

Florida Cable Telecommunications Association

Steve Wilkerson, President

VIA HAND DELIVERY

December 17, 2004

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
And Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Docket No. 040604-TL

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of the Rebuttal Testimony of the Florida Cable Telecommunications Association.

Copies of the Rebuttal Testimony have been served on the parties of record electronically and by U.S. Mail. Please acknowledge receipt of filing of the above by stamping the duplicate copy of this letter and returning the same to me.

Thank you for your assistance in processing this filing. Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael A. Gross', is written over a light gray rectangular background.

Michael A. Gross
Vice President, Regulatory Affairs &
Regulatory Counsel

Enclosure

cc: All Parties of Record

DOCUMENT NUMBER PAGE
13286 DEC 20 04
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Rebuttal Testimony of the Florida Cable Telecommunications Association in Docket 040604-TL has been served upon the following parties electronically and by U.S. Mail this 17th day of December 2004.

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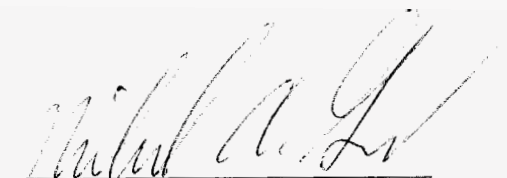
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Michael A. Gross

1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2 **TALLAHASSEE, FLORIDA**

3 **REBUTTAL TESTIMONY OF**

4 **DON WOOD**

5 **DOCKET NO. 040604-TL**

6 **DECEMBER 17, 2004**

7

8 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

9 A. My name is Don J. Wood. I am a principal in the firm of Wood & Wood, an
10 economic and financial consulting firm. My business address is 30000 Mill
11 Creek Avenue, Suite 395, Alpharetta, Georgia 30022. I provide economic and
12 regulatory analysis of the telecommunications, cable, and related convergence
13 industries with an emphasis on economic policy, competitive market
14 development, and cost-of-service issues.

15

16 Q. PLEASE DESCRIBE YOUR BACKGROUND AND EXPERIENCE.

17 A. I received a BBA in Finance with distinction from Emory University and an MBA
18 with concentrations in Finance and Microeconomics from the College of William
19 and Mary. My telecommunications experience includes employment at both a
20 Regional Bell Operating Company ("RBOC") and an Interexchange Carrier
21 ("IXC").

1 Specifically, I was employed in the local exchange industry by BellSouth
2 Services, Inc. in its Pricing and Economics, Service Cost Division. My
3 responsibilities included performing cost analyses of new and existing services,
4 preparing documentation for filings with state regulatory commissions and the
5 Federal Communications Commission ("FCC"), developing methodology and
6 computer models for use by other analysts, and performing special assembly cost
7 studies.

8 I was employed in the interexchange industry by MCI
9 Telecommunications Corporation, as Manager of Regulatory Analysis for the
10 Southern Division. In this capacity I was responsible for the development and
11 implementation of regulatory policy for operations in the southern U. S. I then
12 served as a Manager in MCI's Economic Analysis and Regulatory Affairs
13 Organization, where I participated in the development of regulatory policy for
14 national issues.

15

16 Q. HAVE YOU PREVIOUSLY PRESENTED TESTIMONY BEFORE STATE
17 AND FEDERAL REGULATORS?

18 A. Yes. I have testified on telecommunications issues before the regulatory
19 commissions of thirty-nine states, Puerto Rico, and the District of Columbia. I
20 have also presented testimony regarding telecommunications issues in state,

1 federal, and overseas courts, before alternative dispute resolution tribunals, and at
2 the FCC. A listing of my previous testimony is attached as Exhibit DJW-1.

3

4 Q. HAVE YOU PREVIOUSLY PRESENTED TESTIMONY BEFORE
5 THIS COMMISSION?

6 A. Yes. I have presented testimony before this Commission on approximately
7 twenty occasions, most recently in Docket No. 030851-TP.

