

ORIGINAL

LAW OFFICES  
**Messer, Caparello & Self**  
A Professional Association

Post Office Box 1876  
Tallahassee, Florida 32302-1876  
Internet: www.lawfla.com

JAN 21 PM 4:14  
COMMISSION  
CLERK

January 21, 2004

**BY HAND DELIVERY**

Ms. Blanca Bayó, Director  
Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 030852-TP

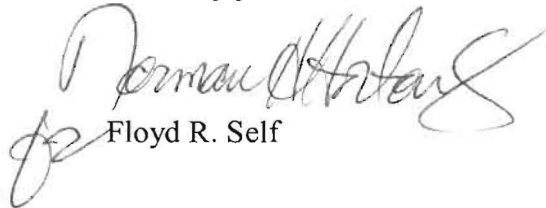
Dear Ms. Bayó:

Enclosed for filing on behalf of ITC^DeltaCom Communications, Inc. are an original and fifteen copies of the Rebuttal Testimony of Steve Brownworth on behalf of ITC^DeltaCom Communications, Inc. in the above-referenced docket.

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

Thank you for your assistance with this filing.

Sincerely yours,

  
Floyd R. Self

AUS \_\_\_\_\_ FRS/amb  
CAF \_\_\_\_\_ Enclosures  
EMP \_\_\_\_\_  
COM 57 \_\_\_\_\_ cc: Parties of Record  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL 1 \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS 2 \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
OTH \_\_\_\_\_

RECEIVED & FILED  
  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
00909 JAN 21 03

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Implementation of Requirements  
arising from Federal Communications  
Commission's triennial UNE review: DOCKET NO. 030852-TP  
Location-Specific Review for DS1, DS3  
and Dark Fiber Loops, and Route-Specific  
Review for DS1, DS3 and Dark Fiber

**REBUTTAL TESTIMONY OF  
STEVE BROWNORTH  
ON BEHALF OF  
ITC^DELTACOM COMMUNICATIONS, INC.**

January 21, 2004

1 **Q: PLEASE STATE YOUR NAME, POSITION AND BUSINESS ADDRESS?**

2 A: My name is Steve Brownworth. I am an employee of ITC^DeltaCom  
3 Communications, Inc., ("ITC^DeltaCom"), and my business address is 1791 O.G.  
4 Skinner Drive, West Point, Georgia 31833

5

6 **Q: PLEASE DESCRIBE YOUR BACKGROUND AND EMPLOYMENT-  
7 RELATED DUTIES:**

8 A: My education and relevant work experience are as follows: I received a  
9 bachelor's degree with a major in Quantitative Methods from the University of  
10 Illinois – Chicago in 1982. I have over 20 years of telecommunications  
11 experience. My experience primarily lies in the design and deployment of IXC  
12 and CLEC architecture. Currently I'm the Director of Systems Planning for  
13 ITC^DeltaCom. I am responsible for the network architecture of the local and  
14 long-distance voice network, data network (ATM/Frame/IP) and our fiber optic  
15 transport network. I've been in this position for the last eight years. In my role at  
16 ITC^DeltaCom, I've assisted other companies in their initial network design and  
17 configurations including SoLinc, PowerTel and Mindspring. These  
18 responsibilities include off-net vendor management, the negotiation of contracts  
19 with ITC^DeltaCom's IXC and CAP providers and determining how to best  
20 utilize the facilities offered in the interconnection agreement in the  
21 ITC^DeltaCom network.

22 Prior to joining ITC^DeltaCom, I spent five years, 1989-1994, with MCI as Sr.  
23 Manager, Network Design, managing strategic designs of their SONET

1 transmission deployment, real-time restoration and reliability plans, dynamic  
2 switch routing and capital cost justifications. Prior to MCI, from 1982 to 1989, I  
3 held management positions with Telecom\*USA, SouthernNet and Telesphere, in  
4 switch network design, traffic engineering, line cost, and provisioning.

5

6 **Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

7 A: The purpose of my testimony is to respond to the testimony of Ms. Padgett with  
8 BellSouth Telecommunications, Inc.

