, SHOULD VERIZON BE REQUIRED TO FILE A**
9 **REVISED TARIFF REFLECTING ONE TAMPA RATE CENTER?**

10 A. Absolutely not. As discussed previously, I do not believe the
11 Commission has the authority to require all Tampa rate centers to be
12 consolidated to one rate center. Verizon cannot support any rate
13 consolidation without recovering its revenue losses and the costs of
14 implementing rate center consolidation.

15

16 **Q. WOULD YOU PLEASE SUMMARIZE YOUR TESTIMONY?**

17 A. Yes. Throughout this process, there has been a misconception
18 relative to the Tampa rate center. Verizon is not converting,
19 expanding, or changing the currently tariffed Tampa rate centers. It is
20 only correcting the RDBS system and its output products to match
21 what is currently reflected in the tariff and its switches. Verizon is
22 eliminating a manual process which existed when GTE was the
23 Florida Code Administrator, and that was not continued after the
24 transition of the function to Lockheed-Martin, now Neustar. The only
25 conservation measure which should be considered in this proceeding

1 is whether a number pooling trial should be implemented for the
2 Tampa MSA.

3

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

5 **A.** Yes, it does.

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1 **REBUTTAL TESTIMONY OF BEVERLY Y. MENARD**

2

3 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND**
4 **POSITION WITH VERIZON.**

5 A. My name is Beverly Y. Menard. My business address is One Tampa
6 City Center, Tampa, Florida 33601-0110. My current position is
7 Assistant Vice President - Advocacy Support and I am employed by
8 Verizon Communications.

9

10 **Q. ARE YOU THE SAME BEVERLY MENARD WHO SUBMITTED**
11 **DIRECT TESTIMONY IN THIS PROCEEDING?**

12 A. Yes.

13

14 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

15 A. The purpose of my testimony is to rebut positions taken by other
16 parties on the recognition of Verizon's existing five Tampa rate
17 centers.

18

19 **Q. WHAT IS YOUR MAIN CONCERN WITH OTHER PARTIES'**
20 **TESTIMONY?**

21 A. The alternative local exchange carriers (ALECs) complain that
22 Verizon is splitting the Tampa rate area currently shown in the local
23 exchange routing guide (LERG) into five new rate centers. These five
24 rate centers, however, have existed for over 30 years; Verizon has
25 been assigning ALEC codes to one of the five Tampa rate centers for

1 rating purposes when any new NXX codes are established since the
2 establishment of the first ALEC code. The ALECs' misperception
3 appears to have arisen because, unfortunately, Verizon did not
4 correctly populate the LERG with the proper Tampa rate center
5 shown as the rate center prior to Verizon's transfer of the code
6 administration function to Lockheed Martin (now Neustar) in 1998.

7

8 **Q. WERE VERIZON'S NXX'S SHOWN WITH THE PROPER RATE**
9 **CENTER DESIGNATION PRIOR TO FEBRUARY 1, 2001?**

10 A. Yes. However, the designation was not shown in the rate center
11 column, but rather in the location column. The designations which
12 were shown for all Verizon (then, GTE Florida) NXX's were TMPA
13 LCA C, TMPA LCA E, TMPA LCA W, TMPA LCA N or TMPA LCA S.
14 The ending letter on the location field showed the proper rate center
15 as Central, East, West, North or South.

16

17 **Q. DID ANY ALECS SHOW THE PROPER TAMPA RATE CENTER**
18 **PRIOR TO FEBRUARY 1, 2001?**

19 A. Yes. For instance, the LERG shows NXX 482 for Winstar Wireless
20 as TMPA LCA N and NXX 489 as TMPA LCA S. US LEC's NXXs
21 also show the Tampa rate centers.

22

23 **Q. DID ALL ALECS SHOW THE PROPER TAMPA RATE CENTER**
24 **PRIOR TO FEBRUARY 1, 2001?**

25 A. No. As explained in my direct testimony, this was the reason that the

1 industry forum called CIGRR (Common Interest Group on Routing
2 and Rating) recommended the changes to the LERG to make them
3 consistent with Verizon's tariffs and to insure that all ALECs were
4 assigned NXX codes consistent with the existing Tampa rate centers.
5 For ALECs which showed Tampa in the location column, the NXXs
6 were assumed to be TMPA LCA C. The analysis contained in Exhibit
7 No. BYM-4 shows that this was an accurate assumption.

8

9 **Q. MR. JOERGER (AT PAGE 4 OF HIS DIRECT TESTIMONY (DT))**
10 **STATES THAT NEW ENTRANTS WERE ASSIGNED CODES TO**
11 **THE UNIVERSAL TAMPA RATE CENTER. DOES VERIZON**
12 **AGREE WITH THIS ASSESSMENT?**

13 A. No. I understand that some ALECs believe that is the case.
14 However, as discussed in greater detail in my direct testimony, when
15 Verizon was responsible for CO code assignments, the issue of the
16 Tampa rate centers was discussed when new NXXs were ordered
17 and the codes were actually established as Tampa Central rate center
18 codes even though the LERG did not correctly reflect that
19 designation. Verizon's billing system cannot recognize a universal
20 Tampa rate center. A single rate center covering the entire Tampa
21 metropolitan area does not exist.

22

23 **Q. MR. FOLEY PRESENTS AN ANALYSIS OF THE POTENTIAL**
24 **IMPACT TO NUMBERING RESOURCES IN THE 813 AREA CODE**
25 **IF ALL ALECS REQUEST ADDITIONAL CODES. IS THERE**

1 **ANYTHING THAT CAN BE DONE TO REDUCE THIS IMPACT?**

2 A. As discussed in Mr. Tystad's testimony, a number pooling trial should
3 be implemented in the Tampa MSA. Verizon has supported this
4 proposal. As shown in Exhibit BYM-4 and this Commission's Cost
5 Statistics reports, most customers are located in Tampa Central. Mr.
6 Foley's estimate of 91 central office (CO) codes would be reduced to
7 approximately 9 CO codes if each ALEC only required one thousand
8 numbers in each of the other four Tampa rate centers. This number
9 of CO codes would be able to be further reduced since there should
10 be thousand number blocks in existing Tampa central NXXs which
11 could be returned for reassignment. In addition, it is unknown
12 whether there are any existing NXX codes which should be reclaimed
13 under the existing numbering guidelines.

14

15 **Q. MS. HENDERSON (DT AT 7) STATES THAT POOLING IN TAMPA**
16 **WOULD LIKELY HAVE A VERY MINIMAL IMPACT ON DELAYING**
17 **EXHAUST IN THE 813 NPA IF ADDITIONAL NXX CODES ARE**
18 **REQUIRED. DO YOU AGREE WITH THIS POSITION?**

19 A. No. Based on the analysis shown in Exhibit BYM-4, the ALECs have
20 been concentrating on Tampa Central customers. Therefore, it is
21 extremely unlikely that any ALEC has an immediate need for more
22 than a single thousand number pooling block in any other Tampa rate
23 center.

24

25 **Q. MS. FAUL (DT AT 4), MR. JOERGER (DT AT 9), MS. HENDERSON**

1 (DT AT 6), MR. FOLEY (DT AT 6), AND MR. TYSTAD (DT AT 3) ALL
2 DISCUSS FORCING ALEC CUSTOMERS TO TAKE A NUMBER
3 CHANGE. WHAT IS VERIZON'S POSITION ON THIS ISSUE?

4 A. As discussed in my direct testimony, Verizon's position is that existing
5 customers who are not physically located in the Tampa Central rate
6 center but whose NXX code gets assigned to Tampa Central should
7 not have to take a number change at this time. The requirement for
8 a customer to change their phone number if they wish to be served by
9 Verizon, but are physically located in another Tampa rate center, has
10 existed since September, 1998.

11

12

13 Q. MR. TYSTAD (DT AT 7) PROPOSES THAT RATE CENTER
14 CONSOLIDATION SHOULD BE ORDERED IMMEDIATELY AND
15 ALL CARRIERS, INCLUDING VERIZON, SHOULD ABSORB THE
16 COSTS OF IMPLEMENTING RATE CENTER CONSOLIDATION IN
17 TAMPA. DO YOU HAVE ANY CONCERNS WITH THIS
18 PROPOSAL?

19 A. Yes, I have major concerns. As addressed in my direct testimony,
20 there is considerable doubt as to whether the Commission even has
21 the legal authority to order rate center consolidation. In any event,
22 rate center consolidation would have a major revenue impact on
23 Verizon. It would take twelve to eighteen months to implement a
24 change of this magnitude. Exhibit BYM-6 shows the changes which
25 would need to be made in Verizon customers' calling scopes if the

1 existing Tampa rate centers were consolidated to one Tampa rate
2 center.

3

4 **Q. MR. TYSTAD (DT AT 4) DISCUSSES SIX DIFFERENT RATE**
5 **CENTERS FOR VERIZON. DOES VERIZON HAVE SIX RATE**
6 **CENTERS FOR TAMPA?**

7 A. No. There are only five rate centers in Tampa. None of Verizon's
8 systems have the capability to recognize all five Tampa rate centers
9 as one rate center.

10

11 **Q. MR. TYSTAD (DT AT 6), MR. JOERGER (DT AT 11), AND MS.**
12 **HENDERSON (DT AT 7) DISCUSS SIX SEPARATE NUMBER**
13 **POOLS AND THE PROBLEMS THIS WOULD CREATE. DOES**
14 **VERIZON SUPPORT SIX NUMBERING POOLS?**

15 A. No. Since some ALECs have designated their NXX codes to the
16 proper Tampa rate centers, there would be other carriers in the same
17 pools as Verizon. In addition, if all ALECs use the existing Tampa
18 rate centers, there would be only five pools, with all ALECs having
19 customers in the same rate center participating in the same pools.

20

21 **Q. IF VERIZON'S AUGUST 15, 2000 PROPOSAL WERE**
22 **IMPLEMENTED FOR ALL ALECS AND POOLING WAS**
23 **IMPLEMENTED IN THE 813 NPA, HOW MANY POOLS WOULD**
24 **EXIST?**

25 A. There would be seven pools. The pooling areas would be Tampa

1 Central, Tampa North, Tampa South, Tampa East, Tampa West,
2 Plant City and Zephyrhills.

3

4 **Q. MR. TYSTAD (DT AT 8) DISCUSSES THE REQUIREMENT FOR**
5 **ALL ALECS TO OBTAIN CODES IN ALL FIVE TAMPA RATE**
6 **CENTERS EFFECTIVE MAY 1, 2001. IS THERE ANY SUCH**
7 **REQUIREMENT AT THIS TIME?**

8 A. No. The ALECs had originally requested a delay until May 1, 2001
9 to show their NXX codes with the proper Tampa rate center
10 designation. As a result of Order number PSC-01-0456-PAA-TP,
11 there is no date set for this change. Verizon supports implementation
12 of the change in the proper sequence with thousands block number
13 pooling so all carriers will be able to participate in the five number
14 pools and will not require excessive numbering resources.

15

16 **Q. MS. FAUL (DT AT 6) AND MS. HENDERSON (DT AT 6) DISCUSS**
17 **A SCENARIO WHERE VERIZON USES FIVE RATE CENTERS AND**
18 **OTHER CARRIERS USE ONE RATE CENTER. DOES VERIZON**
19 **HAVE ANY CONCERNS WITH THIS PROPOSAL?**

20 A. Yes. This will be anticompetitive for Verizon as customers would be
21 able to port between ALECs and would not be able to port to Verizon
22 without taking a number change. This situation has existed for some
23 customers since September 1998. In addition, Verizon has no way
24 of recognizing only one rate center for the ALECs. There would be no
25 way that Verizon could insure that all customers are treated in a

1 nondiscriminatory manner under the ALECs' proposal, as the calling
2 scopes vary for every Tampa rate center. For Verizon's billing
3 system, each NXX can only be associated with a single Tampa rate
4 center.

5

6 **Q. MR. JOERGER (DT AT 10) SUGGESTS THAT THE INDUSTRY**
7 **SHOULD RETURN TO THE STATUS QUO THAT EXISTED PRIOR**
8 **TO FEBRUARY 1, 2001 AND HAVE ONLY ONE TAMPA RATE**
9 **CENTER. IS THAT APPROPRIATE?**

10 A. No. Verizon has five existing Tampa rate centers and changing the
11 designation in the LERG back to Tampa does not change the five
12 different local calling scopes that actually exist for the different rate
13 centers in Tampa. These rate centers are no different than the rate
14 centers that exist for other rate centers. Changing the LERG
15 designation will not change the requirement for Verizon to assign
16 each NXX to only one of the five Tampa rate centers. The confusion
17 that exists today might never have occurred if the five Tampa rate
18 centers had different names—for example, Tampa, Brandon, Ruskin,
19 Oldsmar and Lutz.

20

21 **Q. MR. JOERGER (DT AT 12) SUGGESTS THAT A NUMBER**
22 **POOLING TRIAL SHOULD BEGIN AFTER VERIZON REVERSES**
23 **THE CHANGES TO THE LERG AND RETURNS TO A SINGLE**
24 **TAMPA RATE CENTER. CAN VERIZON PARTICIPATE IN ONE**
25 **POOL FOR TAMPA?**

1 A. No. Even if the LERG showed Tampa as the rate center, Verizon has
2 five existing Tampa rate centers. Verizon cannot port customers
3 between these rate centers. Verizon cannot participate in one pool
4 for Tampa.

5

6 **Q. MR. JOERGER (DT AT 10) DISCUSSES THE MANUAL PROCESS**
7 **THAT ALECS HAVE ESTABLISHED FOR NUMBER PORTABILITY**
8 **PURPOSES. DID VERIZON CONSIDER THIS FACTOR WHEN IT**
9 **MADE THE LERG CHANGES?**

10 A. No. Since the subject of the five Tampa rate centers was discussed
11 in numerous industry meetings when number portability was
12 implemented and the location designations have been shown in the
13 LERG, Verizon believed that ALECs were cognizant of the five Tampa
14 rate centers for number portability purposes. However, it appears that
15 this is not necessarily the case. Verizon believes that the proper
16 recognition of the existing Tampa rate centers is required so all
17 carriers can follow the LNP requirements.

18

19 **Q. WOULD YOU PLEASE SUMMARIZE YOUR TESTIMONY?**

20 A. Yes. Throughout this process, there has been a misconception
21 relative to the Tampa rate center. Verizon is not converting,
22 expanding, or changing the currently tariffed Tampa rate centers. It is
23 only correcting the RDBS system and its output products to match
24 what is currently reflected in the tariff and its switches. All ALECs'
25 codes should be assigned to the proper Tampa rate center (based on

1 where the majority of the customers are physically located) and
2 thousand block number pooling should be implemented.

3

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

5 **A.** Yes, it does.

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1 **BY MS. CASWELL:**

2 **Q Do you have a brief summary of your testimony?**

3 **A Yes, I do.**

4 **Q Could you give that to us now, please?**

5 **A The issues in this proceeding have originated**
6 **largely because of fundamental misperceptions relative to**
7 **Verizon's five Tampa rate centers which have existed for**
8 **over 30 years. Verizon is not converting, expanding, or**
9 **changing these currently tariffed Tampa rate centers. It**
10 **is only correcting the routing database system, RDBS, and**
11 **its output products, the local exchange routing guide,**
12 **LERG, to correspond to its switches and its tariff. These**
13 **corrections will not change the ALECs' calling scopes.**

14 **Contrary to the position of the ALECs, Verizon's**
15 **five Tampa rate centers, which have existed for over 30**
16 **years, should be maintained. Instead of changing the LERG**
17 **to harmonize with Verizon's tariffed rate centers, the**
18 **ALECs suggest that Verizon should change its tariff to**
19 **correspond with the erroneous LERG entries. This would**
20 **mean that Verizon would need to consolidate its five**
21 **tariffed rate centers into just one. The ALECs further**
22 **suggest that Verizon should do so without any**
23 **cost-recovery.**

24 **As the Commission knows, with the legislative**
25 **changes in 1995 the Commission lost the ability to mandate**

1 extended area service for price regulated LECs, which is
2 just what the ALECs are asking you to do. In addition,
3 the one instance where the Commission ordered rate center
4 consolidation on a revenue neutral basis the item was
5 appealed. That case has now been resolved.

6 In their testimony the ALECs raise two principal
7 problems in conjunction with Verizon's proposal to
8 harmonize the numbering databases with Verizon's tariffs.
9 Both of these concerns are groundless, assuming the
10 Commission accepts Verizon's proposed remedy.

11 First, the ALECs say their customers will need
12 to take number changes if they are not physically located
13 in the same rate center to which they are currently
14 assigned. But Verizon has proposed that all existing
15 customers in the 813 area code should be grandfathered so
16 that none of them would need to take a number change
17 unless they later changed carriers. Any new NXX codes
18 should be established with the correct Tampa rate center
19 designation in the same manner as done with all other rate
20 centers.

21 Second, the ALECs claim that Verizon's proposal
22 will unduly accelerate the exhaust of the 813 area code
23 because ALECs will now need additional entire NXX codes to
24 serve the four rate centers other than Tampa central.
25 Verizon believes this concern about the impact of

1 numbering resources is likely exaggerated as Verizon's
2 analysis shows that the vast majority of the ALECs
3 customers, probably about 98 percent are located in the
4 Tampa central rate center anyway, which is where they are
5 assigned today.

6 In any event, to the extent that code exhaust is
7 a problem it can be alleviated through thousand block
8 number pooling which Verizon would support. Verizon could
9 implement such number pooling six months from the
10 Commission decision in this docket. So instead of having
11 to request potentially four whole additional NXX codes,
12 ALECs would likely need only four or less thousand blocks.
13 With number pooling, the affect on the life of the 813
14 code should be minimal.

15 If the databases are harmonized with the
16 tariffs, the ALECs would need to determine which Tampa
17 rate center their customers occupy. Verizon has provided
18 the ALECs with a number of documents to assist them to
19 identify the proper rate centers for their customers. As
20 I stated earlier, Verizon believes that most of the
21 existing ALEC codes which have not been designated with a
22 specific Tampa rate center designation will be Tampa
23 central rate center codes.

24 Verizon should not be required to undo the RDBS
25 system changes which it has implemented. Instead, the

1 changes which Verizon has implemented in the RDBS system
2 should be implemented for all carriers. The ALECs'
3 request to maintain the use of a nondesignated Tampa rate
4 center designation will not work. There is no such
5 designation in Verizon's tariff. An ALEC code must be
6 reflected in the LERG with the proper Tampa rate center so
7 that Verizon knows how to correctly rate the calls for
8 calls made to the NXX for Verizon end users.

9 As part of also my summary, what I have here is
10 a map that I have prepared as part of doing my analysis to
11 show the area we are talking about in this case, I'm not
12 asking it be officially recognized because I don't want to
13 copy the thing. But I thought it would be helpful to have
14 a visual to help. Because the map that's in my BYM-5
15 doesn't give you a true appreciation of the area we are
16 talking about in question.

17 MS. CASWELL: Ms. Menard is available for cross
18 examination.

19 COMMISSIONER DEASON: Mr. Beck.

20 MR. BECK: Thank you, Commissioner Deason.

21 CROSS EXAMINATION

22 BY MR. BECK:

23 Q Good morning, Ms. Menard.

24 A Good morning, Mr. Beck.

25 Q Could I ask you to turn to your exhibit BYM-5,

1 which is the last item attached to your direct testimony.

2 Does this map show the various rate centers that
3 are within your territory?

4 A Yes, it does.

5 Q And Tampa central is one of the rate centers, is
6 that right?

7 A That is correct.

8 Q And the issues in this case concern four other
9 rate centers beside that in the LERG, is that right?

10 A That is correct.

11 Q Were the other four rate centers, the Tampa
12 north, south, east, and west, were they simply missing
13 from the LERG, or could you explain that a little bit?

14 A Yes. In actuality what the LERG has shown is
15 the path. If you look at a typical ALEC code in the LERG,
16 they show for both the rate center designation and the
17 location columns, they show Tampa as the rate center.

18 Q And is that the way Verizon maintained that?

19 A That is the way Verizon initially had their
20 codes. And because of the concerns in trying to identify
21 the five Tampa rate centers, as I discuss in my direct
22 testimony, in April 1999 for the Verizon codes we made
23 changes to the LERG so that in the location field we
24 showed Tampa LCA, local calling area, SN, you know, the
25 five designations so that you could tell which of the rate

1 centers the Verizon codes occupied.

2 Q You stated in your summary, I believe it is also
3 in your testimony that the LERG is an output of the
4 routing database system, is that right?

5 A That is correct.

6 Q How long has the routing database system been
7 around or in existence?

8 A I do not know.

9 Q Is it quite sometime?

10 A I know the LERG has been around for a long time.
11 I do not know the date of when those systems came into
12 existence.

13 Q As we look at the exchanges listed in BYM-5, I
14 mean, have all of the various exchanges, except the five
15 at issue here, been in the LERG as long as you are able to
16 identify?

17 A That is correct.

18 Q So Mulberry and Frostproof and all of them have
19 always been separately identified in the LERG?

20 A That is correct.

21 Q Why weren't the other four around Tampa always
22 identified?

23 A I do not know the answer to that.

24 Unfortunately, Mr. Gancarz, who was the code administrator
25 for the 813 area code, retired after he lost the job doing

1 the code administration. And I do not know why we never
2 reflected the five rate centers.

3 As I said in my testimony, it is unfortunate we
4 did not correctly populate the LERG prior to us turning it
5 over to Lockheed Martin, which became NeuStar.

6 Q But in your investigation you have not been able
7 to determine any reason why that didn't occur, nobody
8 seemed to know?

9 A No. Other than the work that was involved to do
10 it, I do not know why it was not done.

11 Q You also when you transferred it to NeuStar, you
12 didn't change it at that point either, when it was first
13 transferred?

14 A No, we did not. As I said, that is where I
15 think Verizon made their biggest mistake was not fixing it
16 before we transferred it.

17 Q How long has the company known this was a
18 problem?

19 A Well, as I said, we did the first fix to the
20 LERG in 1999 trying to fix the problem. That did not
21 work. And so then in 2000 is when we started the effort,
22 it came up as is testified in my thing to the common
23 industry rating and routing committee. We started the
24 effort. We had conference calls and the notification went
25 out to carriers in August of last year to change the LERG

1 so that it would correctly match our tariffs.

2 Q Okay. And before the changes, then, you had the
3 Tampa central rate center identified, but --

4 A No, Tampa was identified. Where the Tampa
5 central comes into being is the first carriers that got
6 NXXs when we were still the code administrator, the code
7 administrator would talk to the carriers to ensure where
8 their customers were going to be located, and most of them
9 were going to the downtown Tampa area, which is Tampa
10 central. In our systems, internal systems, those codes
11 were established as Tampa central. In the LERG, they
12 looked like Tampa. Tampa central is not in the LERG
13 except for the Verizon rate centers.

14 MR. BECK: Thank you. That's all I have.

15 COMMISSIONER DEASON: Mr. Self.

16 CROSS EXAMINATION

17 BY MR. SELF:

18 Q Good morning, Ms. Menard.

19 A Good morning, Mr. Self.

20 Q I want to follow up a little bit on some of the
21 questions that Mr. Beck was asking you. Not to beat a
22 dead horse, but if I understand what you just said a few
23 moments ago, prior to April 1999, both in the rate center
24 column and the location column, everything just said
25 Tampa, is that correct?

