

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

Petition by DIECA Communications, Inc.)
d/b/a Covad Communications Company for)
Arbitration of Interconnection Rates, Terms,)
and Conditions and Related Arrangements) Docket No. 020960-TP
with Verizon Florida Inc. Pursuant to)
Section 252(b) of the Telecommunications)
Act of 1996)

DIRECT TESTIMONY OF

DAVID J. KELLY

AND

JOHN WHITE

ON BEHALF OF

VERIZON FLORIDA INC.

SUBJECT: ISSUE NOS. 19 AND 22

JANUARY 17, 2003

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1 **DIRECT TESTIMONY OF DAVID J. KELLY AND JOHN WHITE**

2

3 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

4 A. My name is David J. Kelly. My business address is 125 High Street, Boston,
5 MA 02110.

6

7 **Q. BY WHOM ARE YOU CURRENTLY EMPLOYED?**

8 A. I am employed by Verizon Corporation. I am testifying in this arbitration on
9 behalf of Verizon Florida Inc. ("Verizon").

10

11 **Q. WHAT ARE YOUR CURRENT DUTIES AND RESPONSIBILITIES?**

12 A. Director, CLEC Operations Northeast. My responsibilities include the
13 provisioning of UNE Digital loops, line splitting, and line sharing products in
14 the New York and New England region.

15

16 **Q. PLEASE SUMMARIZE YOUR WORK EXPERIENCE.**

17 A. I joined Verizon in 1978 and have held field and staff positions in customer
18 service, network operations, cost accounting, and project management.

19

20 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

21 A. My name is John White. My business address is 1095 Avenue of the
22 Americas, New York, NY 10036.

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1 **Q. BY WHOM ARE YOU CURRENTLY EMPLOYED?**

2 A. I am currently employed by Verizon Communications Inc. I am testifying in
3 this arbitration on behalf of Verizon Florida Inc. ("Verizon").

4

5 **Q. WHAT ARE YOUR CURRENT DUTIES AND RESPONSIBILITIES?**

6 A. I am an Executive Director within the Verizon Wholesale Services
7 organization. In this position, I am responsible for the introduction of
8 wholesale digital services.

9

10 **Q. PLEASE SUMMARIZE YOUR WORK EXPERIENCE.**

11 A. I have been employed by Verizon or by its affiliates and predecessor
12 companies since 1966. Before joining Verizon, I worked for a number of
13 engineering and construction firms. During my first 12 years at Verizon, I was
14 involved in every aspect of Outside Plant telephone engineering. From 1979
15 to 1994, I held managerial positions in Construction, Installation and
16 Maintenance, and Engineering, in both line and staff capacities. Before
17 joining the Wholesale Services organization in June 2000, I worked in the Bell
18 Atlantic Technology organization as the Executive Director, Transport
19 Technology Planning.

20

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

22 A. The purpose of our testimony is to provide Verizon's positions relative to
23 Issue Nos. 19 and 22 in this arbitration, which pertain to Verizon's
24 provisioning of unbundled network elements ("UNEs") and UNE
25 combinations.

1 **ISSUE NO. 19 — BUILDING FACILITIES TO PROVISION UNE ORDERS**

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3 **Q. WHAT IS THE DISPUTE REGARDING THIS ISSUE?**

4 A. This issue raises the question whether Verizon is required to build facilities to
5 provision Covad's UNE orders. Covad has proposed numerous changes to
6 sections of the agreement, the effect of which would be to require Verizon to
7 build facilities when existing facilities are not available to provision a Covad
8 UNE order. Verizon's position is that federal law is clear that Verizon is not
9 required to build facilities to provision a UNE order.

10

11 **Q. PLEASE DESCRIBE VERIZON'S PRACTICES FOR PROVISIONING**
12 **ALECS' UNE ORDERS.**

13 A. Verizon does not construct network elements solely for the purpose of
14 unbundling those elements. However, although it is not required to do so,
15 Verizon does provide alternative local exchange carriers ("ALECs") with
16 additional opportunities for access to network elements beyond the mandated
17 provisioning obligations. These are described in ¶ 91 of the FCC's order
18 approving Verizon's section 271 application in Pennsylvania:

19

20 [W]here facilities are currently unavailable, but Verizon has
21 construction underway to meet its own future demand, it will provide
22 competitive LECs with an installation date based on the anticipated
23 completion date of the pending job. Further, when requisite
24 electronics, such as line cards, have not been deployed but space
25 exists for them in the multiplexers at the central office and end-user

1 premises, Verizon will order and place the necessary line cards in
2 order to provision the high capacity loop. Verizon will also perform the
3 cross connection work between the multiplexers and the copper or
4 fiber facility running to the end user.