9

10 **Q: DO YOU AGREE WITH MS. PADGETT'S TESTIMONY THAT**  
11 **ITC^DELTACOM IS NOT A TRIGGER FOR DS1/DS3 or FIBER OPTIC**  
12 **LOOPS?**

13 A: Yes, ITC^DeltaCom utilizes the facilities of other Provider Carriers, including the  
14 vast majority of end-user loop services with BellSouth Telecommunications.

15

16 **Q: DOES ITC^DELTACOM USE ITS FIBER OPTIC TRANSPORT**  
17 **NETWORK TO PROVIDE DS3 TRANSPORT, ON A WHOLESALE**  
18 **BASIS, BETWEEN BELL SOUTH END OFFICES WITHIN THE SAME**  
19 **LATA?**

20 A: No, ITC^DeltaCom's fiber optic network is primarily an IXC based network. The  
21 majority of our facilities are Inter-LATA or between ITC^DeltaCom designated  
22 POPs in the same LATA. In a few cases we do terminate to an ILEC serving wire  
23 center to an ITC^DeltaCom POP for entrance facilities, which is not related to

1 loop or transport triggers. Because ITC^DeltaCom does not have its own network  
2 for wholesale services, ITC^DeltaCom also does not self-provision its ILEC  
3 transport requirements.

4

5 **Q: DID ITC^DELTA COM RESPOND TO BELLSOUTH'S DISCOVERY**  
6 **QUESTIONS AND REQUESTS FROM THE PSC STAFF? IF YES, CAN**  
7 **YOU SUMMARIZE WHY THIS INFORMATION SHOWS**  
8 **ITC^DELTA COM IS NOT A TRIGGER FOR END OFFICE**  
9 **TRANSPORT?**

10 A: Yes, ITC^DeltaCom responded to both BellSouth and Staff discovery requests.

11

12 In our responses, where ITC^DeltaCom was wholesaling transport we identified  
13 the underlying Providing Carrier for loops and transport. Since we provide this  
14 service through lease or resell agreements and not fiber (owned, IRU or leased)  
15 we do not see ourselves as a trigger for transport. We do not have the fiber  
16 facilities and the equipment to use the fiber (optronics) to be a Providing Carrier.  
17 To the extent the Commission found a transport route that met the trigger, the  
18 Commission could be double-counting ITC^DeltaCom with the carriers that  
19 actually own these fiber facilities. As ITC^DeltaCom leases or resells local  
20 transport capacity of other carriers and we do not have an owned local network,  
21 we should not be included as a trigger.

22

1 **Q: DOES YOUR TESTIMONY COVER THE POSITIONS OR THE**  
2 **TRIGGER CRITERIA OF OTHER CARRIERS?**

3 A: No, my testimony covers only ITC^DeltaCom and does not draw any conclusions  
4 as to whether other carriers or routes fall under loop or transport trigger criteria.

5

6 **Q: IN EXHIBIT SWP-6 and SWP-8, OF MS. PADGETT's TESTIMONY,**  
7 **SHOWS ITC^DELTACOM AS A TRIGGER FOR DARK FIBER, DS3 and**  
8 **DS1 TRANSPORT. DO YOU BELIEVE THIS IS AN ACCURATE**  
9 **ASSESSMENT OF THE ITC^DELTACOM NETWORK?**

10 A: No, ITC^DeltaCom has not deployed, constructed, nor has ITC^DeltaCom  
11 entered into any IRUs for fiber between ILEC central offices. The DS3 or DS1  
12 transport ITC^DeltaCom sells to carriers or leases for internal needs is through  
13 other carriers, including ILECs, via DS1 and DS3 capacity resell or lease  
14 agreements. ITC^DeltaCom does not utilize dark fiber leases, IRUs or have  
15 ownership for this transport. Therefore, the wholesale or self-provisioning  
16 triggers should not apply to ITC^DeltaCom.