1 **A That is correct.**

2 **Q And the LERG itself, we agree, has been in**
3 **effect for, what, 10, 15, 20 years, or more?**

4 **A I do not know the time frame, I just know it has**
5 **been a long time.**

6 **Q Okay. And you said you don't know why when the**
7 **Tampa information was put into the LERG, why it was not**
8 **done as north, south, east, west, central, correct?**

9 **A That is correct.**

10 **Q So, in fact, you don't know whether it was**
11 **really an oversight or not to put it in that way. It**
12 **could well have been intentionally put in that way,**
13 **correct?**

14 **A I don't think there was anything done to**
15 **intentionally mispopulate the LERG. I think it was just**
16 **done that Tampa was put in as Tampa. The Tampa area is a**
17 **unique area to the rest of the other Tampa rate centers as**
18 **far as it is the only rate center where, as shown on my**
19 **Exhibit 2, you have the five Tampa rate centers and it is**
20 **considered local calling between all five Tampa rate**
21 **centers. It is not EAS, or extended area central office.**

22 **So it was a unique anomaly which is, I think,**
23 **why it ended up being put that way in the beginning in the**
24 **LERG, not knowing the impact it would have with**
25 **competition and local number portability.**

1 **COMMISSIONER DEASON:** Excuse me. Ms. Menard,
2 can you explain the difference between local calling and
3 **EAS?**

4 **THE WITNESS:** Certainly. As far as the impact
5 to the end user, there is none. But under the typical way
6 the rate centers and exchanges have been treated before
7 the Commission and in our tariffs, local calling is
8 considered just your area within your rate center,
9 normally, your exchange. EAS is extended area service
10 where it is 7-digit calling, normally, assuming you don't
11 have a LATA boundary where it is a contiguous exchange,
12 normally, local calling at no additional charge to the
13 customers. In this area we also have extended calling
14 service, or ECS, where it is still considered local
15 calling, but there is a charge for each call to the
16 customer.

17 **COMMISSIONER DEASON:** But in the eyes of the
18 customer, local calling and EAS is the same.

19 **THE WITNESS:** That is correct. I would agree
20 for most customers that would be true.

21 **COMMISSIONER DEASON:** Okay. So we have these
22 rate centers where it has always been local calling
23 between these rate centers and --

24 **THE WITNESS:** I have not been able to discover
25 anytime where it was not local calling between the five

1 Tampa centers. Now, as far as the EAS areas, no, those
2 were established at certain time frames.

3 COMMISSIONER DEASON: Okay. But to your
4 recollection the calling between Tampa central and the
5 centers on the periphery, the north, south, east, and
6 west, those have always been local.

7 THE WITNESS: To the best of my knowledge, they
8 have.

9 COMMISSIONER DEASON: Why then do you have
10 separate centers then?

11 THE WITNESS: The reason for the separate
12 centers is because of the area. When you talk about the
13 area we are talking about, you are talking about it is
14 most of Hillsborough County, except for the periphery on
15 the right side is Plant City and then it goes into
16 Zephyrhills.

17 The north area goes into Pasco County and goes
18 almost to the Hernando County line. It is over 1,100
19 square miles of territory. And because of the way you
20 typically do EAS to extended, you know, to the areas that
21 are on the sides, you know, Tampa south has EAS with
22 Palmetto, which is south of it, but it made no sense to
23 have Pasco County having local calling down to Palmetto.

24 So that is, I think, the reason why those
25 designations were set up was so that we could easily do

1 extended area calling service, ECS and extended area
2 service at the time, with contiguous areas to those areas,
3 but it would not impact the local calling for the rest of
4 the Tampa exchange.

5 **BY MR. SELF:**

6 **Q To follow up on that, it sounds like what you**
7 **are describing is really a billing issue, how you bill**
8 **customers for local and toll calls, basically, and ECS**
9 **calls?**

10 **A That is part of the issue. Part of it is also**
11 **the local number portability. All we are asking for is**
12 **that these rate centers be treated the same as every other**
13 **rate center that is in our territory.**

14 **Q Okay. Does Verizon have any toll routes of 40**
15 **miles or less into or out of the Tampa centers?**

16 **A At this point I don't think so. I mean, I think**
17 **they are all 40 miles or less. In our toll tariffs today**
18 **the rates are all the same for all the mileages.**

19 **MR. SELF: Mr. Chairman, if I could give her an**
20 **exhibit.**

21 **COMMISSIONER DEASON: Mr. Self, is this part of**
22 **the official recognition list?**

23 **MR. SELF: No, sir, not at this time.**

24 **COMMISSIONER DEASON: Do you wish to have this**
25 **identified?**

1 **MR. SELF: Yes, I do.**

2 **COMMISSIONER DEASON: It will be identified as**

3 **Exhibit 5.**

4 **(Exhibit 5 marked for identification.)**

5 **BY MR. SELF:**

6 **Q Ms. Menard, do you know what Exhibit 5 is as it**
7 **has now been identified?**

8 **A Looking at it, it looks like it is Page 14 and**
9 **the revisions to Page 14 of one of the pages in Section**
10 **A18, which is our toll tariff from our general services**
11 **tariff.**

12 **Q And as I recall, it is either in your direct or**
13 **rebuttal, at one point you actually reference Section A18**
14 **of your tariff?**

15 **A That is correct.**

16 **Q And would you accept, subject to check, that the**
17 **third revised Page 14, which is the first page of this**
18 **exhibit, is the currently effective tariff page for this?**

19 **A Based on my records that is the latest tariff**
20 **page.**

21 **Q Great. As I understand the basic issue, it is**
22 **Verizon's position that what you are trying to do is make**
23 **the LERG comply with the tariff as opposed to the tariff**
24 **comply with what is in the LERG, is that correct?**

25 **A That is correct.**

1 **Q** **The LERG has been described to me as the -- as**
2 **really the Bible for the rating and routing of calls.**

3 **Would you agree with that kind of characterization for the**
4 **LERG?**

5 **A** **I have heard that characterization made before,**
6 **yes.**

7 **Q** **Okay. It is certainly the reference point that**
8 **all carriers use to determine rating and routing, is it**
9 **not?**

10 **A** **That is correct, which is why we have been going**
11 **forward with this effort to get it corrected.**

12 **Q** **Okay. Now, Section A, looking at Exhibit 5, the**
13 **first page here, Section A18.7.3, says list of rate**
14 **centers. And as you look down that column there are, in**
15 **fact, the five Tampa designations that you have been**
16 **talking about, is that correct?**

17 **A** **That is correct.**

18 **Q** **Now, there is also a footnote associated with**
19 **each of those five Tampa areas down at the bottom of the**
20 **page. Could you read that, please?**

21 **A** **Certainly. It says rate centers to be used to**
22 **determine mileage to non-Tampa rate centers within 40**
23 **miles of airline distance. Mileage measurements to rate**
24 **centers that are 41 airline miles or more from a Tampa**
25 **rate area, the Tampa area will be computed using the**

1 central Tampa V and H designation.

2 Q All right. So I think you have testified that
3 you believe that there were or are no toll routes of 40
4 miles or less involving any of the Tampa areas, is that
5 correct?

6 A I thought what I had testified to is I think
7 most of the routes would be 40 miles or less. If I did
8 not, I mischaracterized it.

9 Q So what is a 40-mile or less toll route
10 involving one of these rate centers?

11 A Lakeland.

12 Q And there is no -- and there is no ECS involving
13 Lakeland?

14 A Not, not with the Tampa area.

15 Q Not for any of the Tampa area ones. And it is
16 your testimony that there are none that are 40 miles or
17 more?

18 A No, I did not say -- I said there could be some
19 that are 41 miles or more in our tariffs today. All the
20 rates are at the same airline -- rate, so it does not make
21 any difference.

22 Q Okay. Has your tariff always had one rate?

23 A No.

24 Q So in the past, if we go back looking -- like
25 the original page here was effective in 1988. At that

1 time would the mileage bands have been relevant?

2 A Yes, which is why that note was there.

3 Q Okay.

4 COMMISSIONER DEASON: Ms. Menard, you are going
5 to have to help me. Explain to me why the need for this
6 footnote and how it works in the real world.

7 THE WITNESS: Probably the area that that could
8 have impacted -- well, an area that that probably would
9 impact, let's say if we had a call going -- using our map
10 from the Tampa north up in Pasco County, a toll call down
11 to the bottom at Englewood, that is probably more than 40
12 miles, and what that tariff is saying is instead of using
13 the V and H for the Tampa north exchange up in Pasco
14 County, it would have used the V and H for the Tampa
15 central in Hillsborough County for determining the mileage
16 for that toll call.

17 COMMISSIONER DEASON: Well, that has the effect
18 of lessening the amount of mileage?

19 THE WITNESS: That is correct.

20 COMMISSIONER DEASON: And why was that done?

21 THE WITNESS: I think concern on customer
22 impact.

23 COMMISSIONER DEASON: Okay. So that is actually
24 a benefit to customers, correct?

25 THE WITNESS: That is correct.

1 **COMMISSIONER DEASON:** And that has been in
2 effect since the '80s?

3 **THE WITNESS:** Since the beginning of the toll
4 tariff.

5 **COMMISSIONER DEASON:** Which was when?

6 **THE WITNESS:** I think our toll tariffs probably
7 went into effect around the 1988 time period. Before that
8 we would have concurred in BellSouth's tariffs.

9 **COMMISSIONER DEASON:** What are your current
10 rates?

11 **THE WITNESS:** That I don't remember. I don't
12 have that page with me. I do not remember that.

13 **COMMISSIONER DEASON:** Okay. Can we get that as
14 a late-filed exhibit?

15 **THE WITNESS:** Certainly.

16 **COMMISSIONER DEASON:** This will be Late-filed
17 Exhibit Number 6.

18 **THE WITNESS:** And so you would like our toll
19 rates, our message toll rates?

20 **COMMISSIONER DEASON:** Yes.

21 (Late-filed Exhibit 6 marked for
22 identification.)

23 **COMMISSIONER PALECKI:** Could you please explain,
24 again, what would be the repercussions if your LERG is not
25 modified to correspond to your existing tariff?

1 **THE WITNESS: Of not modifying the LERG? The**
2 **problem that we have today is when -- if you look at my**
3 **Exhibit BYM-2, we have different calling areas for each**
4 **one of these areas. And let me give you an example. If**
5 **when the carriers have their codes established what we are**
6 **asking for is that their codes be established as one of**
7 **these five rate centers, just like it is done for all**
8 **other rate centers.**

9 **And where it impacts us is if the ALEC is**
10 **putting his code in and he says I am Tampa west, it is a**
11 **Tampa west code because that is where the customer is**
12 **physically located, and Tampa west we are talking about**
13 **the Oldsmar area of Pinellas County and then going into**
14 **the western portion of Hillsborough County.**

15 **If the code is a Tampa west code, what that**
16 **means is they would have -- if a Clearwater, our**
17 **Clearwater customer is calling that code it is then an EAS**
18 **call, local, no charge. If it is a Tampa central, east,**
19 **north, or south code, it becomes an ECS call and there is**
20 **still a local call, but there is a charge for that call.**
21 **If it is a business customer, it is a metered rate, if it**
22 **is a message customer, it's 25 cents a call.**

23 **The reason for wanting this is so that we can**
24 **treat the customer the same whether they are in the ALEC's**
25 **NXX or our NXX. Because for instance what can happen is,**

1 let's assume that I've got the customer today, he decides
2 to go to one of Mr. Self's clients, and we can pick any
3 one of them, it doesn't matter one which one of his
4 clients we want to pick. And they convert to that
5 carrier, his numbering as far as how I am routing calls as
6 far as rating calls for customers calling to that customer
7 shouldn't be any different whether he is Mr. Self's
8 client's customer or my customers. He was in Tampa west,
9 he still should be in Tampa west as far as where he is
10 physically located. And that is all we are asking is that
11 we recognize the physical location of where these
12 customers really are located so that we can correctly rate
13 the calls.

14 Q And explain what would have happened with regard
15 to rating before when there was only one rate center?

16 A What could have happened is let's assume the
17 customer today is my customer, and he is physically
18 located in Tampa central. He converts over to one of Mr.
19 Self's clients and then moves. In Verizon's tariff, if a
20 customer -- especially because we are talking about most
21 of these were done -- well, they all were done before
22 local number portability. A customer is only allowed to
23 keep his telephone number as long as he maintains the same
24 central office, and by that we are talking about on the
25 Exhibit BYM-2, the actual second column. The various

1 physical central offices which are a further subdivision
2 of the rate center.

3 **If he wants to keep his telephone number and**
4 **moves within the rate center, but outside of a central**
5 **office, he has to pay for foreign central office service.**
6 **If he moves to another exchange, he pays for foreign**
7 **exchange service, which most customers don't do. But in**
8 **this situation, what could happen is if he was Tampa**
9 **central, converts to Mr. Self and then moves to Tampa**
10 **west, what most of the ALECs do is a customer is allowed**
11 **to move within the same rate center and does not have to**
12 **take a number change, okay. Because most of them have one**
13 **switch for that whole area so that is the way they**
14 **operate.**

15 **Then the customer decides he wants -- if they**
16 **have only got the Tampa area and we have assumed those are**
17 **Tampa central codes in our system, and then wants to come**
18 **back, he cannot come back to me without a number change**
19 **because the customer really is physically located in Tampa**
20 **west. And what should have happened, if the carriers were**
21 **recognizing the rate centers correctly, when he moved from**
22 **Tampa central to Tampa west he should have had to take a**
23 **number change at that point because you are not supposed**
24 **to port between different rate centers. And so what we**
25 **are trying to do is get the systems fixed so they work**

1 like they are supposed to.

2 COMMISSIONER PALECKI: So the only repercussion
3 you are referring to would be if a customer moves. If you
4 don't have a customer moving, then there is no effect?

5 THE WITNESS: That is correct. Under our
6 proposal that is correct.

7 COMMISSIONER DEASON: Well, let me follow up on
8 that. If there is a customer of a competitive company
9 that actually resides in one of the peripheral centers,
10 but for purposes of rating it is just assumed that he is
11 within the central, correct?

12 THE WITNESS: That is correct.

13 COMMISSIONER DEASON: Now, what if the call that
14 that customer makes based upon his actual physical
15 location would be a toll call, except for the fact that it
16 is assumed he is within the central, how does that affect
17 the billing and termination and reciprocal comp or
18 whatever between you and the competitive LEC?

19 THE WITNESS: Well, that's why our proposal was
20 to grandfather these existing nondesignated codes as Tampa
21 central and the customers in that, and what that means is
22 that customer today is getting Tampa central calling, he
23 would continue to get Tampa central calling, even though
24 he is not physically – because we are not trying to
25 penalize the existing customers who have been put

1 somewhere because of how the systems were. But, yes, it
2 does mean that customer may be actually being billed
3 incorrectly today because he is not physically located in
4 Tampa central.

5 **COMMISSIONER DEASON:** You say incorrectly, but
6 it is consistent with the tariffs as they exist, is it
7 not, or not?

8 **THE WITNESS:** Well, he is being billed like he
9 is Tampa central even though he may not be physically
10 located in Tampa central.

11 **COMMISSIONER DEASON:** Okay. Is the Tampa
12 central calling scope the most advantageous or is it
13 really hard to characterize one --

14 **THE WITNESS:** It would be hard to characterize,
15 because it depends on where that customer is located.
16 Because the community of interest, needless to say, goes
17 more with where you are physically located.

18 **COMMISSIONER DEASON:** So it could work the other
19 way. In fact, the customer being physically located, for
20 example, in the west, but he is assumed he is in central,
21 he may be entitled to some type of ECS or EAS, say, to the
22 north that the west enjoys, and I'm just being
23 hypothetical.

24 **THE WITNESS:** An example would be if the
25 customer is physically located in Tampa west, that means

1 customers in Clearwater are having to pay to call him
2 because it is then an ECS call when in actuality it should
3 be a local call with no charge.

4 COMMISSIONER DEASON: So it works both ways?

5 THE WITNESS: It works both ways. And what we
6 were trying to do, the reason for wanting to make the
7 change now is so we get the systems right now so in the
8 future for new codes, we know that they will be done
9 correctly and we won't continue exasperating the problem.

10 BY MR. SELF:

11 Q I want to follow up on that. If we leave the
12 LERG as it is, just Tampa, why can't Verizon change its
13 tariff to say we are going to create these five billing
14 tiers, or billing centers, or whatever terminology you
15 want to use and leave the local billing and all of the
16 EAS, ECS, and local calling scopes the same just as you
17 have them on your Exhibit BYM-2, why is that not possible?

18 A The problem is tomorrow when NXX ABC is done, I
19 need to know which one of these rate centers it should be
20 considered for rating calls. As I said, right now we have
21 been treating the existing codes as Tampa central. So
22 what you are proposing is I've got to go on continuing --
23 for each new NXX that gets established, I'm going to say
24 it is Tampa central when it really isn't, may not be for
25 the customers, we have got to continue that process. If

1 that is what we are going to do, then let's just say Tampa
2 becomes Tampa central.

3 Q Well, are you talking about ALEC codes, or
4 Verizon codes, or both?

5 A ALEC codes. Verizon codes are correct in the
6 LERG today. The Verizon codes today say Tampa central,
7 Tampa north, Tampa south, Tampa east, Tampa west.

8 Q Okay.

9 A Some of the ALECs are saying, no, I should undo
10 that and put them back as Tampa.

11 Q Okay. So the issue arises -- so, again, it's a
12 billing and rating issue when one of -- when a Verizon
13 customer is calling an ALEC customer or vice versa, is
14 that the issue?

15 A The issue is Verizon customers calling an ALEC,
16 the issue is also involved in local number portability
17 because customers should only be ported within the same
18 rate center. And we need to have consistent rate centers
19 for porting purposes between the ALECs and Verizon.

20 Q All right. If the Commission orders that there
21 will be pooling and porting within one single Tampa rate
22 center, doesn't that solve the problem?

23 A No, because I have five rate centers. I can't
24 magically make them disappear. I have five rate centers
25 which should be recognized in the LERG and are recognized

1 in all of our systems and have been in my tariffs for 30
2 years.

3 Q But it has also been in the LERG for potentially
4 as long?

5 A Incorrectly. And what we are trying to do is to
6 correct the LERG so that it is consistent with my tariffs
7 and as it is in most of the rest of the country.

8 Q But you have testified that you don't know why
9 it was put in the LERG that way. You have assumed that it
10 was put in incorrectly, but you don't know?

11 A Today the LERG for the ALECs is wrong. Tampa
12 does not exist, there is no such place as a universal
13 Tampa rate center in our tariffs. In the rest of the
14 country, to the best of my knowledge, the LERG -- and I
15 know that is an on-going thing with Telcordia now, any new
16 rate centers that are established, they ensure the rate
17 centers match the tariffs. All we are asking is to
18 correct this anomaly that somehow got created, I do not
19 know how, and we want to get it fixed so in the future
20 there is no question of where the customers are located.

21 Q But the other alternative is to change the
22 tariff to comply with the LERG, and that is certainly
23 possible?

24 A Well, but as I testified, the only way I know to
25 do that is rate center consolidation, which Verizon is not

1 going to voluntarily do, and I don't think the Commission
2 has the authority to ask Verizon to do.

3 Q But if the Commission were to decide in this
4 case that there should be only one Tampa rate center
5 called Tampa, and that Verizon is allowed to maintain for
6 its internal billing purposes, central, east, north,
7 south, and west such that all of these local calling
8 scopes, these EAS routes, these ECS routes remain exactly
9 in place as they are today for billing purposes such that
10 if I am in east, it is ECS for me to Zephyrhills, where if
11 I am in north, it is EAS. If you maintain that, and if
12 you require that porting and pooling occur within that
13 single Tampa geographic area, the Commission doesn't have
14 the problem of ordering rate center consolidation?

15 A When a new ALEC code is established, how do I
16 treat it in my billing system?

17 Q So that is --

18 A Which one of these rate centers do I treat it in
19 in my billing system?

20 Q Okay.

21 A And how do I ensure nondiscriminatory treatment
22 of the end users depending on where they are located.
23 That is our concern.

24 COMMISSIONER PALECKI: What if you treated it in
25 the geographical location that it -- from the five centers

1 that it exists in?

2 **THE WITNESS:** That is what we have proposed in
3 this case. If we put – if the ALECs codes are converted
4 and new codes are established incorrectly in the five rate
5 centers then there is no problem. Everyone knows when a
6 new code is established which one of the rate centers it
7 belongs in. Customers are allowed to then port between
8 the rate centers like you are supposed to in accordance
9 with the guidelines. And we believe all the problems are
10 fixed if we go with having the requirement that all the
11 rate centers correctly be identified to one of the five
12 rate centers.

13 **Now, one of the concerns that has been mentioned**
14 **if we go to these five rate centers is the fact of**
15 **premature exhaust of the 813 area code, which Verizon**
16 **fully supports those concerns. The numbers that have been**
17 **talked about in the testimony is we have got 32 ALECs.**
18 **Two of those ALECs already show in the location field in**
19 **the LERG, Tampa central, you know, north, south, east,**
20 **they show those designations. So to the best of my**
21 **knowledge those two carriers should not need additional**
22 **codes.**

23 **In the analysis that is in my Exhibit BYM-4,**
24 **there weren't even a thousand numbers in all four other**
25 **rate centers. So, to the best of my knowledge, I'm not**

1 aware of carriers needing whole NXXs in the other four
2 Tampa rate centers. So if you have 30 carriers with four
3 rate centers, that is 120 codes that they need. If they
4 get them in thousand blocks, we are talking about 12 NXXs
5 being needed to establish so that all the carriers could
6 have all five rate centers, all the carriers that exist
7 today.

8 Using the data that is in Mr. Foley's testimony,
9 he said on average today we are establishing about four
10 NXXs a month in the 813 area code. What that would mean
11 is potentially you could be making the 813 area code
12 exhaust three months earlier than the current date that is
13 established in their reports. However, that doesn't --
14 that to me is a worst-case scenario, because that doesn't
15 take into account the fact that of the codes that are in
16 existence today there are going to be uncontaminated
17 blocks that the carriers can give back to the pool if we
18 implement pooling.

19 So, it is my belief that if we implement pooling
20 with the five rate centers that we actually may extend the
21 life of the 813 area code versus what it is today with no
22 pooling.

23 **COMMISSIONER PALECKI:** Thank you.

24 **BY MR. SELF:**

25 **Q** I want to go back to the scenario that you and I

1 were discussing in terms of if you maintain the LERG with
2 a single Tampa rate center, if Verizon is able to maintain
3 five billing areas, or tiers, or billing centers, and you
4 have described that the problem is in that situation what
5 then do you do with the ALEC code.

6 Today what you are doing is you are arbitrarily
7 assigning it to the Tampa central billing center, is that
8 correct?

9 A That is correct. For the carriers who establish
10 service before we converted to Lockheed Martin and then
11 NeuStar, we know those codes were established as Tampa
12 central codes. For codes after it was transitioned to
13 NeuStar, I don't know that every one of the carriers has
14 been contacted to ensure they are Tampa central and we
15 have arbitrarily assumed they are Tampa central.