5
6 *Application of Verizon Pennsylvania Inc., et al., for Authorization To Provide*
7 *In-Region, InterLATA Services in Pennsylvania*, Memorandum Opinion and
8 Order, 16 FCC Rcd 17419, ¶ 91 (2001) (“*Pennsylvania 271 Order*”), *appeal*
9 *pending, Z-Tel Communications, Inc. v. FCC*, No. 01-1461 (D.C. Cir.).
10 Verizon follows these same practices in Florida.

11
12 In the event that Verizon lacks the facilities necessary to provide a requested
13 network element, and there are no pending constructions jobs that would
14 make the necessary facilities available, ALECs are not prevented from
15 obtaining the facilities they desire. ALECs and all other access service
16 customers can still obtain facilities through the special access provisions of
17 Verizon’s tariffs. Pursuant to the terms of the tariffs, Verizon will build the
18 necessary facilities for the customer. Requests from all of Verizon’s access
19 service customers, whether they are ALECs, interexchange carriers, or retail
20 end users, are handled under the same terms and conditions of these tariffs,
21 precluding any claim of discrimination.

1 **ISSUE NO. 22 — INSTALLATION APPOINTMENTS**

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3 **Q. WHAT IS THE DISPUTE REGARDING ISSUE NO. 22?**

4 A. This issue pertains to the appointment windows that are available for the
5 installation of loops for both retail and ALEC end-user customers. Covad has
6 proposed to add language to the agreement that would require Verizon to
7 provide Covad's end-user customers with a three-hour installation
8 appointment window for orders that require the dispatch of a technician to
9 Covad's end-user customers' premises. Verizon's position is that, under
10 federal law, Verizon is obligated to provide Covad only with the same
11 installation appointment windows that Verizon offers to its retail customers in
12 analogous circumstances; and Verizon does not offer its retail customers
13 three-hour installation appointment windows. Further discussion of this issue
14 and the reasons for Verizon's objection to Covad's proposal can be found in
15 the direct testimony of Faye H. Raynor.

16

17 **Q. PLEASE DESCRIBE THE ORDERING INTERVALS THAT VERIZON**
18 **OFFERS TO RETAIL AND ALEC END-USER CUSTOMERS.**

19 A. As an initial matter, Verizon does not interact directly with an ALEC's end
20 user. Instead, Verizon provides appointment availability information to the
21 ALEC through its operations support systems ("OSS"), and the ALEC is
22 responsible for passing that information on to its end-user customer and for
23 ensuring that the customer will be available during the appointed time if it is
24 necessary for a Verizon technician to obtain access to the ALEC's customer's
25 premises to complete the provisioning of the order.

1 ALEC employees and Verizon retail representatives obtain the same pre-
2 ordering information from the same underlying OSS. Depending upon the
3 type of service ordered, installation appointments for retail and wholesale
4 service are available either in standard, minimum fixed intervals or based
5 upon the demand volume and the work force available at the desired time of
6 installation.

7
8 For services that are provisioned based on a standard interval date, Verizon
9 offers an all-day window on the installation day. While the appointments
10 based on the standard intervals are offered on a business-day basis, ALECs
11 may request that Verizon provide installation of these fixed interval products
12 on a four-hour-window basis in the manner described below. Verizon will
13 attempt to accommodate this request; however, it cannot guarantee that it
14 can do so.

15
16 For retail products and UNEs that do not have standard, fixed provisioning
17 intervals, Verizon's OSS provide installation due date availability through a
18 labor force management system that is available to both Verizon retail
19 representatives and ALEC employees using one of the wholesale pre-order
20 interfaces that Verizon offers. Appointments set through this labor force
21 management system are available on a first-come, first-served basis to ALEC
22 customers and Verizon customers alike. ALECs are given the opportunity to
23 select the same four-hour windows described above during the pre-ordering
24 process, in the same manner in which Verizon retail representatives can.

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1 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

2 A. Yes.

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