17 **Q: ON PAGE 18, MS. PADGETT STATES THAT BELLSOUTH**  
18 **METHODOLGY INCLUDED BILLING AND OPERATIONAL DATA**  
19 **WITH RESPECT TO COLLOCATIONS. HOW MIGHT THAT DATA BE**  
20 **INACCURATE IN LOOKING AT ITC^DELTACOM's NETWORK?**

21 A: ITC^DeltaCom in its collocation requests asks for Fiber and DS3 connections  
22 from BellSouth and other ILECs, however we do not own or deploy transport  
23 equipment for wholesale or self-provisioning of interoffice transport. The fiber

1 and DS3 cross-connects are used for multiplexing equipment or to combine loop  
2 and transport UNE facilities. For this reason and others stated previously,  
3 ITC^DeltaCom feels that the Commission should base its decision on the  
4 information received directly from the carriers who own the facilities and not  
5 utilize information provided by BellSouth where BellSouth is simply guessing as  
6 to whether the capability for wholesale local transport exists for a given company  
7 such as ITC^DeltaCom.

8

9 **Q: ON ISSUE 17, PAGE 26; MS. PADGETT STATES THAT BELLSOUTH**  
10 **METHODOLGY ASSUMES THAT THE FACILITIES TERMINATE TO**  
11 **A COLLOCATION? DO YOU AGREE?**

12 A: Yes. However, ITC^DeltaCom's concern is - "Will BellSouth provide reasonable  
13 and non-discriminatory access for cross-connects between a requesting carrier, in  
14 this case ITC^DeltaCom and a Providing Carrier?"

15

16 Ms Padgett only addressed the simple fact that transport facilities terminate in  
17 BellSouth Central Offices at collocations. We would like the Commission to  
18 clearly address the importance and necessity for carriers like ITC^DeltaCom to  
19 have access to the Providing Carriers' collocations for purposes of provisioning  
20 network elements, in a manner that will not delay in providing service to the  
21 customer.

22

1           Additionally, it is important for requesting carriers be able to order UNE or access  
2           loops into a Providing Carriers' collocation for transport purposes, where the  
3           requesting carrier has an agreement and the proper assignments for ordering.  
4           Otherwise carriers, like ITC^DeltaCom, would have to establish collocations  
5           containing only cross-connect panels. ITC^DeltaCom would be forced to bring a  
6           DS1 loop from a customer into the ITC^DeltaCom collocation, only to cross-  
7           connect the DS1 loop to the Providing Carriers' transport network. This  
8           redundant, unnecessary step only utilizes limited central office space,  
9           substantially increases costs, and complicates what should be a very simple  
10          ordering process.

11

12   **Q:    ON ISSUE 20, MS. PADGETT STATES THAT A TRANSITION PERIOD**  
13   **IS UNNECESSARY FOR ROUTES IN WHICH NO IMPAIRMENT IS**  
14   **FOUND, DO YOU AGREE?**

15   A:    No. Ms. Padgett seems to make the assumption that carriers will continue to use  
16    BellSouth, at market based rates. With a potentially dramatic increase in our  
17    costs from BellSouth, the most likely course for ITC^DeltaCom will be to move  
18    DS1s and DS3s loop and transport to other facility-based providers identified by  
19    the Commission. For this reason, we seek the Commission's assistance to ensure  
20    that BellSouth and other ILECs work with the CLECs on a smooth transfer of  
21    customer's facilities to other Providing Carriers.

22



1 Issue 20 when tied to Issue 17, reasonable and non-discriminatory access to cross-  
2 connects, is extremely important for ITC^DeltaCom to be able to transition off the  
3 BellSouth network onto other providers without impacting customer service.  
4 ITC^DeltaCom should not have to order new loops to customer premises when  
5 changing transport providers. Transfers between carriers should be coordinated  
6 between carriers and occur with minimal impact to the end user customer.

7

8 **Q: WHAT WOULD BE THE APPROPRATE TIME INTERVAL FOR A**  
9 **TRANSITION OF SERVICES?**

10 A: Given that the transition would involve hundred of facilities from just  
11 ITC^DeltaCom's network and the coordination needed from other service  
12 providers, we would request that the transition happen within a 12 month period.

13

14 **Q: DOES THIS CONCLUDE YOUR TESTIMONY?**

15 A: Yes.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Hand Delivery (\*), electronic mail, and/or U. S. Mail this 21<sup>st</sup> day of January, 2004.