16 Q All right. What is to stop the ALECs from
17 saying at the time that they get a code and it is
18 established in the LERG to say Verizon for the billing
19 tiers, for the five billing centers that we are talking
20 about here, assign this NXX code in your billing system to
21 north, south, east, west, central, we will tell you where
22 to assign it?

23 A That's all we were asking for us to do in the
24 changes was have the carriers correctly populate the LERG
25 to tell us which rate center they are using that NXX.

1 **Q** But the problem that you are talking or what you
2 are requesting is to take the LERG which today has one
3 rate center in it, and there will then be five rate
4 centers in the LERG?

5 **A** No, today the LERG has six rate centers. It has
6 the Verizon rate centers and it has a Tampa rate center
7 that the ALECs have been using.

8 **Q** Prior to February 1st --

9 **A** Prior to February 1st, Verizon codes still had
10 the location in it showing the five rate centers. There
11 were six designations shown in the LERG since 1999.

12 **Q** But those are -- that designation was in the
13 location column, not the rate center column?

14 **A** That is correct.

15 **Q** Okay. So if we maintain the pre-February 1st,
16 2001 system, the ALECs, just like Verizon, could identify
17 that there is one rate center for Tampa and then in the
18 location column they could indicate north, south, east,
19 west, or central?

20 **A** But then we have got the problem we are not in
21 accordance with the guidelines of what we are supposed to
22 be doing on local number portability. We are supposed --
23 each one of these is a different rate center and it says
24 it shall be designated. We are talking about a tremendous
25 area here. And why should we treat Tampa any different

1 than we treat Clearwater, St. Pete, New Port Richey, every
2 single other rate center in Verizon's territory. That's
3 my problem.

4 Q All right. But the Commission could order that
5 the porting occur within those five geographic Tampa
6 areas, could it not?

7 A Are you saying that we are going to follow the
8 guidelines and Tampa central will only port within Tampa
9 central, the same as Clearwater only reports within
10 Clearwater in your question? I'm asking so I can answer
11 your question correctly.

12 Q And I appreciate that. Well, I guess either
13 way. I guess one possible way would be to do it that it
14 would be just within the Tampa central. The other
15 alternative would be within all five.

16 A Okay. If you are going to do it just Tampa
17 central comport to Tampa central, then why don't we
18 correctly populate the LERG so you say our code is Tampa
19 central, and everybody knows Tampa central is the center
20 part of Tampa and that is where the customer physically is
21 located, just like we do for every other rate center in
22 existence, and therefore you port Tampa central to Tampa
23 central.

24 If we do the other way, we have the problem. I
25 have five rate centers and I cannot be porting a customer

1 from Tampa west to Tampa central. I can't do it. That's
2 not the way the systems are designed to operate. And so
3 to say we act like it is just for billing purposes, I have
4 five rate centers. And a customer should not be going
5 from one area to the other under number portability. He
6 should have to live within that rate center to be able to
7 port his number to another carrier.

8 Because what we have got to remember, the whole
9 purpose of what the FCC set up on portability was not
10 location portability, it was service provider portability.
11 The fact -- give the customer the ability when he is
12 remaining at the same location to be able to change
13 service providers without having to change his telephone
14 number so that that was not an impediment to competition.
15 That was the whole purpose behind putting in number
16 portability.

17 Q But if there is one rate center in the LERG that
18 says Tampa that requirement is met. I mean, you are still
19 porting within just the Tampa rate center. Your
20 problem --

21 A But that is not in accordance with my tariff,
22 because I have five Tampa rate centers and that should be
23 the proper designation that is shown in the LERG so that
24 the customers port within Tampa central only, or the
25 customers port within Tampa east only, the same as they do

1 for Sarasota, Bradenton, and Lakeland.

2 Q Well, it seems that the crux of the issue comes
3 down to should Verizon change its tariff to bring it into
4 compliance with the LERG or should the 32 or however many
5 carriers there are that are in Tampa, and really the rest
6 of the world that uses the LERG, change their systems in
7 the LERG to reflect Verizon's tariff?

8 A That may be one -- I mean, what we are saying is
9 the LERG is wrong today. And what we started was a
10 process trying to correct the LERG so that everyone has
11 the same designations for the physical location of the
12 customers just like we do for every other exchange.

13 Q Was that a yes at the beginning?

14 A I thought I said yes.

15 Q I just wanted to make sure.

16 COMMISSIONER PALECKI: I would like to just kind
17 of carry that a little further. I think Mr. Self is
18 suggesting that the existing tariff could be changed to
19 bring it back to the way the LERG has been viewed
20 traditionally as a single Tampa center. And I guess I
21 keep hearing you say that that would be inconsistent with
22 every other territory that we serve. But what would the
23 repercussions be? Would it be something that would cause
24 you a lot of administrative difficulty if Tampa was just
25 viewed as one big area for purposes of portability?

1 **THE WITNESS: All right. What ended up**
2 **happening, to do our five together, that is rate center**
3 **consolidation. We have not done an impact to determine**
4 **the impact for this whole area. As it is shown in my**
5 **direct testimony, there was a rate center consolidation**
6 **study that was done by the industry and provided to the**
7 **Commission staff. What we had looked at because we knew**
8 **the impact would be too large, if we just combined Tampa**
9 **south and Tampa east and then we had also proposed**
10 **combining Tampa north with Zephyrhills because both of**
11 **those are basically Pasco County, the impact to Verizon**
12 **was \$6.5 million.**

13 **COMMISSIONER PALECKI: You're talking about for**
14 **purposes of billing and rates. But I think Mr. Self**
15 **wasn't talking about bill and rating, he was just talking**
16 **about portability.**

17 **THE WITNESS: The problem with portability is**
18 **I've got the problems I'm not treating these areas the**
19 **same as all other areas in our tariffs, and to the best of**
20 **my knowledge the rest of the state, in the fact that the**
21 **rate center designations do agree with where the customers**
22 **are physically located in the exchanges. And we have got**
23 **the rating and routing problems associated with the**
24 **current system which we were trying to fix. It won't**
25 **work. I don't know how to rate and route the calls unless**

1 the areas are designated just like every other area is
2 designated so that we have got a physical place of where
3 these customers are located.

4 COMMISSIONER PALECKI: Thank you.

5 COMMISSIONER DEASON: You said there was a study
6 done to look at rate center consolidation. And what was
7 the proposal?

8 THE WITNESS: The proposal that we had proposed
9 at the time was to combine the Tampa south and Tampa east
10 and Tampa north with Zephyrhills, and that was \$6.5
11 million. We did not do an estimate of combining all the
12 five Tampa rate centers because we knew the impact would
13 just be too large.

14 COMMISSIONER DEASON: So you did a study that
15 would have combined south and east?

16 THE WITNESS: Correct.

17 COMMISSIONER DEASON: And north with
18 Zephyrhills?

19 THE WITNESS: That is correct.

20 COMMISSIONER DEASON: Why did you choose those
21 particular combinations?

22 THE WITNESS: Well, number one, was community of
23 interest as far as both, like, Tampa north and
24 Zephyrhills, both of those are Pasco County versus the
25 rest of Tampa is in Hillsborough County or Pinellas

1 County.

2 Tampa south and east was chosen because it is
3 the bottom part and the right side of my territory that we
4 felt that they had more common interests. And so that
5 there wasn't too large and impact. I mean, it was done
6 deliberately trying to not come up with a large revenue
7 impact.

8 COMMISSIONER DEASON: Well, under that proposal,
9 though, you would be going for the rate centers which are
10 in question now, you would just be going from five to
11 four, correct?

12 THE WITNESS: That is correct. But as far as,
13 when we talk about the 813 area code and when we have been
14 talking about pooling and all, right now there are seven
15 rate centers in the 813 area code. You have the five
16 Tampa rate centers, Plant City, and Zephyrhills. Under
17 the proposal that has been put forth in the rate center
18 consolidation report, the seven exchanges would have gone
19 down to five. So you would have eliminated two rate
20 centers.

21 CHAIRMAN DEASON: Because south and east would
22 then become one and north and Zephyrhills would become
23 one.

24 THE WITNESS: Correct.

25 COMMISSIONER DEASON: So you would be going from

1 seven to five.

2 THE WITNESS: That is correct.

3 COMMISSIONER DEASON: And that had an impact of
4 what?

5 THE WITNESS: \$6.5 million.

6 COMMISSIONER DEASON: And how many customers do
7 you have in Tampa south, Tampa east, Tampa north, and
8 Zephyrhills?

9 THE WITNESS: Tampa south and Tampa east would
10 be about 130,000 customers, Tampa north and Zephyrhills
11 would be about 80,000. Wait, yes, about 80,000 customers.

12 COMMISSIONER DEASON: North and Zephyrhills
13 total would be 80,000?

14 THE WITNESS: Correct.

15 COMMISSIONER DEASON: Okay. Thank you.

16 COMMISSIONER PALECKI: What has the past
17 financial impact been of not having the LERG correspond
18 with your tariff? I think what I'm hearing from the ALECs
19 is that we just want to leave it the way it is, it's not
20 really hurting anything. And what I hear from Verizon is
21 that you don't want to continue exasperating the problem.
22 And I guess what I'm looking at is what is the impact of
23 what you view as the problem, financially?

24 THE WITNESS: I don't think I can come up with a
25 dollar impact of what it is impacting today. The problem

1 is I know in one of the other testimonies it talks about
2 the administrative and other problems and porting problems
3 and all you create with inconsistent rate centers. And
4 that is the problem we have today in Tampa. We have
5 inconsistent rate centers between Verizon's rate centers
6 and the fact that the LERG, quote, showing Tampa as a rate
7 center for the ALECs, even though it physically doesn't
8 exist. There is no such thing, really, as a universal
9 Tampa rate center.

10 We have always had to treat their codes as one
11 of our rate center designations. And like I said, unless
12 the carrier showed something in the location field saying
13 other than Tampa, we have treated them as Tampa central.
14 And it is – today Verizon is at a competitive
15 disadvantage on the fact that a customer can port between
16 the ALECs, but to come back to me they may have to take a
17 number change.

18 But that is not really what we are trying to
19 fix. What we are just trying to fix is to make it so that
20 administratively for number portability, billing purposes,
21 everything else, the Tampa area is treated the same as all
22 other rate centers in the state, where the tariff matches
23 what is in the LERG, matches our tariffs.

24 COMMISSIONER PALECKI: You have been doing it
25 the other way for many, many years. And I guess what I'm

1 trying to put my finger on is what has the past impact
2 been as a result of that.

3 THE WITNESS: And like I said, unfortunately I
4 can't put a dollar thing. The thing is we are talking
5 about carriers -- it has been going on less than five
6 years because ALECs didn't exist prior to '96. And our
7 concern is to try to fix -- and we started a year ago
8 trying to fix -- well, actually two years ago trying to
9 fix this -- in '99 to fix this before we have more ALECs,
10 more codes established so that it is done correctly going
11 forward.

12 That is what we were really trying to accomplish
13 with our changes, is to grandfather these existing codes
14 to Tampa central if the carrier doesn't designate that
15 they be somewhere else. And for new codes that we would
16 treat them correctly so that we don't have the manual
17 work-arounds, and so that we know portability will work as
18 it is contemplated working under the FCC's orders.

19 COMMISSIONER PALECKI: Thank you. I think I
20 understand.

21 BY MR. SELF:

22 Q Would it be a customer convenience to port
23 within the large single Tampa geographic area if that is
24 how this ultimately turns out?

25 A I would say it would be better customer

1 convenience if you could port anywhere in the state. That
2 is location -- that is location portability where you can
3 move around and keep the number. That is not what we have
4 today. The guidelines under the FCC and all the industry
5 guidelines say portability is only within a rate center.

6 Q And what you and I have been discussing is if we
7 had a single rate center for Tampa, those guidelines would
8 be complied with?

9 A That is correct. If Verizon would voluntarily
10 eat many, many, many, many million dollars and put it all
11 together, then we could solve this problem. Verizon will
12 not do that, and that is not consistent with how we are
13 treating all of my other rate centers.

14 Q But, for example, the 6.5 million that you have
15 talked about with consolidating south and east and north
16 and Zephyrhills, that money represents, I guess, the net
17 cost to Verizon whereby the south and east customers will
18 then have exactly the same calling scope?

19 A No. Well, yes, they will be the same. Both of
20 those areas would have the same calling scope. It would
21 not be the same calling scope those customers have today.

22 Q That is correct.

23 COMMISSIONER DEASON: Let me interrupt for just
24 a second. Under your rate center consolidation study, the
25 financial impact, when you combine south and east, I'm

1 looking at the calling scopes of those two areas right
2 now, and I'm looking at your Exhibit BYM-2. It appears
3 that if you combine those two and then they would have the
4 same calling scope, that really the only thing would be
5 the Tampa east customers would gain EAS to Palmetto.

6 THE WITNESS: That is correct.

7 COMMISSIONER DEASON: So that one toll route
8 between Tampa east and Palmetto generates -- well,
9 apparently it must generate a lot.

10 THE WITNESS: Well, it's part of the 6.5
11 million.

12 COMMISSIONER DEASON: Part of the 6.5.

13 THE WITNESS: But the other thing is, and
14 unfortunately I didn't try to do a detailed analysis
15 splitting that 6.5 between the other piece, the larger
16 piece is probably combining the Tampa north with
17 Zephyrhills.

18 COMMISSIONER DEASON: And that would be, then,
19 calling Tampa north customers can then get the benefit of
20 toll free calling to Clearwater, correct?

21 THE WITNESS: No.

22 COMMISSIONER DEASON: I'm sorry, you're talking
23 about south and east.

24 THE WITNESS: And on here we don't have -- let
25 me look at Zephyrhills, just a minute.

1 **COMMISSIONER DEASON:** Well, you don't have
2 Zephyrhills on here, so it's hard for me to --

3 **THE WITNESS:** That's why I was just looking.
4 Let's see. Zephyrhills has EAS with Tampa north, those
5 two, you know, have local calling between each other.
6 Zephyrhills also has EAS to Dade City, San Antonio, and
7 Trilcoochee, which are in Sprint's territory. So what
8 happens is the Dade City and San Antonio that are ECS
9 calls today for Tampa north would become local calls. In
10 addition, Tampa north to Trilcoochee which is today toll
11 calls would become local calls.

12 **COMMISSIONER DEASON:** So in retrospect, then,
13 the addition of Tampa north being able to call Dade City
14 and San Antonio which are really not that large of places,
15 but, nevertheless, for them to be able to call that from
16 an ECS to local basis and for Tampa north to call
17 Trilcoochee on a local basis --

18 **THE WITNESS:** The other change would be
19 Zephyrhills then gains Plant City, which is today a toll
20 call, Zephyrhills gains ECS calls to Clearwater where
21 today that is a toll call, Zephyrhills would gain ECS to
22 Mulberry where today that is a toll call, Zephyrhills
23 would gain ECS to New Port Richey where today that is a
24 toll call, Zephyrhills would gain ECS to St. Petersburg
25 where today that is a toll call, and Zephyrhills would

1 gain ECS to Tarpon Springs where today that is a toll
2 call.

3 COMMISSIONER DEASON: And then all of that
4 together -- and is it just the lost revenue is the 6.5
5 million?

6 THE WITNESS: That is correct. It did not take
7 into account any cost for putting any additional
8 facilities or anything, that was just revenues.

9 BY MR. SELF:

10 Q And with respect to that 6.5 million, again,
11 that is where all of the customers, then, within the
12 combined south and east and within the combined north and
13 Zephyrhills have exactly the same calling scopes and would
14 pay the exact same rates, correct?

15 A The assumption is they would pay the same rates.
16 We never -- as you may recall from the rate center
17 consolidation stuff, we never got to how you recover the
18 cost.

19 Q Okay. Whereas the alternative that you and I
20 have been talking about if you left these as billing
21 centers and did not make that change, you would not then
22 incur that cost?

23 A If there are no changes made to the existing
24 five rate centers, there is no revenue impact to Verizon.

25 Q What you are calling rate centers and what I'm

1 calling billing centers?

2 A I understand the differences. To me they are
3 rate centers, no different than every other rate center in
4 my tariff.

5 Q Okay.

6 COMMISSIONER PALECKI: You said there would be
7 no financial impact. What impact would there be?

8 THE WITNESS: The problem we have as we have
9 discussed is when new NXXs are established by the ALECs, I
10 don't know how to treat them. They have to be considered
11 one of these five areas for me to know how to treat them.
12 There is also the concern on how local number portability
13 is going to work under the environment.

14 What we were proposing is that we all recognize
15 the real boundaries that are there today. And therefore
16 Tampa central would port with Tampa central. And so when
17 a new code is established it would be done with the proper
18 rate center. And everybody knows how to bill and route,
19 everybody knows how portability will work. There are no
20 questions.

21 COMMISSIONER PALECKI: Thank you.

22 BY MR. SELF:

23 Q I want to sort of change the subject a little
24 bit. Part of your testimony discusses the fact that
25 while -- I believe you have testified that while GTE was

1 the code administrator that there were discussions that
2 occurred between the ALEC and GTE regarding which Tampa
3 rate center code should be assigned to, is that correct?

4 A That is correct.

5 Q Do you have any personal knowledge of those
6 discussions?

7 A I was involved in conversations with Intermedia
8 because we, in fact, had them move a code.

9 Q Do you recall which code that was?

10 A No, I do not.

11 Q Was there a discussion with every ALEC for every
12 code assignment to determine which Tampa rate center the
13 code should be assigned to?

14 A To the best of my knowledge for the codes that
15 were established prior to us transferring the assignment
16 to Lockheed Martin that is my understanding.

17 Q How would we know that?

18 A Only my conversations in the past with the code
19 administrator who has since retired from Verizon.

20 Q Is it true that often the discussion that
21 occurred between an ALEC and GTE at the time that GTE was
22 the code administrator was really to the extent of you
23 only need one code in order to be able to reach everyone
24 within Hillsborough County, for example?

25 A I would be shocked if our numbering

1 administrator had said that. Because that is not -- well,
2 as far as the local calling that would be correct as far
3 as being able to reach -- the main thing that I am aware
4 of is conversations that the carriers were planning to
5 locate in the downtown area, that's where they were
6 putting in switches, et cetera, and that they were going
7 to be located in Tampa central.

8 But I was not a party to all of those
9 conversations so I cannot say for certain. The thing is,
10 I always assumed the carriers also looked at our tariffs
11 and would know that there were five rate centers.

12 Q Would you also assume that they looked at the
13 LERG?

14 A Yes, and that's what we are trying to fix,
15 because the LERG is wrong.

16 Q In your knowledge and experience are they more
17 likely to look at the LERG or your tariff?

18 A I would think it would depend on which person
19 you are talking about in that carrier. The customer, the
20 person that is ordering the code, he would be more likely
21 to look at the LERG. The person that is responsible for
22 the tariffs for the carriers, I would assume would look
23 more at our tariffs than the LERG, but I don't know.

24 Q Well, don't you, in fact, have to look at the
25 LERG in order to request a code?

1 **A** **I would assume you do, yes.**

2 **Q** **Do you have to look at Verizon or GTE's tariff**
3 **in order to request a code?**

4 **A** **Right now to do it correctly for Tampa, yes,**
5 **which is what we are trying to fix so that no, you do not**
6 **need to look at my tariffs to know what the rate centers**
7 **are.**

8 **Q** **But if I'm an ALEC and I'm coming into the Tampa**
9 **market, I'm going to look at the LERG?**

10 **A** **That is correct. And you are getting incorrect**
11 **information today when you look at that LERG, which is**
12 **what we are trying to fix.**

13 **Q** **Okay.**

14 **MR. SELF: Mr. Chairman, if we could identify**
15 **this exhibit with the next number, please.**

16 **COMMISSIONER DEASON: Exhibit 7.**

17 **MR. SELF: And I guess the title of this would**
18 **be NXX code assignment request dated October 12, 1995.**

19 **(Exhibit 7 marked for identification.)**

20 **BY MR. SELF:**

21 **Q** **Ms. Menard, have you ever seen this particular**
22 **request before, which actually I believe is two different**
23 **requests?**

24 **A** **Not to my knowledge. As a normal part of my**
25 **job, I don't look at NXX request forms.**

1 **Q** Have you seen this kind of form before?

2 **A** I have reviewed the INC (phonetic) guidelines
3 which have central code request forms, yes.

4 **Q** Okay. Looking at -- skipping the very first
5 page, which is a fax transmittal page, if we call that fax
6 transmittal Page 1, looking at the next page we will call
7 that Page 2, and the following page, Page 3, looking at
8 this, can you tell what is occurring with this particular
9 request?

10 **A** ICI was adding NXX code 829.

11 **Q** And where does it say that the code is being
12 assigned?

13 **A** Tampa, because that's what the LERG showed at
14 that point.

15 **Q** All right. And this was certainly during the
16 time in which GTE was the code administrator, correct?

17 **A** That is correct.

18 **Q** Does it indicate on here anywhere, north, south,
19 east, west, or central?

20 **A** No, because the LERG did not correctly show
21 those designations. So, no, it does not show it.

22 **Q** Okay. And the last two pages, we can label
23 those 4 and 5, can you tell where that code was placed?

24 **A** Yes, that was actually placed -- this is prior
25 to the 813/727 split. This is actually a code that is

1 today in the 727 area code.

2 Q Okay. And this was for St. Petersburg?

3 A Correct.

4 Q If I told you that these were the first two
5 codes requested by Intermedia, ICI, would that be a
6 surprise to you?

7 A No.

8 Q If I told you that in requesting codes that
9 Intermedia was advised that you would need one code for
10 Tampa and one code for St. Petersburg or Pinellas County,
11 would that surprise you?

12 A No. Because based on my understanding of where
13 Intermedia was planning to put their switch and all in the
14 beginning, they would have just needed one code to handle
15 Tampa central.

16 Q Okay.

17 MR. SELF: Mr. Chairman, if we could have this
18 next document, which is an NXX request, date of
19 application, November 5th, 1997, identified as the next
20 exhibit, please.

21 COMMISSIONER DEASON: Exhibit 8.

22 (Exhibit 8 marked for identification.)

23 BY MR. SELF:

24 Q Ms. Menard, that is another Intermedia request
25 for a code, is it not?

1 **A It appears to be, yes.**

2 **Q And this is another request within the 813 NPA,**
3 **correct?**

4 **A Correct.**

5 **Q Can you tell from looking at this where this**
6 **code was assigned?**

7 **A It was assigned to Tampa.**

8 **Q And doesn't it specifically under remarks on the**
9 **first page say Tampa rate center, toward the bottom?**

10 **A Yes.**

11 **Q And, again, on the second page of this, I guess**
12 **above the footnote, again it says Tampa rate center?**

13 **A Correct.**

14 **Q And there is no indication on this form for**
15 **north, south, east, west, or central?**

16 **A As I stated before, Mr. Self, the LERG said**
17 **Tampa, that's why the forms say Tampa.**

18 **Q Okay.**

19 **A It didn't make the LERG right.**

20 **Q All right. I want to discuss a little bit your**
21 **testimony at Page 8 where – yes, your direct testimony at**
22 **Pages 8 to 10 where you talk about the potential impacts**
23 **in your analysis that is associated with your Exhibit**
24 **BYM-4.**

25 **On Page 10, Line 10, you indicate that 98**

1 percent of the customers using these ALEC codes are
2 physically located in the Tampa central rate center. You
3 are talking about customers, not telephone numbers,
4 correct?

5 A No, that is telephone numbers.

6 Q That is telephone numbers. So should we correct
7 Line 10 to strike customers and say telephone numbers?

8 A It would be -- as I said in the prior page, what
9 that was looking at is the ALEC numbers in the 813 area
10 code. You could say it was numbers, I would say, would be
11 the better characterization.

12 Q Okay. You would agree that customers do not
13 necessarily equal telephone numbers, correct?

14 A Correct.

15 Q So I could be a business, and I'm obviously one
16 customer, but I could have 5,000 telephone numbers
17 potentially?

18 A That is correct. This analysis was done based
19 on telephone numbers.

20 Q Okay. And did you look at all of the ALEC
21 telephone numbers that were in service for the time period
22 at which you looked at this?

23 A That is correct. All the ones that were
24 contained in the 911 database. Assuming the code is in
25 the 911 database, I looked at it.

1 **Q** **Okay. Are you familiar with the location of**
2 **Intermedia's new corporate offices in, I believe it is**
3 **referred to as the new Tampa area, or near Bruce B. Downs**
4 **Road (phonetic)?**

5 **A** **I'm not sure if I am or not, go ahead.**

6 **Q** **Okay. Would you accept, subject to check, that**
7 **those offices are located in what you would describe as**
8 **the Tampa north area?**

9 **A** **I don't know. I would have to physically look**
10 **at the map again, because a lot of the north portion of**
11 **Tampa is actually in Tampa central.**

12 **Q** **Okay. Well, since we have an Intermedia person**
13 **here later your attorney could certainly follow up, but**
14 **for the purpose of my question would you just accept for**
15 **at moment that it is within the Tampa north area?**

16 **A** **Yes. I mean, what zip code is it in?**

17 **Q** **33647.**

18 **A** **That would probably put it in Tampa north, yes.**

19 **Q** **Okay. Do you know how many employees Intermedia**
20 **has at those offices?**

21 **A** **No, I do not.**

22 **Q** **Would you accept, subject to check, that they**
23 **have more than 82 active telephone numbers at those**
24 **offices?**

25 **A** **More than how many?**

1 Q 82.

2 A I would accept that, subject to check.

3 Q If we could look at your Exhibit BYM-4. Does
4 this exhibit indicate that there are 82 telephone number
5 assignments in the Tampa north rate center?

6 A As of the date of this analysis, that is
7 correct, which was last October.

8 Q Okay. Are you familiar with the location of
9 Intermedia's old corporate offices and switch that is
10 located at Queen Palm Drive in the Sable Park area?

11 A Yes, and that is in Tampa central.

12 Q I'm sorry?

13 A That is in Tampa central.

14 Q It is my understanding that those offices are in
15 the 33619 zip code. Is that in the east area? I guess
16 looking at your Exhibit 3 you are saying --

17 A 33619 is basically all in Tampa central. I know
18 that -- I remember that address. That address is Tampa
19 central.

20 Q Okay. Your exhibit shows that there are some --

21 A There are a smidgen of -- my terminology, there
22 are a smidgen of 33619 zip codes that are in Tampa east.
23 But most of 33619 is in the Tampa central.

24 Q Okay.

25 A And you could physically look at that map and be

1 able to find it.

2 Q Well, what is the dividing line for Tampa east
3 from central? In terms of the north/south access, is
4 there a road that divides it in terms of your big map over
5 here?

6 A Let me look. I mean, I would have to go back
7 and look at the legal description again. But, you know,
8 most of it is based on going on township lines for
9 perimeters. There aren't that many that are based on
10 roads. Most of it is following the boundaries of the
11 township ranges.

12 Q So it's metes and bounds or township?

13 A Correct.

14 Q So you are not aware of the street?

15 A No. If my bifocals work well enough I can
16 potentially look at the map and tell you closer, but it's
17 difficult.

18 Q Okay. Certainly if we looked, I believe it is
19 Section A200 of your tariff that has been taken official
20 recognition of, that would --

21 A That shows all the legal descriptions for all of
22 our rate centers.

23 Q Okay. If the Intermedia, the old Intermedia
24 office was, in fact, in the Tampa east area, would you
25 agree that they probably have more than 72 active

1 telephone numbers?

2 A If that was a valid assumption. It is not a
3 valid assumption. They were in Tampa central.

4 Q Okay. I want to talk about your testimony
5 regarding grandfathering, which I believe you also discuss
6 in your direct at Page 10. How long would this
7 grandfathering status stay in effect?

8 A As far as I am concerned as long as the carrier
9 has codes available in that NNX.

10 Q Okay. So in your rebuttal testimony at Page 5,
11 Line 7, where you indicate at this time you really did not
12 intend a limitation on the grandfathering?

13 A No. All the limitation would be would be for
14 the existing codes. New codes would not have that
15 parameter involved with them.

16 Q And if that customer needed additional telephone
17 numbers, would those be grandfathered also?

18 A Correct.

19 Q And last I want to talk about the working group
20 that you discuss in your direct at Page 6. Other than
21 Verizon or a Verizon affiliate, who are the largest two or
22 three local carriers in the Tampa area, ALECs?

23 A I'm trying to think of a way to do it without
24 using proprietary information, so just a minute.

25 Some of the ALECs that have requested the most

1 numbers are MCImetro and WorldCom, the most NNXs.

2 Q Okay. The working group that you discuss on
3 Page 6, who set this group up?

4 A It was bought up at the CIGRR meeting. And any
5 carrier that wanted to participate was asked to
6 participate.

7 Q Did anyone pick the members?

8 A No.

9 Q Were there any representatives of WorldCom,
10 AT&T, Intermedia, or Time Warner at any of those CIGRR
11 meetings?

12 A I do not know. I neglected to ask the person
13 that attends those meetings. I thought those companies
14 had representatives at some of the meetings, but I
15 neglected to specifically ask that person who attends
16 those meetings. I do not attend those meetings.

17 Q And just so the record is straight, when we talk
18 about CIGRR, it is the C-I-G-R-R?

19 A Correct, as discussed on Page 5 of my testimony.

20 Q In this working group was there any effort made
21 to attempt to include ALECs that have a lot of customers
22 or numbers in the Tampa area?

23 A As I said, my understanding of what occurred is
24 the problem of the Tampa rate centers and correctly
25 recognizing was an on-going issue that had been discussed

1 at CIGRR. And the request was made to have a subgroup
2 look at the issue and anybody who wanted to participate
3 could. I'm not aware of any specific effort that was made
4 to go out and get other carriers involved.

5 Q Based upon your knowledge of the ALECs that are
6 operating in the Tampa area and the number of codes that
7 are assigned to those ALECs, would you call this group a
8 representative group?

9 A Of most of the codes in the NNX, yes. Of all
10 the ALECs, no.

11 Q Say that again.

12 A The group that was involved account for the vast
13 majority of the codes in existence in the 813 area code,
14 not necessarily the ALEC codes.

15 Q Okay. Within the ALEC community, do these
16 carriers represent a large percentage of the ALEC codes
17 that are in effect in the Tampa area?

18 A No, they do not.

19 Q Are any of these carriers that are identified
20 here ALECs operating in the Tampa, the five Tampa
21 geographic rate centers?

22 A Yes, Sprint.

23 Q Is that the only one?

24 A I think that is correct.

25 Q And as I understand your testimony --

1 **A** **And also KMC. KMC operates. I'm just making**
2 **sure, they also have NNXs.**

3 **Q** **They have NXX codes –**

4 **A** **In the Tampa.**

5 **Q** **Do you know whether they are using any of those**
6 **codes?**

7 **A** **I do not know with the information I have here.**

8 **Q** **Would you accept, subject to check, that KMC is**
9 **not operating in Tampa?**

10 **A** **I just know they have an interconnection**
11 **agreement with me, that's all I know, and that they do**
12 **have NNXs established. If they aren't operating, I'm sure**
13 **the number police will get after them.**

14 **MR. SELF: If I could have a moment, Mr.**
15 **Chairman. I think both Ms. Menard and I are tongue-tied**
16 **enough to quit for the time being.**

17 **Thank you, Mr. Chairman. Thank you, Ms. Menard.**

18 **THE WITNESS: Thank you.**

19 **COMMISSIONER DEASON: We are going to take ten**
20 **minutes at this time.**

21 **(Recess.)**

22 **COMMISSIONER DEASON: Call the hearing back to**
23 **order.**

24 **Staff, you may conduct cross examination.**

25 **MS. CAMECHIS: Excuse me, Mr. Chairman, I have a**

1 few cross questions.

2 COMMISSIONER DEASON: Oh, I'm sorry.

3 MS. CAMECHIS: That's okay. I know you skipped
4 past -- Floyd was going first.

5 COMMISSIONER DEASON: I thought we skipped over
6 because you did not have questions.

7 MS. CAMECHIS: No, sir, we were just allowing
8 Floyd the opportunity to --

9 MR. SELF: She wanted me to be first.

10 COMMISSIONER DEASON: Okay. I apologize for
11 that. Please proceed.

12 MS. CAMECHIS: I apologize for the confusion.

13 **CROSS EXAMINATION**

14 **BY MS. CAMECHIS:**

15 Q Good morning.

16 A Good morning.

17 Q Almost afternoon. Earlier you testified that
18 you believed that it was a mistake that Verizon did not
19 correct the LERG earlier, and that you have known for
20 years the inconsistency between your tariff and the LERG?

21 A That is correct.

22 Q Pardon me?

23 A Go ahead.

24 Q Are you aware of any reason or problem it would
25 have created for Verizon had Verizon corrected the LERG?

1 **A** **No, I'm not aware of any problem it would have**
2 **caused for Verizon other than the work to do the changes.**

3 **Q** **So, prior to -- if Verizon had corrected the**
4 **LERG prior to 1996 when competition started to exist,**
5 **would Verizon have incurred the costs that you would incur**
6 **now in correcting the LERG?**

7 **A** **I'm not aware of any changes in the cost to**
8 **change the LERG in 1996 versus now.**

9 **Q** **So you are saying that now it would cost Verizon**
10 **\$6.5 million to make --**

11 **A** **Oh, well, see, we're talking about correcting**
12 **the LERG, I'm sorry if I misunderstood the question. To**
13 **me in correcting the LERG I'm talking about we should have**
14 **made the entries in 1996 that we made in 2000 to actually**
15 **go in and change all of our codes and show them with the**
16 **proper rate center of Tampa central, north, south, east,**
17 **and west. That's how I understood your question.**

18 **Q** **Okay. In your direct testimony on Page 9, Lines**
19 **21 through 22, and earlier today in your testimony, you**
20 **stated that you requested a listing of all ALEC numbers in**
21 **the 813 area code from Verizon's 911 database, correct?**

22 **A** **That is correct.**

23 **Q** **Would you accept, subject to check, that the**
24 **interconnection agreement between Time Warner Telecom and**
25 **Verizon states that Verizon will not use data on TWTC**

1 subscribers except for purposes of providing E911
2 services?

3 A Subject to check, I will accept that.

4 Q How do you reconcile your use of information
5 from the 911 database to conduct this study of the 813
6 area code in this docket?

7 A The reason why it was done is, number one, when
8 I had the extract done for me from the 911 database,
9 because of the concern of proprietary information, I
10 deliberately had them exclude the customer names so that I
11 did not have that information because I did not need that
12 information to do this analysis. All I needed was the
13 telephone number and the physical address where the
14 customers were located so that I could tell where the
15 customers were.

16 In the conference calls we had with the ALECs
17 and Verizon, which occurred in the beginning of October
18 time period is my recollection, there was a lot of concern
19 by the ALECs saying they did not know how they were going
20 to be able to identify which rate center their customers
21 were located in. And it had been Verizon's position that
22 we had told carriers manually prior to the transition and
23 that we had been assigning codes to the 813 central Tampa
24 rate center.

25 The concern was to see was that a valid decision

1 that we made, did we have a problem where we were
2 potentially misrating a lot of customers' calls, and to
3 see what would be involved for the ALECs to go through
4 their process to determine where these customers were
5 physically located.

6 So that was the reason why I did the study
7 because we had said we would assist any ALEC in
8 identifying where their customers were located if they
9 would give me addresses, and I had a carrier that gave me
10 a few addresses, you know, that we would be able to assist
11 in that effort. That is why I undertook the study,
12 strictly as part of questions that staff had and the ALECs
13 had on how to identify the customers in the rate centers.

14 Q Did any ALEC give you permission to use
15 information from the 911 database in order to assist them
16 in determining which rate center --

17 A I did not ask the ALECs.

18 Q Did anyone at Verizon instruct you to use the
19 information in this manner?

20 A No.

21 Q Okay. Has Verizon used information from the 911
22 database for any other purpose other than E911 services?

23 A Not to my knowledge. The study that was done
24 was done by me personally. I requested it, I did all the
25 analysis. No one in Verizon has seen those reports.

1 **Q** Earlier I may have missed part of your
2 testimony, but it seems you referred to something in your
3 notebook in order to determine which ALECs in the 913 area
4 code ordered the most numbers or – am I correct, I
5 believe you mentioned MCI?

6 **A** And WorldCom, yes.

7 **Q** Was that information something that you obtained
8 through the 911 database, as well?

9 **A** No, that was obtained from the LERG.

10 **MS. CAMECHIS:** Excuse me one moment, please.

11 **BY MS. CAMECHIS:**

12 **Q** The information regarding MCI in your folder,
13 would you consider that proprietary information?

14 **A** No, it's a listing of the NNXs that are assigned
15 to the ALECs in the LERG.

16 **MS. CAMECHIS:** Thank you.

17 **COMMISSIONER DEASON:** Staff.

18 **MR. FORDHAM:** Thank you, Commissioner.

19 **CROSS EXAMINATION**

20 **BY MR. FORDHAM:**

21 **Q** Hello, Ms. Menard. Earlier you were talking
22 about the CIGRR group, and interesting that that should be
23 a group that met in Tampa, but you indicated that any
24 carrier who wanted could attend the meetings. But I was a
25 little confused as to how the invitations were extended or

1 do you know whether all the ALECs were invited and how was
2 that invitation issued?

3 A That I do not know. My understanding, you know,
4 there are a number of industry forums that currently exist
5 that look at different issues. CIGRR is a group that
6 works on routing and rating concerns and RDBS. I am not
7 sure, and like I said earlier, I did not think to ask the
8 person that attends those meetings for Verizon exactly
9 when this group came into existence. I know they have
10 been in existence for a number of years. And it is my
11 understanding with all of those industry forums any
12 carrier that want to participate in them are allowed to
13 participate in them.

14 Q I guess what I'm getting at, though, is whether
15 the carrier was invited or knew about the meetings. Would
16 you have access to a list of every carrier that was
17 invited to the meeting as opposed to who actually
18 attended?

19 A I would not, because I'm not the representative
20 that attends the meetings, so I do not know.

21 MS. CASWELL: Excuse me. Lee, we could try and
22 provide that as a late-filed exhibit to the extent we go
23 back and find out that we have something like that.

24 MR. FORDHAM: Okay. That would be fine.
25 Obviously what I'm getting at is whether all the carriers

1 that do business in that Tampa Bay area were invited to
2 the meeting and knew about it. So that would be fine if
3 you have that.

4 **COMMISSIONER DEASON:** Do you wish to have that
5 identified?

6 **MR. FORDHAM:** They are not certain they have it,
7 Commissioner, so maybe we can --

8 **THE WITNESS:** We could do a late-filed exhibit.
9 And if we do not have any information, that's what we will
10 put on the late-filed exhibit.

11 **MR. FORDHAM:** That would be fine. What would
12 you need a week, ten days?

13 **MS. CASWELL:** Yes, that would be sufficient. I
14 would say we should be able to come up about it within a
15 week.

16 **COMMISSIONER DEASON:** It will be identified as
17 Late-filed Exhibit 9.

18 (Late-filed Exhibit 9 marked for
19 identification.)

20 **BY MR. FORDHAM:**

21 **Q** Ms. Menard, going to your direct testimony now
22 on Page 6, Lines 13 through 19, you discuss contacting a
23 PSC staff person. And the question is did you inform that
24 staff person that the LERG would be changed in order to
25 comply with the GTE tariff?

1 **A** **Yes, I did.**

2 **Q** **And did you inform the staff person that this**
3 **change was necessary as a result of the industry effort?**

4 **A** **I probably characterized it as that we had an**
5 **industry effort on-going, the effort was to make the LERG**
6 **consistent with Verizon's tariff, at that point GTE's**
7 **tariff, and that there was a consensus of that industry**
8 **group to go forward with that effort. That would be the**
9 **best of my recollection of what the contact would have**
10 **been.**

11 **Q** **Okay. So just basically a consensus of the**
12 **industry?**

13 **A** **Of the industry group, yes.**

14 **Q** **Still on Page 6 of your testimony, you stated**
15 **that on August 15th, 2000, that letters were drafted and**
16 **sent via registered mail or registered E-mail to all OCNs**
17 **within the Tampa area by GTE under the new Verizon**
18 **letterhead.**

19 **Can you provide us a list of the carriers which**
20 **the letters or E-mails were sent to?**

21 **A** **Yes, we should be able to provide that.**

22 **MR. FORDHAM: Commissioner, may we have that**
23 **also as a late-filed exhibit?**

24 **COMMISSIONER DEASON: Late-filed 10.**

25 **MR. SELF: Mr. Chairman, Mr. Fordham, if I could**

1 request that in preparing that that not just the carrier
2 be identified, but the contact person and address that was
3 used so we would be able to know specifically to whom it
4 was directed.

5 THE WITNESS: I can say for the record, now, it
6 is either going to be an E-mail ID of a person or it is
7 the name of the carrier because that is all that is in the
8 LERG. It does not have contact people. So the letter
9 would have gone to Carrier ABC and their address that is
10 in the LERG. It would not have gone to an individual
11 carrier because there is no customer names listed in the
12 LERG.

13 MR. SELF: Thank you.

14 (Late-filed Exhibit 10 marked for
15 identification.)

16 BY MR. FORDHAM:

17 Q On Page 7 of your testimony, Ms. Menard, you
18 state that an ALEC is free to determine the local calling
19 areas for its own customers. Are you aware of any
20 interconnection agreements that require ALECs to match
21 Verizon's calling area?

22 A No, I'm not.

23 Q On Page 10 of your testimony, Lines 15 through
24 24, you indicate that existing customers should be
25 considered grandfathered, and we talked about that earlier

1 in your testimony today, so long as they stay within the
2 existing ALEC or stay with the existing ALEC. Now, you
3 state there that if a customer decided to return to
4 Verizon for service, and they are not physically located
5 in the Tampa central rate center, that the customer would
6 be require to make a number change in accordance with the
7 current number portability guidelines.

8 Now, assume for a moment that a customer is
9 physically located in Tampa south, and he is served by an
10 ALEC with an NXX that has been designated by Verizon as
11 Tampa central. You had indicated that is common,
12 designated Tampa central. Now if that customer terminated
13 his service with that ALEC, but instead of coming back to
14 Verizon went to another ALEC that does not hold a Tampa
15 central NXX, would that customer not have to change his
16 phone number?

17 A If the carrier didn't have a Tampa central NXX,
18 I don't think the carrier would be able to serve him. He
19 would have to choose another carrier that has a Tampa
20 central NXX. All the carriers today have Tampa central.

21 Q Okay. I was unaware of that. Every carrier
22 operating in the Tampa five areas have a central –

23 A There may be one exception to that. Let me look
24 at my list. The only exception that I am aware of to that
25 is it appears that Global Crossing currently only has

1 designated a north Tampa rate center. That would be the
2 only carrier that that customer could not port back to
3 today.

4 Q So if this hypothetical customer wanted to
5 switch from another ALEC to that one that did not hold the
6 central code, they would be required to change numbers?

7 A Well, they would be required to pick another
8 carrier or Global Crossing would have to obtain a central
9 NXX, Tampa central NXX if they wanted to handle that
10 customer.

11 Q Is it a fair statement that the guidelines for
12 local number portability allows a customer to switch local
13 service providers and keep their existing phone number?

14 A While staying at the same location, that is
15 correct. What was not contemplated is the situation that
16 we have gotten ourselves in because of us not fixing the
17 LERG correctly where we have people that are not in the
18 correct rate center.

19 Q Now, obviously you agree that the FCC
20 differentiates between location portability and number
21 portability, is that correct?

22 A Correct. What has been put in under local
23 number portability is service provider portability, the
24 ability to change carriers while remaining at the same
25 location.

1 **Q** **And location portability then is the ability to**
2 **keep the same number when you move to a new location?**

3 **A** **Correct.**

4 **Q** **Would you agree that the number portability then**
5 **is defined – well, we've pretty well discussed it, but**
6 **basically just switching from one carrier to another is**
7 **the number portability. And location portability is if**
8 **you move to another geographic location?**

9 **A** **That is correct. And if we had correctly set up**
10 **the LERG before ALECs got their codes, we would not be in**
11 **the situation where there was any discussion about a**
12 **customer having to worry about changing a number because**
13 **all the customers would have been put in correctly.**

14 **Q** **Okay. Going back to your testimony on Pages 10**
15 **and 11 where you were discussing an example there, was**
16 **that with the assumption that the customer was physically**
17 **moving to a new location?**

18 **A** **No. That was under the assumption that the**
19 **customer had incorrectly been included in a Tampa central**
20 **rate center when they really didn't live in Tampa central.**

21 **Q** **Okay. In the FCC Order 97-289, the**
22 **Telecommunications Act of 1996 was designed in large part**
23 **to keep local exchange markets open to competition by**
24 **removing existing statutory, regulatory, and operational**
25 **barriers that have previously thwarted the ability of new**

1 entrants to provide competitive local telecommunications
2 services. Now, would you agree that to effectuate the
3 goals of that Act, Congress required all LECs, both
4 incumbent and new entrants to provide number portability
5 in accordance with the requirements prescribed by the
6 Commission?

7 A That was a long question, but I think the answer
8 is yes.

9 Q Basically, do you agree with the guidelines as
10 established by the Act and Congress intent. So if
11 customers residing at the same location are required to
12 change their phone number in order to change carriers as
13 in the one example that doesn't hold an NXX in the Tampa
14 central office, would you consider that a violation of the
15 FCC portability requirements?

16 A No. Because what I said, if we had correctly
17 had the LERG correctly the situation would have never
18 existed because the customer would have never been
19 assigned a Tampa central code when he did not live in
20 Tampa central.

21 Q But assuming that there are no changes in the
22 LERG, would you think it would be a violation of the
23 guidelines?

24 A No. Because he is not physically living in
25 Tampa central, and he has no right to that code if he

1 doesn't live in Tampa central.

2 Q Earlier we talked about a customer physically
3 within the same central office and that they can keep
4 their telephone numbers, but you referenced within the
5 same rate center. Now, is there only one central office
6 in each of those five rate centers?