Adam Teitzman, Esq.\*  
Office of General Counsel, Room 370  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Jason Rojas, Esq.\*  
Office of General Counsel, Room 370  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Nancy B. White  
c/o Nancy H. Sims  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301

Susan S. Masterton, Esq.  
Sprint-Florida, Incorporated  
Sprint Communications Company Limited  
Partnership  
P.O. Box 2214  
Tallahassee, FL 32316-2214

Richard A. Chapkis, Esq.  
Verizon Florida Inc.  
P.O. Box 110, FLTC0007  
Tampa, FL 33601-0110

Nanette Edwards  
ITC^DeltaCom  
4092 S. Memorial Parkway  
Huntsville, AL 35802

Mr. James White  
ALLTEL  
601 Riverside Avenue  
Jacksonville FL 32204-2987

Ms. Laurie A. Maffett  
Frontier Telephone Group  
180 South Clinton Avenue  
Rochester NY 14646-0700

Mr. R. Mark Ellmer  
GT Com  
P. O. Box 220  
Port St. Joe FL 32457-0220

Mr. Robert M. Post, Jr.  
ITS Telecommunications Systems, Inc.  
P. O. Box 277  
Indiantown FL 34956-0277

Ms. Harriet Eudy  
NEFCOM  
11791 110th Street  
Live Oak FL 32060-6703

Ms. Lynn B. Hall  
Smart City Telecom  
P. O. Box 22555  
Lake Buena Vista FL 32830-2555

Michael A. Gross  
Vice President, Regulatory Affairs  
& Regulatory Counsel  
Florida Cable Telecommunications Assoc., Inc.  
246 E. 6<sup>th</sup> Avenue  
Tallahassee, FL 32301

Tracy W. Hatch, Esq.  
AT&T Communications of the Southern States, LLC  
101 N. Monroe Street, Suite 701  
Tallahassee, FL 32301

Lisa Sapper  
AT&T  
1200 Peachtree Street, NE, Suite 8100  
Atlanta, GA 30309

Donna McNulty, Esq.  
MCI WorldCom Communications, Inc.  
1203 Governors Square Blvd, Suite 201  
Tallahassee, FL 32301-2960

De O'Roark, Esq.  
MCI WorldCom Communications, Inc.  
6 Concourse Parkway, Suite 600  
Atlanta, GA 30328

Vicki Kaufman, Esq.  
Joe McGlothlin, Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas, P.A.  
117 S. Gadsden Street  
Tallahassee, FL 32301

Marva Brown Johnson, Esq.  
KMC Telecom III, LLC  
1755 North Brown Road  
Lawrenceville, GA 30034-8119

James C. Falvey, Esq.  
Senior Vice President, Regulatory Affairs  
Xspedius Communications, LLC  
7125 Columbia Gateway Drive, Suite 200  
Columbia, MD 21046

Norman H. Horton, Jr.  
Messer, Caparello & Self, P.A.  
P.O. Box 1876  
Tallahassee, FL 32302-1876

Mr. Jake E. Jennings  
NewSouth Communications Corp.  
Two N. Main Center  
Greenville, SC 29601

Jon C. Moyle, Jr., Esq.  
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.  
118 North Gadsden Street  
Tallahassee, FL 32301

Charles E. Watkins  
Covad Communications Company  
1230 Peachtree Street, NE, 19<sup>th</sup> Floor  
Atlanta, GA 30309

Matt Feil  
Scott A. Kassman  
FDN Communications  
390 North Orange Avenue, Suite 2000  
Orlando, FL 32801


Jorge Cruz-Bustillo, Esq.  
Supra Telecommunications and  
Information Systems, Inc.  
2620 S.W. 27<sup>th</sup> Avenue  
Miami, Florida 33133

Mr. Jonathan Audu  
Supra Telecommunications and  
Information Systems, Inc.  
1311 Executive Center Drive, Suite 220  
Tallahassee, FL 32301

Mr. Bo Russell  
Vice President  
Regulatory and Legal Affairs  
Nuvox Communications, Inc.  
301 North Main Street  
Greenville, SC 29601

Thomas M. Koutsky  
Vice president, Law and Public Policy  
Z-Tel Communications, Inc.  
1200 19<sup>th</sup> Street, N.W., Suite 500  
Washington, DC 20036

Charles Beck  
Office of the Public Counsel  
111 W. Madison St., Room 812  
Tallahassee, FL 32399-1400

  
Floyd R. Self