7 A No. As shown in my Exhibit BYM-B, all of these
8 rate centers have multiple central offices.

9 Q I think the confusion here was you maybe used
10 rate center and central office interchangeably.

11 A What I said is if we use my Exhibit BYM-B as a
12 reference point, and let's assume for the purpose of this
13 the ALECs have correctly established the identical five
14 rate centers that Verizon has. Under today's tariffs the
15 difference that would exist is for a Tampa central
16 customer if he moves from Alafia to Bayshore, we require
17 him to take a number change or to pay for foreign central
18 office service. For the ALEC, most ALECs allow movement
19 within the rate center without requiring a number change,
20 so they would allow the customer in Tampa central to move
21 around Tampa central and never have to take a number
22 change. That's what the connotation of my earlier
23 discussion was.

24 Q Okay. Do you know how much Verizon customers
25 are paying for local number portability?

1 **A** **There is a charge of approximately 38 cents a**
2 **month on their bill, on residence customer's bills.**

3 **COMMISSIONER DEASON: Excuse me. How long is**
4 **that charge going to exist?**

5 **THE WITNESS: For five years under the FCC's**
6 **orders.**

7 **COMMISSIONER DEASON: And how long has it been**
8 **in effect?**

9 **THE WITNESS: I don't think I have that**
10 **information with me. Let me think. I'm trying to**
11 **remember. I do in my other briefcase I can tell you, but**
12 **I don't have it with me. My recollection is around '99.**
13 **As part of the official recognition list -- well, I may**
14 **have it, just a second. Yes, July 1999 is when the FCC**
15 **ruled on the GTE tariff, so it had to have been around**
16 **that time period that we actually put the rates in. My**
17 **recollection is we put them in around the March time**
18 **period of 1999.**

19 **COMMISSIONER DEASON: So you are about two years**
20 **in?**

21 **THE WITNESS: Two years into it.**

22 **COMMISSIONER DEASON: Okay. And it is 38 cents**
23 **a month?**

24 **THE WITNESS: It's about -- my recollection is**
25 **it is about 38 cents a month for a residence customer.**

1 **COMMISSIONER DEASON: Okay. And do all**
2 **residence customers pay that or just those that live in**
3 **areas that have local number portability?**

4 **THE WITNESS: It is only for customers that have**
5 **local number portability. In Verizon's case all of our**
6 **offices are converted for local number portability, so all**
7 **Verizon Florida customers pay that charge.**

8 **COMMISSIONER DEASON: Under the FCC order, are**
9 **you required to keep track of those revenues and to have**
10 **some type of a true-up filing with the FCC?**

11 **THE WITNESS: No.**

12 **COMMISSIONER DEASON: So you just collect it and**
13 **collect it for five years, and then at the end of five**
14 **years, you are considered done?**

15 **THE WITNESS: That is correct.**

16 **COMMISSIONER DEASON: And the FCC doesn't review**
17 **it?**

18 **THE WITNESS: Not to my knowledge. When some of**
19 **the tariffs were initially put in, there was an accounting**
20 **order that was there while the FCC was reviewing the**
21 **tariff. Verizon's did not have an accounting order on**
22 **them, but even the carriers that did when they made their**
23 **rulings on the number portability tariffs, to the best of**
24 **my knowledge all of those accounting orders were**
25 **terminated.**

1 **COMMISSIONER DEASON: Are the ALECs required to**
2 **collect that?**

3 **THE WITNESS: No. And the FCC's position would**
4 **be Verizon is not required to charge it, we are allowed to**
5 **charge it.**

6 **COMMISSIONER DEASON: And all of your customers**
7 **have the capability of having a local number ported if**
8 **they change a carrier?**

9 **THE WITNESS: Yes, they do.**

10 **COMMISSIONER DEASON: And if they stay – if**
11 **they are a Verizon customer and they simply move within**
12 **the same central office, local number portability does not**
13 **come into play?**

14 **THE WITNESS: That is correct.**

15 **COMMISSIONER DEASON: So in your example, within**
16 **the Tampa central rate center, a customer residing in the**
17 **Bayshore central office and just moves a block down the**
18 **street, they would have a number change?**

19 **THE WITNESS: No. Within the same central**
20 **office there is no number change. But, let's assume he**
21 **was right on the border between – let me get one of my**
22 **maps and make sure I get the right COs. Let's assume,**
23 **Bayshore, the next CO to Bayshore is Wallcraft (phonetic).**
24 **If he was right near the border between those two central**
25 **offices, if he moved from what is physically our Bayshore**

1 office to our Wallcraft office, if he wanted to keep the
2 same telephone number he would have to pay an extra
3 charge. Under normal circumstances we would tell the
4 customer moving from Bayshore to Wallcraft, you will take
5 a number change. But in moves within Bayshore there is no
6 charge.

7 **COMMISSIONER DEASON:** Okay. There is no charge
8 if there is a move within the same central office, but
9 there is -- it's just the same number assigned, there is
10 not a number porting?

11 **THE WITNESS:** That is correct. The subject you
12 are talking about is one of the things that we had a
13 workshop here at the Commission in. As part of Docket
14 960100, the long-term number portability docket, we
15 actually had a workshop on October 22nd, 1997, and the
16 whole purpose of that workshop was to discuss the problems
17 associated with porting numbers versus rate centers versus
18 wire centers. And the fact that the LEC system were all
19 set up that you are not allowed to keep your same
20 telephone number if you move outside of a wire center or a
21 central office versus the fact that the ALECs were setting
22 up their systems so that you can port within a rate
23 center. And under the FCC guidelines you are allowed to
24 port within a rate center is the way most carriers have
25 done it.

1 **COMMISSIONER DEASON:** So explain to me how it is
2 competitively neutral then. If you have existing Verizon
3 customers living somewhere within the Tampa central rate
4 center, let's just say Bayshore, and if they are going
5 to -- if they are going to move to another central office
6 within Tampa central they have to take a number change or
7 else they have to pay extra through, what, some type of
8 foreign exchange or --

9 **THE WITNESS:** Foreign central office.

10 **COMMISSIONER DEASON:** Okay. Now, if they are an
11 existing Verizon customer and they are going to make the
12 move, can they switch -- if they are astute enough, can
13 they switch to an ALEC before they move. And then once
14 they move then they can get that same number when they
15 move to a different central office within the Tampa
16 central rate center?

17 **THE WITNESS:** That is correct.

18 **COMMISSIONER DEASON:** Is that a pervasive
19 problem or is that a rarity?

20 **THE WITNESS:** I would hope it's a rarity. I
21 mean, the whole plan was depending on where a customer is
22 moving, he should be taking a number change. But under
23 the local number portability guidelines and the way most
24 of the carriers are implementing them, if a customer moves
25 within a rate center, they can keep the same telephone

1 number with no problems. Now, I don't know if under the
2 other carriers' tariffs they charge the customer for
3 anything if they move and keep the same telephone, I don't
4 know. I don't know of any reason why they would charge
5 them.

6 **COMMISSIONER DEASON:** Let's go back. Let's say
7 you have a customer, he is a Verizon customer, he has been
8 a customer for years, same residence, is going to stay a
9 Verizon customer, but they are paying 38 cents a month for
10 the ability to have local number porting if they were to
11 choose to take service from an ALEC.

12 **THE WITNESS:** Right. And so that he could
13 choose any carrier he wants to be served by that serves
14 that area and he does not have to change his telephone
15 number.

16 **COMMISSIONER DEASON:** So that is 38 cents a
17 month, 12 months in a year. That is roughly, what, about
18 \$4, a little over \$4 times five years, so they are paying
19 a total of something over \$20 just to have the ability,
20 even if they never exercise it?

21 **THE WITNESS:** That is correct. But we have a
22 lot of customers who have exercised that ability.

23 **COMMISSIONER DEASON:** Okay.

24 **MR. FORDHAM:** Thank you, Commissioner.

25 **BY MR. FORDHAM:**

1 **Q** **Ms. Menard, you stated there just a minute ago**
2 **that a Verizon customer can keep the same number if he**
3 **moves within the same central office. Can you tell me,**
4 **please, is that a requirement of the FCC or just a**
5 **gratuitous service by Verizon?**

6 **A** **No, that is in accordance with our tariffs on**
7 **file with the Commission.**

8 **Q** **Okay. Moving on. On Page 13 of your testimony**
9 **you indicate that if ALECs use the five rate centers**
10 **designated by Verizon, that there should not be any impact**
11 **on the intercarrier compensation. On your Exhibit BYM-2,**
12 **I think it suggests that customers can call Dade City on**
13 **an ECS basis if the calls are made from Tampa central or**
14 **Tampa north, but how about calls originating from Tampa**
15 **east, Tampa south, or Tampa west, would they be considered**
16 **toll calls?**

17 **A** **Yes, they would. And what we are talking about**
18 **in the reference you were talking about in my testimony,**
19 **we were going on the assumption that the existing codes**
20 **that the ALECs have that are not designated would be**
21 **converted to Tampa central codes. So there is no change**
22 **between how we are currently treating them and how they**
23 **would be treated after they would be updated in the LERG.**
24 **That was the reason for our saying there would be no**
25 **differences. I am not saying if the carrier decided to**

1 serve another area in Tampa that there could not be a
2 difference, but it would be in accordance with the tariff.

3 Q Let's assume a Sprint customer in Dade City
4 places a call to an ALEC service customer who is
5 physically located in Tampa east, but homed out of the
6 Tampa central office. Now, under Verizon's current
7 calling scopes would the Sprint customer be charged ECS
8 rates?

9 A Yes, he would. And that is going under the
10 assumption – let me say this, this is going under the
11 assumption that Sprint is doing the same thing we are
12 doing and considering those codes as Tampa central. I do
13 not know what Sprint is doing.

14 Q Okay. Using the same example, if the ALEC
15 customer is required to be homed out of Tampa east, would
16 the Sprint customer then be charged a toll call?

17 A That is correct. If the customer was physically
18 located in Tampa east, and the ALEC code is in Tampa east,
19 it would be the same as a Verizon customer that is in
20 Tampa east. It would be a toll call.

21 Q Would you agree that there are other call routes
22 also that would change from EAS to ECS, and ECS to EAS,
23 EAS to toll, or ECS to toll if the ALECs are required to
24 assign their NXXs by Verizon's designated rate centers to
25 match the physical location?

1 **A** **That would be true for new customers only under**
2 **Verizon's proposal. The existing customers there would be**
3 **no change because they would be considered Tampa central**
4 **codes. It would only be if they correctly recognize in**
5 **the future there would be – could be a difference, but it**
6 **would be the same as if they were a Verizon end user.**

7 **Q** **And that is a forever situation those that are**
8 **being grandfathered?**

9 **A** **That is correct.**

10 **Q** **Not just for a fixed period of time?**

11 **A** **That is correct, under Verizon's proposal.**

12 **Q** **If Verizon is allowed to require the assignment**
13 **of NXXs according to the five rate centers that you are**
14 **discussing, will some Verizon customers experience an**
15 **increase in the rates they pay for specific calling**
16 **routes?**

17 **A** **They should not.**

18 **Q** **Just the grandfathered -- again, we are**
19 **talking –**

20 **A** **Would you repeat your question.**

21 **Q** **Okay. If Verizon is granted the assignment of**
22 **NXXs according to the five rate centers, the five rate**
23 **center designations, would some Verizon customers**
24 **experience an increase in the rates that they are paying**
25 **for specific calling routes?**

1 **A** **No, because we would be converting them to how**
2 **they are currently treated in the LERG. There should be**
3 **no impact.**

4 **Q** **Would there be an intercarrier compensation**
5 **issue when calls previously classified as ECS or EAS are**
6 **reclassified to toll?**

7 **A** **No, because we are talking about converting**
8 **everyone to how the systems currently treat them, so there**
9 **is no impact. The system currently treat them as Tampa**
10 **central, you convert them to Tampa central in the LERG,**
11 **there is no impact to the customers or intercarrier**
12 **compensation.**

13 **Q** **Okay. Talking a little more about the**
14 **grandfathering issue. Your testimony indicates that the**
15 **customers will be grandfathered in the Tampa central rate**
16 **center as long as they stay with an existing ALEC?**

17 **A** **Correct.**

18 **Q** **Under your recommendation a new customer of the**
19 **ALEC would have to be assigned to an NXX to the rate**
20 **center that matches its physical location. If Verizon's**
21 **grandfathering proposal was accepted, however, would there**
22 **be instances where a Verizon customer would be charged two**
23 **different rates for calling the same location?**

24 **A** **There is that potential for the few existing**
25 **customers. That's why we have been trying to work to get**

1 this change done so we don't keep exasperating the
2 problem.

3 Q In the earlier example with the Sprint customer
4 from Dade City, let's say, calling an ALEC service
5 customer physically located in Tampa east, if we expand
6 that example a little bit, assume that there are two ALEC
7 service customers that live on the same street. Under the
8 grandfathering proposal there would -- there could be the
9 case where the Sprint customer could pay an ECS rate to
10 call one friend, but a toll call to call the other friend
11 on the same street?

12 A That is correct. The other alternative is to
13 force all the customers to change their numbers so that
14 they are correctly in accordance with the tariff, which is
15 another alternative that the Commission has.

16 Q Changing the channels a minute. On Page 14 of
17 your testimony you state that a new pooling trial would
18 need to be coordinated with the other pooling trials that
19 are already scheduled. What other pooling trials would
20 need to be coordinated with the new one for the Tampa MSA?

21 A Under the -- as I understand, and I don't have
22 the FCC case with me, the FCC as part of their delegation
23 authority required the Commission to stagger the trials
24 because you have the same carriers involved in different
25 things. And, of course, my understanding based on the

1 last pooling implementation for the 305 area code, we
2 currently have the 305 scheduled pooling to implement on
3 May 28th, the Daytona MSA is scheduled for July 16, and
4 the Ft. Pierce/St. Lucie MSA is scheduled for September
5 17th. So in accordance with how the Commission has been
6 doing it, I would assume the earliest that we could do a
7 pooling trial in Tampa would be the end of November.

8 Q In Exhibit BYM-1 attached to your testimony, it
9 states that Verizon updates will bring the V and H
10 coordinates in sync with the current language. How do the
11 LERG V and H coordinates differ now from the current
12 Verizon tariff for the Tampa area?

13 A To the extent – I never caught that in that
14 letter. To the extent they are V and Hs today, it would
15 be the Tampa central V and Hs in the LERG for Tampa.

16 Q On Page 1 and Page 2 of your rebuttal testimony,
17 you state that Verizon has been assigning ALEC codes to
18 one of the five Tampa rate centers for rating purposes
19 when any new NXX codes are established since the
20 establishment of the first ALEC code. If Verizon was
21 aware of the problems with the RDBS and the BRIDS for a
22 lot of years, why just now did they attempt to resolve the
23 problem?

24 A As I testified earlier, first we made the change
25 in April 1999 to see if that would fix the problem. It

1 did not. That's why then we started the effort at the
2 beginning of 2000 to make the correction. And we are here
3 today talking about what we started in the beginning of
4 2000.

5 Q Still in your rebuttal testimony on Page 6, you
6 state that none of Verizon's systems have the capability
7 to recognize all five Tampa rate centers as one rate
8 center. Why does Verizon not have that capability?

9 A Because it's not in accordance with my tariffs.
10 My tariffs have five Tampa rate centers and that is what
11 my billing systems are set up to recognize.

12 Q If you were asked to update your system to
13 reflect one Tampa rate center, what changes would you have
14 to make?

15 A I don't know how I can do that.

16 Q Do you know if it is technically feasible?

17 A I would have to do what I'm doing today and
18 assign it to Tampa central.

19 Q Assuming you were asked to do that, to update
20 your system to reflect the one rate center, what is the
21 time frame that we would be talking about to accomplish
22 that?

23 A I'm not sure how -- as I testified earlier, I'm
24 not sure how I am going to accomplish that. I have five
25 rate centers, that is the way my tariffs are that have

1 been approved by the Commission. You know, if we are
2 going to say arbitrarily assume every new ALEC code is
3 Tampa central, we can do that. I don't know how I file
4 that in my tariff.

5 MR. FORDHAM: Give me just a moment,
6 Commissioner.

7 No further questions, Commissioner.

8 COMMISSIONER DEASON: Commissioners, questions?
9 Let me ask a question. I'm looking at your Exhibit BYM-2,
10 I believe it is. Let me see if I can find it. Yes,
11 BYM-2. You indicated earlier that you had done some rate
12 center consolidation study primarily looking at the Tampa
13 south and Tampa east and Tampa north and Zephyrhills and
14 you came up with an anticipated revenue shortfall of 6.5
15 million, correct?

16 THE WITNESS: Correct.

17 COMMISSIONER DEASON: Have you looked at what
18 the revenue impact would be if you consolidated all five
19 rate centers into one?

20 THE WITNESS: No, we have not.

21 COMMISSIONER DEASON: Do you any idea how large
22 that number would be?

23 THE WITNESS: My guess would be at least \$20
24 million.

25 COMMISSIONER DEASON: 20 million.

1 **THE WITNESS: But that is strictly an educated**
2 **guess. I don't have the data to do that analysis.**

3 **COMMISSIONER DEASON: How many customers do you**
4 **have in all five central offices?**

5 **THE WITNESS: Currently approximately --**

6 **COMMISSIONER DEASON: I'm sorry, not central**
7 **offices.**

8 **THE WITNESS: No, five rate centers. Currently**
9 **about 750,000 customers.**

10 **COMMISSIONER DEASON: 715 or 50?**

11 **THE WITNESS: 50.**

12 **COMMISSIONER DEASON: 750,000.**

13 **THE WITNESS: Currently if you consolidate all**
14 **five Tampa rate centers it is more than twice as large as**
15 **my next largest exchange, which is St. Pete.**

16 **COMMISSIONER DEASON: What is the monthly rate**
17 **for your largest rate group?**

18 **THE WITNESS: Currently it is 11.81.**

19 **COMMISSIONER DEASON: And that is based upon --**
20 **well, which of your exchanges currently fall into that**
21 **rate group, is it a long list or -- let me short-circuit**
22 **this. What would just the rate regrouping generate in**
23 **terms of revenue dollars if all five rate centers were**
24 **consolidated?**

25 **THE WITNESS: Nothing. Because the largest rate**

1 group is anything over 300,000 access lines.

2 COMMISSIONER DEASON: So all of these are
3 already at the largest, in the largest rate group?

4 THE WITNESS: Correct. These are all in Rate
5 Group 5, which is our largest rate group.

6 COMMISSIONER DEASON: Okay. Redirect.

7 REDIRECT EXAMINATION

8 BY MS. CASWELL:

9 Q Ms. Menard, is a rate center the same as an
10 exchange?

11 A As I have been using the discussion today, I
12 have assumed that they are the same.

13 Q Is there any such thing as a billing center in
14 Verizon's tariff?

15 A No, there is not.

16 Q Have some of the LECs recorded the correct rate
17 center codes in the LERG?

18 A Yes, some of the ALECs have shown the locality
19 codes just like Verizon did. And there have been a few
20 ALECs that actually requested changes under the new five
21 rate center that we implemented for Verizon.

22 Q Does this Commission consider the LERG to be the
23 document that defines Verizon's local exchange areas?

24 A Not to the best of my knowledge. I have always
25 assumed it was our tariffs.

1 **Q And were those tariffs approved by the**
2 **Commission?**

3 **A Yes, they were.**

4 **Q Was the LERG approved by the Commission?**

5 **A Not to the best of my knowledge.**

6 **Q Is there any way other than the LERG or the**
7 **tariffs that carriers would have known about the five**
8 **Tampa rate centers?**

9 **A There should have been. I mean, as we discussed**
10 **earlier, you know, the Commission did have a workshop and**
11 **we had a lot of workshops in Docket 960100. At that**
12 **workshop that I mentioned that we had on October 22nd, my**
13 **recollection is BellSouth made a presentation, Steve**
14 **Addock (phonetic) from MCI made a presentation, and I made**
15 **a presentation that had as an attachment the five Tampa**
16 **rate centers and showing the problems we had between the**
17 **LERG and the tariffs as far as there being five rate**
18 **centers in Tampa and where the locations were.**

19 **Q Would the Commission have noticed that workshop**
20 **for all carriers to attend, both ALECs and ILECs?**

21 **A Yes, to the best of my knowledge it was noticed.**
22 **I know it is on the Commission's website.**

23 **Q Would reflecting one Tampa rate center instead**
24 **of five be just a matter of updating Verizon's systems or**
25 **would it involve more than that?**

1 **A** **It would involve more than that. If you are**
2 **talking about doing a rate center consolidation as I filed**
3 **in my testimony, our estimate is that it would take at**
4 **least 12 to 18 months to do. And we are also talking**
5 **about it would require additional facilities because**
6 **customers' calling scopes would change and therefore we**
7 **would need to change the facilities that we have in place.**

8 **Q** **And just so we are clear on your position, could**
9 **the Commission order rate center consolidation?**

10 **A** **It is our position they cannot.**

11 **Q** **I'm going to ask you a couple of questions --**

12 **COMMISSIONER DEASON: Excuse me just a second.**
13 **And why is that?**

14 **THE WITNESS: As part of the saving clause that**
15 **was in Chapter 364 when the changes were implemented**
16 **July 1, 1995, it said that the Commission could not**
17 **initiate any new proceedings under the old law after**
18 **July 1, 1995. And so basically what happened is any of**
19 **the open dockets we had open on extended area service or**
20 **ECS, those dockets eventually completed, some of them took**
21 **quite awhile to complete, but they eventually all**
22 **completed. And to the best of my knowledge there has been**
23 **no new proceeding by the Commission proposing EAS or ECS**
24 **for any price-regulated LEC, because of the position it is**
25 **not authorized under the current Chapter 364.**

1 **COMMISSIONER DEASON:** So let me see if I
2 understand. What you saying is 364 preempts federal
3 statute and FCC orders and rules, is that right? I mean,
4 if that is the case I'm glad to hear it.

5 **THE WITNESS:** No, no. What I'm saying is under
6 Chapter 364 it is our belief that the Commission does not
7 have the authority to order any additional EAS or ECS
8 calling plans for a price-regulated LEC.

9 **COMMISSIONER DEASON:** But I thought that the FCC
10 has delegated authority to the Commission to look at rate
11 center consolidation?

12 **THE WITNESS:** They have said to the extent you
13 feel you need additional authority, we have no problem.
14 I'm not aware of anything in Chapter 364 that says the FCC
15 gives you more authority than under what is there under
16 the federal law or the state law. But I'm not a lawyer.

17 **COMMISSIONER DEASON:** Oh, your opinion probably
18 is better than most lawyers when it comes to this stuff.
19 That is an interesting question. Is this matter going to
20 be briefed? Is it part of --

21 **MR. FORDHAM:** Yes, Commissioner, it will be
22 briefed by the parties.

23 **COMMISSIONER PALECKI:** I have a question. Could
24 the Commission order Verizon to just continue doing things
25 the way you used to do them before you started making

1 these corrections?

2 **THE WITNESS:** Potentially you could. That is
3 where I have said, though, if this is going to be the
4 avenue we want to go, what my recommendation would be is
5 so that there is no confusion, what we would ask is if you
6 want to act like the ALECs really have some rate center
7 that doesn't exist in our tariffs, and therefore we would
8 have inconsistent rate centers between the ALECs and us,
9 what I would request is that you order all the ALEC codes
10 to be put in as Tampa central, but recognize that for
11 those carriers Tampa central means something that it
12 doesn't mean. So that we know for billing system purposes
13 you are saying that code we are going to treat it like a
14 Tampa central regardless of where the customer is
15 physically located. So that administratively we have got
16 clean thing so everyone knows how we are operating.
17 Because today it is not known how to treat these codes and
18 what is in the LERG.

19 **COMMISSIONER PALECKI:** Thank you.

20 **BY MS. CASWELL:**

21 **Q** Ms. Menard, I want to ask you a couple of
22 questions about the exhibits that have been marked 7 and 8
23 that you discussed with Mr. Self. Those forms, I think we
24 established say Tampa, they reflect the Tampa rate center,
25 or the so-called Tampa rate center. And even though those

1 forms reflect the Tampa rate center, how would that
2 designation have been handled in Verizon's systems?

3 A In Verizon's systems -- now the one code that is
4 really in St. Pete we would have treated as St. Pete, but
5 the codes would have been handled as Tampa central codes
6 in Verizon's billing systems.

7 Q And would you expect that Mr. Gancarz or someone
8 at GTE had had discussions to discover where the customers
9 were actually located?

10 A It is my belief that that occurred. Intermedia I
11 know I actually had conversations with Intermedia.

12 MS. CASWELL: Thank you, that's all I have.

13 COMMISSIONER DEASON: Let me just follow up.

14 And, Ms. Caswell, if you need to ask any additional
15 questions as a result of my questions that will be fine.

16 I understand it is your position that even with rate
17 center consolidation authority we cannot require Verizon
18 to do rate center consolidation if it is going to result
19 in what you consider to be EAS?

20 THE WITNESS: Under Chapter 364 that is my
21 understanding, correct.

22 COMMISSIONER DEASON: Well, how can we ever
23 order rate center consolidation?

24 THE WITNESS: Without Chapter 364 being changed,
25 I don't think you can.

1 **COMMISSIONER DEASON:** So it is your opinion that
2 the grant of authority from the FCC concerning rate center
3 consolidation is meaningless?

4 **THE WITNESS:** As far as rate center
5 consolidation, that is my belief under Chapter 364.
6 Because I'm not aware of anything in 364 that says if the
7 FCC gives you authority beyond what is in 364 you
8 automatically get it under 364.

9 **COMMISSIONER DEASON:** But Verizon is free to
10 come forward and propose rate center consolidation, is
11 that correct?

12 **THE WITNESS:** Yes. I mean, as BellSouth has
13 done in the Keys. I mean, BellSouth has voluntarily
14 implemented rate center consolidation in the Keys as I
15 understand the decisions in Docket 990455.

16 **COMMISSIONER DEASON:** But Public Counsel and
17 certificated ALECs have no authority to come to this
18 Commission and seek rate center consolidation for your
19 rate centers?

20 **THE WITNESS:** To the best of my knowledge, that
21 is correct.

22 **COMMISSIONER DEASON:** You indicated that – and
23 I understand it is an extremely rough number and you have
24 not done the study. You threw out a number of \$20 million
25 to consolidate these rate centers, and you also gave a

1 number of 750,000 customers that would be effected. That
2 would be about 9 million bills in a year's time, which
3 roughly equates to about \$2 a month in round numbers.

4 **THE WITNESS:** In round numbers.

5 **COMMISSIONER DEASON:** Is it your opinion that if
6 it were put to a ballot that the customers within these
7 five rate centers would approve a \$2 a month increase in
8 their local service to get toll free calling within this
9 entire affected area?

10 **THE WITNESS:** Knowing some of the customers -- I
11 mean, the real problem is going to be how the customers
12 are going to be impacted. The thing is going to be --
13 let's take a Tampa central customer. If he never calls
14 Palmetto, the fact that you say you are going to now make
15 that a local call, why is he going to want to pay \$2 if he
16 doesn't ever call those areas? So part of the --

17 **COMMISSIONER DEASON:** The same reason the FCC
18 said he has to pay 38 cents a month because at some time
19 he may want to change his local carrier.

20 **THE WITNESS:** I appreciate what you are saying.
21 Unfortunately, I think the problem -- like I say, it
22 depends on -- I haven't seen as far as complaints we have
23 gotten, letters from customers, et cetera, a groundswell
24 of people asking me let's get a bigger local calling area.

25 **COMMISSIONER DEASON:** And if they are told that

1 it may prevent another area code from being implemented,
2 do you think that would have any effect?

3 **THE WITNESS:** For some of the customers it may
4 have an impact. There are going to be number of them who
5 I think the Office of Public Counsel represents who don't
6 want their rates to go up a dime.

7 **COMMISSIONER DEASON:** I don't think anybody
8 wants their rates to go up a dime. But we have situations
9 which we are being confronted with which I think we all
10 have the obligation to look at alternatives.

11 **THE WITNESS:** I understand. And that is why,
12 though, there is no question, I do think we should
13 definitely be looking at thousand block pooling because
14 that is something we can do that you have the authority,
15 is not a conflict with Chapter 364, and would extend the
16 life of the 813 area code.

17 **COMMISSIONER DEASON:** Let me ask you another
18 question kind of on a broader level. Has your company
19 looked at your competition that you are getting from
20 wireless and the fact that calling is becoming less of a
21 question of local and toll, it's just a question of being
22 able to use the instrument or the service? There is very
23 little toll calling left. And at some point it seems
24 like -- and with the declining prices of wireless access,
25 you are going to have to be competing with that at some

1 point.

2 And to the extent that you continue to have all
3 of these myriad of toll calls within a very small
4 geographic area, when are you going to start losing
5 customers who are just going to give up their landline and
6 go to wireless? I mean, have you thought about that, and
7 have you looked at whether in the long-term you can
8 continue to have this myriad of toll calling within such a
9 concentrated geographic area?

10 **THE WITNESS:** Yes, we have looked at that. At
11 this point, I mean, number one, you have got to consider
12 because of intraLATA presubscription I have lost most of
13 my toll anyway. Most of my toll is gone.

14 **COMMISSIONER DEASON:** Well, you still have \$20
15 million of it at least for these --

16 **THE WITNESS:** Well, a lot of that is ECS, too,
17 it's not just toll. A lot of that is ECS.

18 **COMMISSIONER DEASON:** If there is a customer --
19 excuse me for just a second, and I want your feedback on
20 it.

21 **THE WITNESS:** Sure.

22 **COMMISSIONER DEASON:** If there is a customer,
23 you say there are many customers out there who don't make
24 the toll calls and they wouldn't want to see any increase.
25 And I understand that. But at some point it seems like

1 you, as a company, have got to address that if there are
2 customers out there who would be willing to pay \$2 more a
3 month, \$10 more a month because they are constantly
4 calling, say, between Clearwater and Tampa central, at
5 some point they are probably going to say, on my cell
6 phone it doesn't cost me a dime to make that call. And I
7 don't know what the cutover is, but at some point with
8 wireless coming down you are going to start losing your
9 high-end customers that you are depending on now that pays
10 most of that \$20 million, those are the ones that are
11 going to leave you and you are going to be stuck with the
12 ones who don't make the calls. I mean, have you thought
13 about that?

14 **THE WITNESS:** Yes, we have thought about that.
15 What we have done, because of the concern of the large
16 customers, for the business customers, there are
17 alternatives in our tariffs where they don't pay per call
18 to call from Clearwater to Tampa. So for a flat charge
19 they get all the calling and don't pay any additional
20 calls per call that the casual customer does. So, yes, we
21 have already done that. And, yes, that is something we
22 look at as far as at what point should we make some
23 changes to our calling scope. And we do look at customer
24 demand. And there may be a day where I change my tariffs
25 and consolidate some of these. We are not there at this

1 point.

2 COMMISSIONER DEASON: Ms. Caswell.

3 MS. CASWELL: No further questions.

4 MR. FORDHAM: Commissioner, excuse me. Would it
5 be the wish of the panel that the briefs specifically
6 address the authority issue, the statute versus the rule?

7 COMMISSIONER DEASON: Yes. I need some input
8 from the learned legal counsel in this room as to the
9 effect of the grant of authority from the FCC on rate
10 center consolidation, whether it means anything or not. I
11 mean, when you get right down to the nuts and bolt I think
12 that is the legal question. And if the decision is that
13 we can't do anything unless 364 says that we can, I think
14 there is probably a lot that we are doing right now that
15 we probably ought not be doing. But maybe that is
16 something you can amplify on it. Maybe there can be some
17 examples expressed, because it is an interesting question.
18 And if 364 preempts everything, maybe that's good, too.
19 But, you know, that is the question. I would like some
20 briefing on that, that would be fantastic.

21 MR. SELF: Commissioner Deason, can I suggest
22 that on maybe one of the next breaks we can maybe caucus
23 and see if we can't come up with wording for the addition
24 of a legal issue to address that?

25 COMMISSIONER DEASON: That would be fine.

1 Exhibits.

2 MS. CASWELL: I would like to move into the
3 record Exhibits --

4 COMMISSIONER DEASON: Your prefiled are Exhibits
5 3 and 4.

6 MS. CASWELL: -- 3 and 4. Thank you.

7 COMMISSIONER DEASON: Without objection show
8 that Exhibits 3 and 4 are admitted.

9 MR. SELF: And I would like to move Exhibits 5,
10 7, and 8.

11 COMMISSIONER DEASON: Without objection.

12 MS. CASWELL: I would like to say that Exhibits
13 7 and 8 deserve a hearsay objection. Because Mr. Gancarz
14 is not here to testify as to what exactly they are, who
15 filled them out, or what kind of conversations might have
16 taken place when they were completed. That said, however,
17 I think Ms. Menard has sufficiently explained the
18 situation relative to these exhibits so that I won't lodge
19 a formal objections. But I would caution the Commission
20 to give them only the weight that they deserve.

21 COMMISSIONER DEASON: Okay. That's not a formal
22 objection, just a word of warning I take it.

23 MS. CASWELL: Right. I don't want to be
24 difficult.

25 CHAIRMAN DEASON: Show then that 5, 7, and 8 are

1 admitted. We have three late-fileds which have been
2 identified, 6, 9, and 10, and we will reserve admitting
3 those until they are filed and see if there is any pending
4 objection.

5 Staff, you also have identified Exhibit Number
6 2, which I believe the parties were to review during the
7 break. Is there any objection to Exhibit 2?

8 MS. CASWELL: Yes, and I actually forgot to
9 confer with Mr. Fordham as to what was included in Exhibit
10 2. I don't believe I will have any objection at all, but
11 we would like to know what is in there.

12 MR. FORDHAM: Those are in the official record.
13 We do not have them extracted in one folder here for
14 review, Commissioner.

15 COMMISSIONER DEASON: Well, perhaps you need to
16 file it late-filed, is that what you intend to do?

17 MR. FORDHAM: Well, if there is that objection,
18 but we're talking only the correspondence that is in the
19 official record that everyone gets a copy of as it is
20 filed, as it comes in. That's what we are referring to.

21 MR. SELF: And, Mr. Chairman, I raised this
22 initially, too. I don't have an objection, either, I just
23 want to make sure I know which are the documents on that
24 list. Because I know, and I'm sure Ms. Caswell has had
25 the same issue, there may have been situations where

1 someone wasn't copied and didn't get a copy. And I think
2 all we really want to do is just make sure that we know
3 which documents they are. And maybe we can -- I would be
4 happy to have the staff, perhaps, generate a list and we
5 could make that list a late-filed or something.

6 **COMMISSIONER DEASON:** Well, I tell you, when you
7 all confer about the wording of the legal issue, I will
8 let you also confer about this and then just advise me as
9 to how you wish to have it treated.

10 **MR. SELF:** Okay.

11 **COMMISSIONER DEASON:** Thank you, Ms. Menard.
12 (Exhibits 3, 4, 5, 7 and 8 admitted into the
13 record.)

14 **COMMISSIONER DEASON:** We will take a lunch
15 recess at this time and we will reconvene at 1:30.

16 **COMMISSIONER PALECKI:** Mr. Chairman, before we
17 break, could we take an informal poll just to see what
18 length of time we will be needing for the other witnesses
19 and kind of make a rough estimate of how late we will have
20 to go tonight.

21 **COMMISSIONER DEASON:** That's a good idea. The
22 floor is open. Mr. Self.

23 **MR. SELF:** Mr. Chairman, I have maybe five
24 minutes for Mr. Foley and none for the remaining
25 witnesses, especially since I am sponsoring three of them.

1 **MS. CAMECHIS: I will have no further questions.**

2 **MS. CASWELL: I have perhaps an hour total for**
3 **all of the witnesses.**

4 **COMMISSIONER DEASON: Mr. Beck.**

5 **MR. BECK: Just a few questions for Mr. Foley.**

6 **COMMISSIONER DEASON: Staff.**

7 **MR. FORDHAM: We have very few questions for**
8 **each of the witnesses. I would say a total of a half**
9 **hour.**

10 **COMMISSIONER DEASON: It looks like then we are**
11 **looking at mid-afternoon and not working late. Good. We**
12 **are going to hold you to that.**

13 **Okay. We'll recess for lunch and reconvene at**
14 **1:30.**

15 **(Lunch recess.)**

16 **COMMISSIONER DEASON: Call the hearing back to**
17 **order. Mr. Foley is the next scheduled witness, correct?**

18 **MR. FORDHAM: Yes, Commissioner.**

19

20

THOMAS C. FOLEY

21 **was called as a witness on behalf of the Staff of the Florida**
22 **Public Service Commission and, having been duly sworn, testified**
23 **as follows:**

24

DIRECT EXAMINATION

25 **BY MR. FORDHAM:**

1 Q Good afternoon, sir.

2 A Good afternoon.

3 Q And you were, I believe, sworn this morning with
4 the group?

5 A Yes, I was.

6 Q Would you please state your name and business
7 address for the record?

8 A My name is Thomas C. Foley, and my business
9 address is 820 River Bend Boulevard, Longwood, Florida,
10 and our home office is 1120 Vermont Avenue, Washington,
11 D.C.

12 Q And by whom are you employed, sir?

13 A I am employed by NeuStar, Incorporated, the
14 neutral third-party administrator of the North American
15 Numbering Plan.

16 Q And did you cause to be filed in this proceeding
17 direct testimony filed on February 21st, 2001, consisting
18 of seven pages?

19 A Yes, sir, I did.

20 Q And do you have any changes or corrections to
21 make in that testimony at this time?

22 A No, sir.

23 Q If I were to ask you the same questions
24 contained in your testimony today, would your answers be
25 substantially the same?

1 **A** **Yes, sir, given the same considerations and**
2 **assumptions made.**

3 **MR. FORDHAM: Commissioner, at this time I would**
4 **like to move Mr. Foley's testimony into the record as if**
5 **read.**

6 **COMMISSIONER DEASON: Without objection it shall**
7 **be so inserted.**

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**Pre-Filed Direct Testimony of
Thomas C. Foley
On Behalf of NeuStar, Inc.**

1 **QUALIFICATIONS**

2 Q. Please state your name and business address.

3 A. My name is Thomas C. Foley. My business address is NeuStar, Inc., 1120
4 Vermont Ave N.W., Suite 400, Washington, DC 20005

5

6 Q. With whom are you employed, and in what capacity?

7 A. I have been employed by NeuStar, Inc. (“NeuStar”) as a Numbering Plan Area
8 (“NPA”) Relief Planner for the Eastern Region of the North American Numbering
9 Plan since August 9, 1999. NeuStar is the North American Numbering Plan
10 Administrator (“NANPA”). As an NPA Relief Planner, I am a member of a
11 group within NANPA that initiates NPA relief planning in NPAs within the
12 Eastern Region of the United States in sufficient time to prevent the exhaust of
13 numbering resources. My responsibilities include monitoring central office
14 (“CO”) code utilization trends and collecting other information in order to project
15 NPA exhaust, notifying the industry and appropriate regulatory bodies of the need
16 for NPA relief planning, and conducting relief planning meetings with the
17 telecommunications industry. Once the industry has agreed to recommend a relief
18 plan, I prepare and forward the industry’s recommendations to the appropriate
19 regulatory agency, then provide notification of agency approved relief plans to the
20 industry in accordance with the NPA Code Relief Planning & Notification
21 Guidelines (INC 97-0404-016, November 13, 2000) (“NPA Relief Planning
22 Guidelines”).

1

2 Q. Please describe your educational background and professional experience in the
3 telecommunications industry.

4 A. I have a Bachelors of Science Degree in Electrical Engineering from the
5 University of Nebraska - Lincoln and a Masters of Business Administration from
6 Roosevelt University in Chicago. I also have a Masters Certificate in Project
7 Management from George Washington University. I have attended numerous
8 telecommunications industry schools and forums on engineering, management,
9 and project management.

10

11 I have been employed in the telecommunications industry for more than twenty-
12 seven years. Prior to joining NANPA, I was employed by Sprint Corporation and
13 its predecessor companies. During my employment with Sprint, I held positions
14 in Engineering, Strategic Market Planning, Technology Planning, and Operations.
15 In my most recent previous position with Sprint, I managed large complex
16 interdepartmental projects such as NPA relief activities. I managed NPA relief
17 projects for Sprint from 1988 to 1999, including the implementation of
18 interchangeable NPA and CO codes and local number portability.

19

20 I also teach mathematics, statistics, project management, and general management
21 courses at both the undergraduate and graduate level at the University of Phoenix.

22

1 Q. Have you ever appeared as a witness before the Florida Public Service
2 Commission (“Commission”) before?

3 A. Yes. I appeared as a witness on behalf of NeuStar in the 305/786, 561, 941, 954
4 and 904 NPA relief proceedings. Before I accepted my position at NeuStar, I
5 appeared as a witness on behalf of Sprint in several proceedings before the
6 Commission.

7

8 Q. What is the purpose of your testimony?

9 A. I offer this testimony to explain NANPA’s role in determining the exhaust of the
10 813 NPA in response to a letter from the Commission staff. The staff requested
11 that I file pre-filed direct testimony explaining the effects Verizon’s proposal to
12 create five LERG rate centers out of the existing single Tampa rate center will
13 have on the assignment of CO codes and on the projected exhaust date of the 813
14 NPA. The 813 NPA is located in the Tampa, Florida area.

15

16 Q. Please define LERG.

17 A. LERG is the acronym for Local Exchange Routing Guide. It is a database used
18 by the Telecommunications Industry for identifying the assigned Central Office
19 Codes and other pertinent routing information. It is produced by Telcordia
20 Technologies, Inc. and is available by subscription from them.

21

1 Q. What is the projected exhaust date of the 813 NPA?

2 A. The 2000 Central Office Code Utilization Survey and NPA Exhaust Analysis,
3 May 23, 2000 Update ("2000 COCUS") projections for CO codes indicated that
4 the 813 NPA is expected to exhaust during the fourth quarter of 2006.

5

6 Q. Did you prepare the analysis requested by the Commission staff?

7 A. Yes, I did. Before I provide the results, I wish to identify and explain the
8 assumptions I used.

9

10 The first assumption is that the carriers identified in the LERG as having
11 operations within the 813 NPA are accurate and each carrier uses only one
12 Operating Company Number ("OCN"). Second, I did not assume any new
13 carriers entering the market in the Tampa area beyond those listed in the LERG. I
14 based my calculations upon information obtained from the January 2001 issue of
15 the LERG. Third, I assumed that, based solely upon the creation of four new rate
16 centers, the wireless carriers with CO codes in the Tampa rate center would not
17 require any additional codes. Finally, I assumed Verizon has sufficient CO codes
18 in the proposed rate centers.

19

20 Neither NANPA, nor I, has any specific knowledge as to the business strategy,
21 expansion plans or customer distribution of any of the carriers in the Tampa area.

22

1 Q. Given those assumptions, what were the results of your analysis?

2 A. There are 32 wireline carriers that have CO codes in the Tampa rate center.

3 Excluding Verizon, the predominant local exchange carrier (“LEC”), the wireline
4 carriers hold 65 CO codes in the Tampa rate center. The forecasted growth of the
5 813 NPA is approximately four CO codes per month. For my calculations, I first
6 analyzed a worst case scenario in which each wireline carrier would need a CO
7 code in each of the new rate centers for each code it has in service now.

8

9 If each of the 65 CO codes needs to be replicated in the four additional proposed
10 rate centers, an additional 260 CO codes would be required.

11

12 Q. Did you analyze any other scenarios?

13 A. Yes, I considered the possibility that the existing CO codes would be redistributed
14 and new CO codes would be assigned so that each carrier would hold a minimum
15 of one code in each of the new rate centers.

16

17 Q. What would be the effect of such a redistribution?

18 A. Fifteen carriers have one CO code, seven have two, three have three, four have
19 four codes, one has five, and one has six. For each carrier to hold a minimum of
20 one code in each of the new rate centers, these carriers will need four codes, three
21 codes, two codes, and one code, respectively. The carriers with five and six CO
22 codes will not need additional resources.

1

2 Using the above assumptions, a total of 91 CO codes will be needed to
3 accomplish this proposed change.

4

5 Q. What are the consequences of redistributing CO codes to the new rate centers?

6 A. A portion of the customers of the affected carriers that receive new CO codes
7 would be required to change their telephone numbers. I have no way of
8 estimating the number of affected customers.

9

10 Q. What effect would assignment of 260 CO codes have on the projected exhaust of
11 fourth quarter 2006 for the 813 NPA?

12 A. The assignment of 260 CO Codes in the 813 NPA would place the 813 NPA in
13 jeopardy of exhaust before NPA relief could be accomplished. The exhaust date
14 would accelerate to the third quarter 2001.

15

16 Q. Why would this put the 813 NPA into jeopardy?

17 A. With the earlier third quarter 2001 exhaust date, insufficient CO code resources
18 would be available, without rationing, to allow for relief to be implemented prior
19 to exhaust.

20

1 Q. What would be the effect on the exhaust of the 813 NPA if only 91 codes were
2 required?

3 A. In that instance, the exhaust date would be accelerated to the fourth quarter 2004;
4 about two years earlier.

5

6 Q. Is there a possibility that fewer than 91 NXX codes would be required?

7 A. Yes, that is a possibility. As I noted earlier, I have no specific knowledge of
8 where any carrier's customers are physically located or its business plans. There
9 is the possibility that a carrier could have all its customers in a single proposed
10 rate center and not need any additional numbering resources until it expanded
11 beyond that boundary. I made the assumption, as I noted, that each carrier would
12 need a presence in each of the new rate centers.

13

14 Q. Does this conclude your testimony?

15 A. Yes, it does.

1 **BY MR. FORDHAM:**

2 **Q And, Mr. Foley, do you have a brief summary of**
3 **your testimony?**

4 **A Yes, I have a brief summary and opening**
5 **statement. As the neutral third-party administrator of**
6 **the North American Numbering Plan and to these**
7 **proceedings, NeuStar and I have no opinion as to the**
8 **outcome of the proceedings. NeuStar was asked by the**
9 **Commission staff to provide input on any potential affects**
10 **to the exhaust of the 813 NPA, or area code as a result of**
11 **this proceeding. Several assumptions were made and have**
12 **been outlined in the testimony about certain information**
13 **for which NANPA has no specific knowledge or information.**
14 **That's it.**

15 **MR. FORDHAM: Commissioner, the witness is**
16 **available for cross.**

17 **COMMISSIONER DEASON: Ms. Caswell.**

18 **CROSS EXAMINATION**

19 **BY MS. CASWELL:**

20 **Q Good afternoon, Mr. Foley. You understand**
21 **Verizon's proposal to harmonize the LERG with its tariffed**
22 **rate centers, correct?**

23 **A Yes, I think I do.**

24 **Q And as I understand your testimony, staff asked**
25 **you to analyze the effects of that proposal on the**

1 assignment of central office codes and the projected
2 exhaust date for the 813 NPA, is that right?

3 A Yes.

4 Q What is the existing exhaust date for the 813
5 code?

6 A It's in 2006.

7 Q And would it be correct to say that the faster
8 CO codes are used the more accelerated the exhaust date
9 will be?

10 A Yes, that is correct.

11 Q And your analysis assumes that each CLEC in the
12 Tampa area will have to obtain four new CO codes, is that
13 right?

14 A That was one of the assumptions I made, yes, as
15 for one of the scenarios.

16 Q And because the carriers might need so many new
17 codes under that assumption, anyway, the time to exhaust
18 for the 813 code would advance from fourth quarter 2006 to
19 third quarter 2001, is that right?

20 A Yes.

21 Q How many numbers are in an entire central office
22 code?

23 A There are 10,000 numbers.

24 Q And you were not asked to do any analysis
25 assuming any number conservation measures, were you?

1 **A That is correct.**

2 **Q Are you familiar with the number conservation**
3 **measure known as thousands block pooling?**

4 **A Yes, I am.**

5 **Q And under thousands block pooling, would you**
6 **agree that instead of requesting an entire CO code, a**
7 **carrier requests only a block of 1,000 numbers?**

8 **A That is partially true, yes, after they get**
9 **their initial assignment.**

10 **Q Okay. So I'm sure I understand you, instead of**
11 **requesting 10,000 numbers, which would be an entire CO**
12 **code, they would request a thousands block, is that --**

13 **A Yes. Initially they have to request a full**
14 **code, and then they donate the unused portions back to a**
15 **pooling administrator. But after that they make their**
16 **requests in the form of one thousand blocks.**

17 **Q Okay. Thank you. And given the fact that**
18 **carriers would be requesting so many less numbers under**
19 **number pooling, if number pooling were implemented for**
20 **Verizon's tariffed Tampa rate centers, would it be logical**
21 **to conclude that the 813 code would not exhaust nearly as**
22 **quickly as it would without any number pooling?**

23 **A NANPA being neutral on several issues, I cannot**
24 **make a specific statement as to the effects of it. I can**
25 **make a statement that there will be effects.**

1 **BY MR. BECK:**

2 **Q Mr. Foley, I wasn't clear on one of your answers**
3 **about the -- when a carrier goes into a rate center they**
4 **have to request 10,000 numbers initially?**

5 **A No. When they go into business in a LATA they**
6 **have to request a full code, and that is to get their LRN**
7 **for routing purposes. And then the unused blocks of a**
8 **thousand, if they are in number pooling, are donated at**
9 **that time to the pooling carrier or the pooling**
10 **administrator.**

11 **Q So they get the 10,000 but give 9,000 back if**
12 **they don't need them right away?**

13 **A That is correct.**

14 **Q Could you go over chronologically what the LERG**
15 **has contained for the geographic area that contains the**
16 **five Tampa rate centers?**

17 **A Not being a specific LERG expert, when I was**
18 **asked to participate in this proceeding, I went back to**
19 **January of 1999, which is the first LERG that I had my**
20 **access to, and all the rate centers in there in the Tampa**
21 **area were listed as Tampa and just Tampa.**

22 **Recently in the latter part of last year they**
23 **started listing a location under the Tampa rate center of**
24 **north, south, east, and west, I believe.**

25 **Q What does the LERG currently contain?**

1 **A** **The LERG currently contains the rate center of**
2 **Tampa, and there is a lot of change information in there**
3 **for pending changes changing several codes in the Tampa**
4 **rate center to Tampa north, central, and south, and those**
5 **are designated separately. And then it also contains the**
6 **location of the specific rate centers addressed by Ms.**
7 **Menard, the north, central, east, et cetera.**

8 **Q** **Is there like a generic Tampa one in addition to**
9 **the five?**

10 **A** **I really don't know, I can't remember.**

11 **MR. BECK: Thank you. That's all I have.**

12 **COMMISSIONER DEASON: Ms. Camechis.**

13 **MS. CAMECHIS: No questions.**

14 **COMMISSIONER DEASON: Mr. Self.**

15 **MR. SELF: Yes, I have a few questions.**

16 **CROSS EXAMINATION**

17 **BY MR. SELF:**

18 **Q** **Good afternoon, Mr. Foley.**

19 **A** **Good afternoon.**

20 **Q** **Just a couple of questions. The projections**
21 **that are in your testimony were based upon the present**
22 **consumption levels, correct?**

23 **A** **Correct.**

24 **Q** **So if additional CLECs entered the market, they**
25 **would require codes and you really have not accounted for**

1 that, correct?

2 A That is correct.

3 Q What is the current best estimate of when the
4 North American Numbering Plan will exhaust?

5 A The latest estimate that I remember is in the
6 2007 time frame. But that is currently under review
7 again.

8 Q Is there any projection or estimated date as to
9 when the entire United States will have to move to ten
10 digit local dialing as a means of extending the life of
11 the North American Numbering Plan?

12 A No, not that I am aware of.

13 Q Would you agree that each time an NPA
14 prematurely exhausts that the life expectancy of the North
15 American Numbering Plan is adversely affected?

16 A It is affected.

17 Q But you don't know whether --

18 A I can't say whether it is adversely or not.
19 Because the premature exhaust of some or the exhaust of
20 some, that is built into the projections for the life of
21 the North American Numbering Plan, and I can't say
22 specifically if that one exhausting prematurely is going
23 to have effect on it or if it is the one next to it. I
24 really couldn't say. It does have an effect, yes.

25 Q Okay. Do you believe that if the Commission in

1 this proceeding makes a decision that contributes to the
2 premature exhaust of the 813 NPA that that decision could
3 affect the life of the North American Numbering Plan?

4 A Inasmuch as one NPA could affect the life of the
5 North American Numbering Plan, yes, it would have an
6 effect.

7 Q Is it NeuStar's position, as the North American
8 Numbering Plan administrator, that state commissions
9 should be making decisions that accelerate the exhaust of
10 an NPA?

11 A I don't believe we have any position on that.

12 Q Would you encourage a Commission to make
13 decisions that would accelerate the exhaust of an NPA?

14 A NeuStar would support activities and occurrences
15 that tend to promote conservation and the effective use of
16 our numbering resources.

17 MR. SELF: That's all I have, thank you.

18 COMMISSIONER DEASON: Commissioners. Redirect.

19 MR. FORDHAM: No redirect.

20 COMMISSIONER BAEZ: Mr. Foley, do you know how
21 many times -- just off the top of your head, how many
22 times the exhaust projections are on point and don't turn
23 out to be sooner than expected? I mean, have you any
24 feeling on how often the projections are right?

25 THE WITNESS: I really have not seen any

1 particular statistics on that. They are continually being
2 reviewed on an on-going basis as we move forward. So in
3 some cases they are continually changing. Historically a
4 lot of NPAs have exhausted prior to their original exhaust
5 period for lots of different reasons.

6 COMMISSIONER BAEZ: And so is it fair to say
7 that since the projections are constantly being reviewed,
8 are they constantly being reviewed downward or upward in
9 your experience?

10 THE WITNESS: I have seen them go both
11 directions.

12 COMMISSIONER BAEZ: In your experience, you
13 know, is there –

14 THE WITNESS: Usually it comes in, but I have
15 seen them go both directions.

16 COMMISSIONER BAEZ: Okay.

17 COMMISSIONER DEASON: Redirect.

18 MR. FORDHAM: No questions, Commissioner.

19 COMMISSIONER DEASON: Thank you, Mr. Foley. You
20 are excused.

21 THE WITNESS: Thank you.

22 COMMISSIONER DEASON: Mr. Self.

23 MR. SELF: With that, Mr. Chairman, AT&T would
24 call Anne Henderson to the stand, please.

25 FELICIA ANNE HENDERSON

1

2 was called as a witness on behalf of AT&T Communications
3 for the Southern States, Inc., and, having been duly sworn,
4 testified as follows:

5

DIRECT EXAMINATION

6

BY MR. SELF:

7

**Q Can you please state your name and business
8 address for the record?**

9

**A Yes. I am Felicia Anne Henderson. And my
10 business address is 1200 Peachtree Street Northeast,
11 Atlanta, Georgia.**

12

**Q And by whom are you employed and in what
13 capacity?**

14

**A I am employed with AT&T, and I am in the
15 numbering resource management group.**

16

**Q Did you cause to be prepared and filed direct
17 testimony dated February 21st, 2001 consisting of eight
18 pages?**

19

A Yes.

20

**Q And do you have any changes or corrections to
21 that direct testimony?**

22

A No, sir.

23

**Q And did you also cause to be prepared and filed
24 rebuttal testimony dated March 5th, 2001, consisting of
25 nine pages?**

1 **A Yes.**

2 **Q And do you have any changes or corrections to**
3 **that testimony?**

4 **A Yes, I do.**

5 **Q All right. Could you tell us where we should**
6 **look?**

7 **A Page 7, Line 10, must an ALEC have an NXX for**
8 **each Verizon rate center as noted by Ms. Menard on Page 7,**
9 **Line 16, and following. Originally I had answered no,**
10 **ALECs have operated with the existing single rate center**
11 **continually to the present time. There is no need for**
12 **ALECs to acquire the multitude of NXXs that Verizon is now**
13 **suggesting are a requirement.**

14 **And I would like to change that to, yes. If**
15 **Verizon's proposal is adopted creating five Tampa rate**
16 **centers, then we would need to acquire additional NXX**
17 **codes for the rate centers for which we are not physically**
18 **located. However, as status quo pre-2101 the answer would**
19 **be no. And then ALECs have operated with the existing**
20 **single rate center, there would not be a need for the**
21 **ALECs to acquire the multitude of NXXs that Verizon is now**
22 **suggesting are a requirement.**

23 **Q Do you have any other changes?**

24 **A No, sir.**

25 **Q In connection with your direct and rebuttal**

1 testimony and the change that you have just made, if I
2 asked you the same questions today would your answers be
3 the same?

4 A Yes, sir.

5 MR. SELF: Mr. Chairman, I would ask that Ms.
6 Henderson's direct and rebuttal testimony as revised be
7 inserted in the record as though read.

8 COMMISSIONER DEASON: Without objection it shall
9 be so inserted.

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1 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND TITLE.**

2 A. My name is Felicia Anne Henderson, and my business address is 1200
3 Peachtree Street, N.E., 6W09, Atlanta, Georgia 30309. I am employed as a
4 Numbering Resource and Project Manager in the Network Architecture and
5 Development organization.

6 **Q. BRIEFLY OUTLINE YOUR EDUCATIONAL BACKGROUND AND**
7 **BUSINESS EXPERIENCE IN THE TELECOMMUNICATIONS**
8 **INDUSTRY.**

9 A. I attended Clayton State College and University in Morrow, Georgia. I began
10 my career with AT&T Long Lines in 1983. At divestiture, January 1, 1984, I
11 continued on with AT&T working in the Support Services organization. In
12 1989, I was promoted to management and began working with Network
13 Services supporting the Southeast On-Site-Work Group as the Administrative
14 Supervisor. In 1996, I transferred over to Customer Connectivity beginning
15 my career in the Numbering arena supporting local entry, number portability,
16 and number conservation matters.

17 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE ANY STATE**
18 **PUBLIC SERVICE COMMISSIONS?**

19 A. No.

20 **Q. ON WHOSE BEHALF ARE YOU APPEARING IN THESE**
21 **PROCEEDINGS?**

22 A. I am appearing on behalf of AT&T Communications of the Southern States,

1 Inc. and AT&T Wireless Services, a commercial mobile radio services
2 (“CMRS”) provider, which have intervened in this docket (which I will
3 collectively refer to as “AT&T”).

4 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

5 A. The purpose of my testimony is to provide AT&T’s position concerning the
6 changes in Rate Center administration initiated by Verizon Florida, Inc.
7 (formerly GTE Florida, Inc.) in Tampa, Florida.

8 **Q. WHAT IS A RATE CENTER?**

9 A. A Rate Center is an area that uses a common surrogate point for call
10 origination or termination when determining point-to-point local or toll
11 calling charges. A Rate Center is known by its Rate Center Name (e.g.,
12 Tampa) and the point used to define its location is a Vertical and Horizontal
13 Coordinate (“V&H Coordinate”) expressed in a paired number value (e.g.,
14 08173-01147). Rate Centers are used within the assignment, routing and
15 rating/billing databases in the telephone industry. With few exceptions,
16 every telephone number in the North American Numbering Plan (“NANP”) is
17 associated with one and only one Rate Center.

18 **Q. WHY IS RATE CENTER STRUCTURE IMPORTANT TO THE**
19 **STATE OF FLORIDA?**

20 A. There are several reasons why the Florida Commission should be concerned
21 about how Rate Centers are applied to telephone numbers.

- 22 • Numbering resources are acquired at the Rate Center level.

- 1 • Customer number porting is generally limited to within Rate Center
2 boundaries.
- 3 • Customer calling charges are often based on the distance between
4 Rate Center points, and the names of those Rate Centers commonly
5 appear on customer billing detail to identify the distant point involved
6 in a charged call.
- 7 • The Federal Communications Commission (“FCC”) has established
8 many rules that use the Rate Center as a reference point.
- 9 • Industry groups, such as the Industry Numbering Committee (“INC”),
10 develop guidelines for telephone company behavior that rely on the
11 common application of Rate Centers within carrier networks.
- 12 • Porting of telephone numbers must occur only within a Rate Center.
- 13 • Interconnection agreements between incumbent Local Exchange
14 Carriers and Alternative Local Exchange Carriers often require that
15 the ALEC’s local calling scope mimic the incumbent’s local calling
16 area as defined by the incumbent’s Rate Centers.
- 17 • Pooling of numbers within an MSA is done on a Rate Center level,
18 (one pool per Rate Center). While it could be argued that the Rate
19 Center structure is a monopoly paradigm that should pass into history
20 to allow full competition, it is the current standard for many
21 customer-billing arrangements, and for inter-carrier compensation,
22 and call-handling processes. For these reasons, the Florida

1 Commission should be very concerned about how Rate Centers are
2 established or their designations changed.

3 **Q. HOW ARE RATE CENTERS TYPICALLY ESTABLISHED AND**
4 **REGULATED?**

5 A. Rate Centers originate from Incumbent Local Exchange Carriers (“ILECs”)
6 service areas that offer common dialing plans and tariffed rates, as approved
7 by public utility commissions. A single Central Office (“CO”) switch may
8 serve a Rate Center, but in densely populated areas ILECs may have two or
9 more CO switches in a Rate Center.

10 **Q. HOW DOES THE ILEC’S RATE CENTER STRUCTURE AFFECT**
11 **NEW ENTRANTS’ BUSINESS PLANNING?**

12 A. New entrants are familiar with the Rate Center structure and plan their
13 networks and number administration around this structure. As I have already
14 discussed, there are quite a few consequences for all carriers that arise out of
15 the Rate Center structure.

16 **Q. UNDER WHAT RATE CENTER STRUCTURE DID AT&T**
17 **INITIALLY ACQUIRE NUMBERING RESOURCES IN TAMPA?**

18 A. AT&T understood that the metropolitan Tampa area was a single Rate Center
19 called “Tampa.” That was the way the Verizon CO codes showed up in the
20 Local Exchange Routing Guide (“LERG”). When Verizon, then GTE, was in
21 charge of assigning the codes, they were assigned to this Tampa Rate Center.

22 **Q. DO YOU KNOW OF ANY EFFORTS THAT WERE MADE TO**

1 **NOTIFY AT&T THAT THE TAMPA RATE CENTER STRUCTURE**
2 **RELIED UPON BY AT&T WOULD ATTEMPT TO BE MODIFIED**
3 **BY VERIZON?**

4 A. The first notice I am aware of came from WorldCom in late September 2000.
5 On August 15, 2000, Verizon sent a "Tampa Florida Industry Player"
6 memorandum advising of the proposed changes, but I am unaware of to
7 whom Verizon sent this document or how widely it was distributed. .

8 **Q. UNDER WHAT RATE CENTER STRUCTURE DOES VERIZON**
9 **CURRENTLY OPERATE IN TAMPA?**

10 A. Today Verizon has a dual Rate Center structure in place that utilizes six Rate
11 Centers. First, Verizon migrated its numbers to the multiple Rate Center
12 structure, as far as the LERG is concerned, effective February 1, 2001. This
13 means that there are now five geographic Rate Centers in place for the Tampa
14 area as Verizon proposed in its August 15, 2000, memorandum. Second, in
15 addition to the five geographic Tampa Rate Centers, Verizon has also
16 continued the generic or universal Tampa Rate Center that AT&T and other
17 carriers have used for years.

18 **Q. WHAT ACTIONS HAVE BEEN TAKEN BY AT&T TO REACT TO**
19 **THE CHANGES FIRST PROPOSED BY VERIZON LAST AUGUST?**

20 A. At WorldCom's request, several carriers held a conference call on
21 September 29, 2000, to meet to discuss the meaning and implications of
22 Verizon's proposed changes to create five Tampa Rate Centers. Since then,

1 there have been many follow up phone conferences and meetings within
2 AT&T and among the ALECs to discuss the customer and carrier impacts of
3 Verizon's proposed changes. In addition to AT&T's participation in these
4 industry and other calls and meetings, AT&T has attempted to research its
5 customer base to determine the impacts Verizon's proposed changes would
6 have on our customers and the way AT&T would have to use, deploy, and
7 obtain additional numbering resources.

8 **Q. WHAT ARE THE IMPLICATIONS TO CUSTOMERS IF VERIZON'S**
9 **ORIGINAL PROPOSAL FOR ONLY FIVE RATE CENTERS IS**
10 **IMPLEMENTED?**

11 A. We have serious concerns for the additional NXX codes that would have to
12 be acquired by AT&T as well as other carriers. We know that AT&T would
13 have to acquire for its operating companies in Tampa at least four additional
14 NXX codes in order to meet the needs of our customers. This process may
15 also require that some customers would have to change their telephone
16 numbers because their existing numbers would be part of an NXX code
17 assigned to a different geographic Rate Center. .

18 **Q. WHAT ARE THE IMPLICATIONS TO CUSTOMERS IF THE DUAL**
19 **RATE CENTER STRUCTURE OF TODAY IS RETAINED AND**
20 **THERE ARE FIVE GEOGRAPHIC RATE CENTERS AND ONE**
21 **UNIVERSAL TAMPA RATE CENTER?**

22 A. The immediate problem is that customers would not be able to freely port

1 between companies. This problem would arise whenever a customer wished
2 to port its number from one geographic Rate Center to the generic Tampa
3 Rate Center or visa versa. Porting under these circumstances would violate
4 routing requirements since numbers can only be ported within the same Rate
5 Center. While today, with limited local competition, porting between carriers
6 is fairly limited, over time this will become a bigger and bigger problem as
7 more customers switch carriers and wish to retain their telephone numbers.

8 A second problem would be the impact of this dual system with six
9 Rate Centers on any pooling that may later be implemented in the Tampa
10 MSA. Pooling is done on a Rate Center basis. Under today's situation, this
11 would mean not one pool or even five pools but rather six pools – one for
12 each of the five geographic Rate Centers and one for the universal Tampa
13 Rate Center. This many pools may have very limited consequences for
14 number conservation. Only the ALECs in the generic Tampa Rate Center
15 pool could participate in that pool, whereas Verizon would possibly be the
16 only carrier participating in the five geographic Rate Center pools. In this
17 latter situation, Verizon would be pooling only for itself.

18 **Q. WHAT ARE THE IMPLICATIONS FOR NUMBERING RESOURCES**
19 **IF THE ORIGINAL VERIZON PROPOSAL IS IMPLEMENTED?**

20 A. Unquestionably, the additional NXX codes required by AT&T and other
21 carriers would lead to the premature exhaust of the 813 NPA, with pooling in
22 Tampa likely having a very minimal impact on delaying that exhaust. In

1 addition, there will likely be customer confusion and anger by those who
2 must change their telephone numbers to the new NXX codes.

3 **Q. WHAT IS AT&T'S RECOMMENDATION TO THE COMMISSION**
4 **REGARDING THE RATE CENTER STRUCTURE FOR NEW**
5 **ENTRANTS AND VERIZON IN TAMPA?**

6 A. There should only be one Rate Center, Tampa; the one that we have used all
7 along.

8 **Q. PLEASE SUMMARIZE YOUR TESTIMONY.**

9 A. If the Verizon proposal for the five geographical Rate Centers is
10 implemented, NXX codes will be depleted at a faster rate. Some of our
11 customers will have to take a number change. Many of the efforts that this
12 Commission has so carefully brought about to effectuate various number
13 conservation measures would not be implemented in the Tampa area.

14 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

15 A. Yes, it does.

1 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND TITLE.**

2 A. My name is Felicia Anne Henderson, and my business address is 1200
3 Peachtree Street, N.E., 6W09, Atlanta, Georgia 30309. I am employed as a
4 Numbering Resource and Project Manager in the Network Architecture and
5 Development organization.

6 **Q. ARE YOU THE SAME FELICIA ANNE HENDERSON WHO FILED**
7 **DIRECT TESTIMONY IN THE DOCKET?**

8 A. Yes, I am.

9 **Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?**

10 A. The purpose of my testimony is to respond to the Direct Testimony of
11 Beverly Y. Menard representing Verizon Florida Inc. (“Verizon”).

12 **Q. WHAT ASSUMPTION DO YOU BELIEVE PERMEATES MS.**
13 **MENARD’S TESTIMONY?**

14 A. I understand that Ms. Menard believes that it is the right of Verizon to
15 determine the Rate Center structure under which all other carriers must
16 operate. She refers to existing Verizon tariffs, manual work-arounds existing
17 between her company and another incumbent carrier, and even refers to the
18 questionable five Rate Center structure as, “THE CORRECT TAMPA
19 RATE CENTERS” on page 13, lines 19 and 20, of her testimony.

20 **Q. DO YOU KNOW OF ANY STATE STATUTE OR REGULATION**
21 **THAT EITHER EMPOWERS THE INCUMBENT CARRIER WITH**
22 **SELF-DETERMINATION ON SETTING RATE CENTERS, OR**

1 **FORBIDS NEW ENTRANTS FROM OPERATING WITH A**
2 **DIFFERENT RATE CENTER STRUCTURE?**

3 A. I know of neither. While there are very good reasons for operating within
4 the same Rate Center structure, it was not my impression that a competitive
5 marketplace in Florida would require ALECs to conform to the Rate Center
6 structure that the incumbent alone could design.

7

8 Conversely, I believe that the structure of Rate Centers, much like the
9 stewardship of Numbering Resources, is held for public benefit. The Rate
10 Center structure should be designed for the optimum good of end user
11 customers.

12 **Q. DO YOU AGREE WITH MS. MENARD'S VIEW ON HOW LONG**
13 **THE FIVE RATE CENTERS THAT VERIZON TODAY**
14 **RECOGNIZES HAVE EXISTED?**

15 A. No. Regarding the possibility that the prospective five Rate Center structure
16 has been in place for more than the last few weeks, Ms. Menard says at page
17 3, line 4 and following, "we believe that they have existed for at least 30
18 years." She bases this contention on the existence of extended area service
19 ("EAS") routes, "between Tampa South and Palmetto in 1969 and Tampa
20 North and Zephyrhills in 1970."

21

1 My understanding is mirrored in the testimony of Thomas C. Foley of
2 NeuStar, Inc. Mr. Foley says, at page 3, lines 8-14, of his direct:

3 I offer this testimony to explain NANPA's role in
4 determining the exhaust of the 813 NPA in response to a
5 letter from the Commission staff. The staff requested that I
6 file pre-filed direct testimony explaining the effects
7 **Verizon's proposal to create five LERG rate centers out**
8 **of the existing single Tampa rate center** will have on the
9 assignment of CO codes and on the projected exhaust date
10 of the 813 NPA. The 813 NPA is located in the Tampa,
11 Florida area.

12 There are two notable points. Mr. Foley uses the term "create" to describe
13 the effort put forth by Verizon. This is very different from the view that Ms.
14 Menard has of these Rate Centers having existed for years. Secondly, Mr.
15 Foley identifies himself with the North American Number Plan
16 Administrator ("NANPA") division of NeuStar, the division constituting the
17 only body contracted to perform Number Administration in the United
18 States.

19
20 Since the NANPA recognizes that Verizon is proposing to create Rate
21 Centers, and since NANPA apparently recognizes that only the "Tampa"

1 Rate Center exists (prior to the February 1, 2001 change), I cannot agree
2 with Ms. Menard's contention about Rate Center history.

3 **Q. DO YOU AGREE WITH THE DESCRIPTION MS. MENARD GIVES**
4 **OF WHAT THE "LERG" IS?**

5 A. In part. The Local Exchange Routing Guide ("LERG") is, as stated, a
6 document containing switch information. Beyond this, though, it also
7 contains a list of Rate Centers. In LERG 8, a subunit of the LERG, all
8 documented Rate Centers in the North American Numbering Plan ("NANP")
9 are listed. Under the Florida Rate Center "Tampa," there is no modifier or
10 identity with Verizon as owner or originator.

11
12 Additionally, and more importantly, telephone companies throughout the
13 country consider the LERG to be the definitive document regarding Rate
14 Center structure. GTE, the predecessor to Verizon, was among the carriers
15 that said in the context of Local Number Portability, for instance, that they
16 rely on the LERG to communicate information regarding network
17 capabilities and components. AT&T uses the LERG, much as Mr. Foley
18 appears to, as the reference point for fundamental network intelligence.

19 **Q. DO YOU BELIEVE THAT THE MANUAL WORK-AROUND**
20 **DESCRIBED BY MS. MENARD AT PAGE 4, LINES 8 AND**
21 **FOLLOWING SHOULD BE A MODEL OR FORERUNNER OF**
22 **HOW ALECs SHOULD OPERATE?**

1 A. No, I don't. It appears that Verizon was willing to use an intricate
2 manipulation of sub-LERG data to assign network parameters for an NXX.
3 With the LERG information having existed for years describing the solitary
4 Tampa Rate Center, this activity seems to suboptimize resources. Certainly,
5 this is not an approach that any ALEC would desire to replicate.

6

7 It is a reasonable outcome of this proceeding that the single Rate Center
8 structure would be maintained, and that if Verizon desired continuing some
9 sub-Rate Center structure that it has maintained in the work-around example
10 that it be allowed to do so, without compelling others to adopt this structure.

11 **Q. DO YOU AGREE THAT "HISTORICALLY, THE ALECS' NXXS**
12 **HAVE BEEN ESTABLISHED AS A TAMPA CENTRAL RATE**
13 **CENTER" AS STATED ON PAGE 4, LINE 21 AND FOLLOWING**
14 **OF MS. MENARD'S TESTIMONY?**

15 A. No. AT&T has never knowingly established anything other than the Tampa
16 Rate Center when acquiring an NXX in that area. If AT&T had desired to, it
17 would have been against all known procedures to establish a Rate Center that
18 was not represented in the LERG. I suspect other carriers' assignments were
19 similarly made to the Tampa Rate Center, based on several discussions with
20 other carriers on this subject.

1 **Q. WHAT DO YOU FIND CURIOUS ABOUT THE LIST OF CARRIERS**
2 **INVOLVED IN A “WORKING GROUP” AS DESCRIBED BY MS.**
3 **MENARD ON PAGE 6, LINE 3 AND FOLLOWING?**

4 A. The list of representatives working on the proposal by Verizon to change the
5 Rate Center structure in the LERG included four incumbent carriers, two
6 administrative/vendor units, one wireless unit, and only one ALEC. Any
7 conclusions reached by this body must be suspect at their very inception.

8 **Q. DO YOU AGREE WITH THE CHARACTERIZATION THAT**
9 **STAFF MEMBER LEVENT ILERI WAS MADE AWARE OF “THE**
10 **INDUSTRY EFFORT TO HARMONIZE THE LERG WITH GTE’S**
11 **TARIFFS” ON PAGE 6, LINE 8 AND FOLLOWING OF MS.**
12 **MENARD’S TESTIMONY?**

13 A. No, this characterization is misleading. As noted in the prior answer, this
14 group is dubiously labeled an “industry effort” due to the representation.
15 Furthermore, this group seems to have been gathered to make the LERG
16 Rate Center structure conform to the GTE (Verizon) tariffs. Use of the term
17 “harmonize” implies a constructive developing for the greater good. This
18 harmonizing was a solo performance for the good of GTE (Verizon).

19 **Q. DO YOU BELIEVE THE STAFF UNDERSTOOD THE**
20 **IMPLICATIONS OF THE RATE CENTER CHANGE PROPOSED**
21 **BY VERIZON?**

1 A. No. Despite having been told about the “industry effort” and Verizon’s
 2 desire to resolve an acknowledged inconsistency between the LERG and the
 3 local exchange tariffs, I don’t believe the implications were understood fully.
 4 Rate Centers and the call rating processes involved in toll billing are not in
 5 the mainstream of regulatory scrutiny. As noted in Ms. Menard’s testimony,
 6 Staff has been engaged in discussions since the industry was first notified of
 7 the proposal, but these discussions only make clear that not everyone knew
 8 what was going on and that the impact on ALECs and their customers has
 9 yet to be fully detailed before this Commission.

10 **Q. MUST ALECs “HAVE AN NXX FOR EACH VERIZON RATE**
 11 **CENTER” AS NOTED BY MS. MENARD ON PAGE 7, LINE 16 AND**
 12 **FOLLOWING?**

13 A. ~~No. ALECs have operated with the existing single Rate Center continually~~
 14 ~~to the present time. There is no need for ALECs to acquire the multitude of~~
 15 ~~NXXs that Verizon is now suggesting are a requirement.~~ *See Volume 1, page 168 for amended answer.*

16 **Q. DO YOU BELIEVE THE DATA PROVIDED BY MS. MENARD ON**
 17 **PAGE 10, LINE 5 AND FOLLOWING IS CONCLUSIVE**
 18 **REGARDING THE LOCATION OF CUSTOMERS THAT ARE**
 19 **SERVED BY ALECs?**

20 A. It is difficult to reach that conclusion. Putting aside the proprietary issues
 21 raised by Verizon’s review of carrier-specific 911 records, it seems unlikely
 22 that Ms. Menard would also have information about the number of

1 customers impacted at each location. A business located in what Verizon
2 considers the Tampa North sub-Rate Center area may have 1,000 employees.
3 Changes to this one customer could have dramatic impacts on a vast
4 enterprise. Consequently, counting customers is best left to the carrier that
5 actually has the account responsibility to that customer.

6 **Q. ON PAGE 16, LINE 9 AND FOLLOWING, MS. MENARD**
7 **DISCUSSES THE AUTHORITY THAT THE COMMISSION HAS**
8 **REGARDING RATE CENTER CONSOLIDATION AND VERIZON.**
9 **DO YOU THINK THERE ARE COMPARABLE ISSUES**
10 **REGARDING REGULATION OF NEW ENTRANTS?**

11 A. Yes, I do. Primarily, it is not clear that the Commission has authority to
12 require ALECs to comply with any particular Rate Center structure. It is
13 possible that this question has not previously been at issue before the
14 Commission. It is also possible that Florida law and regulation may not
15 reach this deeply into the operations of ALECs. Furthermore, any state may
16 find it is without jurisdiction regarding the exact make-up of LERG database
17 entries.

18
19 I am not an attorney, and therefore I am unable to determine the specifics of
20 this Commission's relevant authority in these matters. However, I would
21 suggest caution in requiring ALECs to be in compliance with the Verizon
22 plan.

1 **Q. WHAT ACTION DO YOU SUGGEST THE COMMISSION TAKE**
2 **ON THIS MATTER?**

3 A. I recommend that the Commission allow the LERG to remain unchanged
4 from the single Tampa Rate Center designation that has existed since
5 competition came to Tampa. I recommend that ALECs be allowed to
6 maintain their single Tampa Rate Center structure for toll billing and
7 interconnection agreements, and that Local Number Portability would not be
8 impaired regarding customer movement between points within the Tampa
9 Rate Center. I recommend that any reconciling Verizon must do between the
10 existing Tampa Rate Center and any internal sub-Rate Center designations it
11 chooses be transparent to other carriers that choose not to adopt such internal
12 designations. To implement these recommendations, the Commission
13 should direct Verizon to recall any changes to any industry databases, such
14 as the LERG, that have been implemented to reflect the discontinuance of the
15 single Tampa Rate Center.

16 **Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

17 Yes, it does.

1 **BY MR. SELF:**

2 **Q And you have no exhibits, is that correct?**

3 **A That is correct.**

4 **Q Do you have a brief summary of your testimony?**

5 **A Yes, I do.**

6 **Q Can you please give that now?**

7 **A Yes. Again, I am Anne Henderson with AT&T, and**
8 **I'm here today to recommend to the Florida State**
9 **Commission to keep the one existing Tampa rate center. By**
10 **allowing the Tampa rate center to stay as one, we will be**
11 **avoiding the premature exhaust of the 813 NPA by not**
12 **needing to obtain additional NXX codes and customers would**
13 **not have to take a number change.**

14 **The service providers have always looked to the**
15 **LERG to determine the rate center in which to establish**
16 **their number. Tampa has always been Tampa. There are**
17 **approximately 3,900 carriers that utilize and update the**
18 **LERG. The magnitude of a change is not just the carriers**
19 **represented in this room. Looking in the LERG is how a**
20 **carrier moves forward with their network rollout. We**
21 **would like the Commission to order that the single rate**
22 **center, Tampa, continue and that Verizon should recall any**
23 **changes to any industry databases.**

24 **MR. SELF: Thank you. The witness is available**
25 **for cross.**

1 **COMMISSIONER DEASON: Mr. Beck.**

2 **MR. BECK: I have no questions.**

3 **COMMISSIONER DEASON: Ms. Caswell.**

4 **CROSS EXAMINATION**

5 **BY MS. CASWELL:**

6 **Q Good afternoon, Ms. Henderson. I'm Kim Caswell**
7 **with Verizon.**

8 **A Good afternoon.**

9 **Q I would like to direct you to your direct**
10 **testimony at Page 3, Lines 13 through 16. There you say**
11 **that interconnection agreements between incumbent local**
12 **exchange carriers and alternative local exchange carriers**
13 **often require that the ALEC's local calling scope mimic**
14 **the incumbent's local calling area as defined by the**
15 **incumbent's rate centers. Does AT&T's interconnection**
16 **agreement with Verizon contain that kind of provision?**

17 **A I'm not sure as to what AT&T's interconnection**
18 **agreement states.**

19 **Q Have you seen any Verizon interconnection**
20 **agreements that require the ALEC to mimic Verizon's local**
21 **calling area?**

22 **A I have not seen any.**

23 **Q On what did you base that statement, then?**

24 **A In conversations with various members of AT&T.**

25 **Q Would you agree that AT&T is free to determine**

1 its own local calling areas?

2 A I'm not sure.

3 Q Okay. I'm going to have Ms. Menard hand you a
4 copy of AT&T's local exchange services price list that has
5 been filed with this Commission. And I apologize, I don't
6 have copies for everybody. I just got this price list.

7 A Thank you.

8 Q Could you take a moment to look at that.

9 Does it, in fact, look like AT&T's price list
10 for its Florida exchange service?

11 (Pause.)

12 A Okay. Could you ask me again what you are
13 asking me this document is?

14 Q I just asked you if it did, in fact, look like
15 AT&T's local exchange services price list for Florida?

16 A Yes, it does.

17 Q And could you look at Section L3.1 at the top of
18 the page, which says general. Can you read me the second
19 paragraph under that section which begins with "the
20 company"?

21 A "The company offers local exchange service
22 within the State of Florida, and concurs in the exchange
23 areas and exchange maps filed by the incumbent local
24 exchange carriers."

25 Q So even though AT&T is not required to do it, it

1 concurs in Verizon's exchange areas and exchange maps,
2 would it be fair to say that that is what that statement
3 means?

4 A It would seem to say that.

5 Q Are there any exchange maps in the LERG?

6 A I do not know.

7 Q Would those exchange maps appear in Verizon's
8 tariffs?

9 A If they were to appear in the tariffs, I would
10 not know that. I do not see the tariffs.

11 Q Where would you expect to find exchange maps for
12 Verizon's local calling areas? Would you expect to find
13 them in the LERG or the tariff?

14 A I'm not sure where I would find those maps.

15 Q Have you seen the LERG before?

16 A Yes, I have.

17 Q Have you seen any maps in there?

18 A No, I have not.

19 Q Would you expect to find descriptions of
20 exchange areas in Verizon's tariff?

21 A Could you repeat the question?

22 Q Would you expect that Verizon's exchange areas
23 would be described in its tariff, or would they be
24 described in the LERG?

25 A I would presume they would be described in their

1 tariff.

2 Q So that if AT&T is using Verizon's exchange
3 areas and exchange maps and concurs in those areas and
4 maps, wouldn't it have had to look at Verizon's tariffs
5 before it decided to concur in those things?

6 A I cannot answer that question. When we obtain a
7 code, we look at the LERG to determine the area for which
8 to get the number, to get the rate center for the number.

9 Q Would you expect that before concurring in
10 exchange areas and exchange maps, AT&T would have looked
11 at the exchange areas and exchange maps?

12 A I do not know.

13 Q Would you at least agree that Verizon's tariffs
14 reflect five rate centers in Tampa?

15 A Yes.

16 Q Do you expect that when AT&T was designing its
17 marketing plan that someone would have looked at Verizon's
18 tariffs?

19 A I cannot answer that.

20 Q Did you hear the discussion earlier about the
21 industry group called CIGRR?

22 A Yes, I did.

23 Q And do you know if AT&T participates in those
24 meetings?

25 A AT&T does participate in CIGRR.

1 **Q** And do you know if they would have gone to the
2 **April 19, '99 meeting?**

3 **A** No, I do not.

4 **Q** In your rebuttal testimony at Page 6, Lines 17
5 and 18, you suggest that Verizon's effort to harmonize its
6 tariffs with the LERG was solely for GTE's own benefit.

7 Are you aware that Sprint and not Verizon first
8 raised the need to harmonize Verizon's rate centers with
9 the LERG?

10 **A** Could you repeat the page number and line that
11 you are speaking from?

12 **Q** I'm sorry, it's Page 6, Lines 17 and 18. And
13 there I believe you suggest that Verizon's effort to
14 harmonize the LERG with its tariff, you used the words,
15 "was a solo performance for the good of GTE"?

16 **A** Yes, I see that.

17 **Q** Are you aware that Sprint and not Verizon first
18 raised the need to harmonize the rate centers with the
19 LERG?

20 **A** No, I am not.

21 **Q** Have you read Ms. Menard's testimony?

22 **A** Yes, I have.

23 **Q** I would like to direct you to your direct
24 testimony at Page 6, Lines 15 through 17. Actually that
25 is the wrong reference. Let me ask you this. Do you

1 believe some customers will have to take number changes if
2 the LERG is changed to correctly reflect Verizon's
3 tariffed rate centers?

4 A Yes, I do.

5 Q And hasn't Verizon proposed to grandfather the
6 existing 813 customers so that they would not have to take
7 a rate number change?

8 A I heard Ms. Menard say that in her testimony
9 earlier.

10 Q Wouldn't that resolve the problem that you have
11 raised here about number changes for existing customers?

12 A I'm not so sure it would resolve the problem.

13 Q And why are you not sure?

14 A I'm not real familiar with the grandfathering
15 issues, so I would not be able to make a statement as to
16 whether the grandfathering would actually help the
17 situation.

18 Q Well, if Verizon is proposing that customers do
19 not need to change their numbers, wouldn't that remedy the
20 problem of having to change a number necessarily?

21 A Would it be – would it be for only those
22 particular customers, or would it be for the whole NXX
23 that would be grandfathered? I don't have an answer for
24 that if you are strictly speaking of the customers who
25 already have numbers within that NXX. Would they be the

1 only ones that would be grandfathered, or would it be the
2 whole NXX that would be grandfathered, I don't have the
3 answer for that.

4 Q Did you read Ms. Menard's testimony?

5 A Yes, I did.

6 Q Did you understand the grandfathering proposal?

7 A Could you please --

8 Q I can't testify. I will go on. You have also
9 claimed that Verizon's proposal would lead to premature
10 exhaust of the 813 area code. Are you aware that Verizon
11 has recommended number pooling to preserve the 813 code?

12 A Yes, I have.

13 Q And wouldn't number pooling alleviate your
14 concern about premature exhaust of the 813 area code?

15 A I believe number pooling would help to slow down
16 the exhaust of 813.

17 Q How many customers does AT&T have in areas that
18 correspond to Verizon's Tampa north, Tampa east, Tampa
19 south, and Tampa west rate centers?

20 A I do not have the amount of customers that AT&T
21 has in those locations.

22 Q Do you have any idea about general percentages?

23 A No, I do not.

24 Q Would you say that the vast majority of AT&T's
25 customers are in Tampa central?

1 **A** **I do not know.**

2 **Q** **Do you think that for the Commission to get a**
3 **sense of the magnitude of the problems that you and other**
4 **ALECs are raising it is important for them to know how**
5 **many of the ALECs' customers reside outside the Tampa**
6 **central area?**

7 **A** **I believe it's important to know that the**
8 **carriers look to the LERG and they look to Tampa. There**
9 **was one rate center and that was how they came to develop**
10 **their business plans.**

11 **Q** **I don't think that answered my question. Don't**
12 **you think it is an important detail for this Commission to**
13 **know before it makes any decision in this proceeding what**
14 **the magnitude of the problems might be that you are**
15 **raising. And one of the questions is how many customers**
16 **reside outside the Tampa central area. Don't you believe**
17 **that that is important information for this Commission to**
18 **know?**

19 **A** **Yes.**

20 **Q** **In your rebuttal testimony, I think it's at Page**
21 **8, Lines 15 through 17, you make the statement that any**
22 **state may find it is without jurisdiction regarding the**
23 **exact makeup of LERG database entries. What exactly do**
24 **you mean by that statement?**

25 **A** **Okay. I'm sorry, could you repeat the page**

1 number and line again?

2 Q It's your rebuttal testimony at Page 8, Lines 15
3 through 17, starting with the word "furthermore," and the
4 sentence says, "Furthermore, any state may find it is
5 without jurisdiction regarding the exact makeup of LERG
6 database entries." Do you see the statement?

7 A Yes.

8 Q Could you elaborate on that for me, please?

9 A I believe I was referring to that I'm not sure
10 whether the Commission would have jurisdiction over how
11 the LERG would be established or run.

12 MS. CASWELL: That's all I have. Thank you, Ms.
13 Henderson.

14 CHAIRMAN DEASON: Staff.

15 CROSS EXAMINATION

16 BY MR. FORDHAM:

17 Q Ms. Henderson, on Page 3, Lines 1 and 2 of your
18 direct testimony, you state that the customer number
19 porting is generally limited to within rate center
20 boundaries.

21 A I'm sorry, sir, could you repeat the question.

22 Q Yes, I was just referring you to that, to Page
23 3, Line 1 and 2 of your prefiled direct testimony where
24 you state that customer number porting is generally
25 limited to within state boundaries. And my question is,

1 as we sit here today, I assume you still believe that that
2 is the case, that number porting is generally limited to
3 rate center boundaries?

4 A Yes, sir, that is correct.

5 Q Now, you go a little further on Line 12 on that
6 same page, and make a statement that porting of telephone
7 numbers must occur only within a rate center. Does AT&T
8 follow this procedure?

9 A Yes, sir, we do.

10 Q Are there any exceptions that you are aware of
11 in AT&T, and if so can you explain those?

12 A I don't believe there are any exceptions.

13 Q Okay. On Page 4 of your direct testimony, Lines
14 18 and 19, you state that AT&T understood that the
15 metropolitan Tampa area was a single rate center called
16 Tampa. Now, on those occasions when you have requested
17 codes for the Tampa market, at any time has the code
18 administrator ever discussed your request to determine
19 which Tampa rate center the code would be assigned to or
20 questioned whether you had a preference?

21 A Not that I'm aware of.

22 Q On Page 7 of your direct testimony, Lines 18
23 through 22, and you discussed earlier here in your
24 testimony today that the 813 area code would prematurely
25 exhaust under the proposed five rate center scenario.

1 Now, do you believe that if porting were allowed between
2 rate centers, the 813 area code would prematurely exhaust?

3 A I'm not sure how to answer that question because
4 porting is not allowed between rate centers, and you are
5 asking --

6 Q If it were?

7 A I don't know.

8 Q Okay. Again, I guess this would be a
9 hypothetical you would have to assume. But if porting
10 were allowed between rate centers, would customers need to
11 change their telephone numbers?

12 A If porting was allowed between rate centers,
13 customers would not have to take new telephone numbers.
14 However, porting is not allowed between the rate centers.

15 Q It was a hypothetical, obviously.

16 MR. FORDHAM: No further questions.

17 COMMISSIONER DEASON: Commissioners. Redirect.

18 MR. SELF: No redirect.

19 COMMISSIONER DEASON: And no exhibits?

20 MR. SELF: That is correct.

21 COMMISSIONER DEASON: Thank you, Ms. Henderson,
22 you may be excused.

23 Next witness.

24 (Transcript continues in sequence with

25 Volume 2.)

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STATE OF FLORIDA)

CERTIFICATE OF REPORTER

COUNTY OF LEON)

**I, JANE FAUROT, RPR, Chief, FPSC Bureau of Reporting
FPSC Commission Reporter, do hereby certify that the
Hearing in Docket No. 010102-TP was heard by the Florida Public
Service Commission at the time and place herein stated.**

**IT IS FURTHER CERTIFIED that I stenographically
reported the said proceedings; that the same has been transcribed
under my direct supervision; and that this transcript, consisting
of 198 pages, Volume 1, constitutes a true transcription of my
notes of said proceedings and the insertion of the prescribed
prefiled testimony of the witnesses.**

**I FURTHER CERTIFY that I am not a relative, employee, attorney or
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DATED THIS 3RD DAY OF APRIL, 2001.



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