8

9 Q. ARE YOU FAMILIAR WITH THE APPLICATION OF UNIVERSAL
10 SERVICE MECHANISMS AT THE STATE AND FEDERAL LEVELS?

11 A. Yes. In the course of my professional experience, I have addressed issues
12 regarding the design, implementation, and ongoing administration of universal
13 service support mechanisms and have prepared comments and supporting
14 analyses regarding the design and operation of universal service support
15 mechanisms for filing with the Federal-State Joint Board and with the FCC. I
16 have also performed extensive analyses of the costs of service, including but not
17 limited to network costs, incurred by telecommunications carriers to provide local
18 exchange services and have specifically addressed the issue of how costs may
19 vary among and between geographic areas.

20 More recently, I have analyzed the applications of a number of carriers
21 seeking designation as an Eligible Telecommunications Carrier (“ETC”),

1 including applications to be granted ETC status in areas serviced by both non-
2 rural and rural Incumbent Local Exchange Companies (“ILECs”).

3

4 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

5 A. I have been asked by the Florida Cable Telecommunications Association
6 (“FCTA”) to address certain of the issues set forth in Appendix A to the
7 November 1, 2004 *Order Establishing Procedure* in this docket. The primary
8 focus of my testimony is Issues 6 and 6A.

9 I will be responding to the direct testimony of Dr. Carl R. Danner on
10 behalf of Verizon Florida, Inc. (“Verizon”), Thomas M. McCabe on the Small
11 ILECs, and Carlos Morillo on behalf of BellSouth Telecommunications, inc.
12 (“BellSouth”) on these issues.

13

14 Q. DO YOU HAVE ANY CONCERNS ABOUT ADDRESSING ISSUES 6 AND
15 6A IN THIS PROCEEDING?

16 A. Yes. It is my understanding that the administrative hearing in this matter is taking
17 place in response to requests by BellSouth, Verizon, Sprint-Florida, Inc, Quincy
18 Telephone Company d/b/a TDS Telecom, GTC, Inc. d/b/a/ GT COM, ALLTEL
19 Florida, Inc., and the Florida Office of the Public Counsel (“Public Counsel”) for
20 a hearing on the Commission’s August 10, 2004 *Notice of Proposed Agency*
21 *Action* (“PAA”).

1 I have carefully reviewed the PAA and cannot find any discussion of a
2 proposed state lifeline funding mechanism. The issues addressed in the PAA: the
3 adoption of additional eligibility criteria for Lifeline assistance, the option of self-
4 certification by consumers, and the requirements that ETCs file certain
5 information with the Commission, generally do not affect FCTA members. To
6 the extent that the scope of this proceeding has been expanded to go beyond a
7 consideration of the merits of the elements of the PAA to include the additional
8 issues related to the establishment and operation of a state funding mechanism,
9 however, FCTA members may be directly and adversely impacted.

10 Given the importance of the issue and the large number of carriers (and
11 other interested parties) potentially affected, it would appear that a two-phase
12 approach would be more appropriate – assuming that the issue of a funding
13 mechanism is to be addressed by the Commission at all. The merits of the
14 elements of the PAA should be resolved in this proceeding, and issues related to a
15 potential funding mechanism should subsequently be addressed if, but only if, one
16 or more ETCs later come forward to demonstrate a substantial change of
17 circumstances pursuant to Section 364.025(3) of the Florida Statutes. If and when
18 that occurs, the establishment of a funding mechanism would represent one of a
19 number of possible means of addressing those changed circumstances.¹

¹ I am not suggesting that the establishment of a state funding mechanism would represent a possible legal

1

2 Q. ISSUE 6A ADDRESSES AN APPROPRIATE MEANS OF FUNDING THE
STATE LIFELINE PROGRAM. IS THIS ISSUE RIPE FOR DISCUSSION?

4 A. No. A discussion of the design, implementation, and administration of a state
5 funding mechanism gets well of ahead of where the focus should be at this point
6 in time. It is unclear if the Commission has the authority to establish such a
7 mechanism, and – more importantly – no ILEC has demonstrated that such a fund
8 is needed. The opportunity for ETCs to petition the Commission for relief has
9 been addressed by both the Legislature and the Commission. The Legislature
10 addressed the potential issue in Section 364.025(3), which states in part:

11 If any party, prior to January 1, 2009, believes that
12 circumstances have changed substantially to warrant a
13 change in the interim mechanism, that party may petition
14 the commission for a change, but the commission shall
15 grant such petition only after opportunity for a hearing and
16 a compelling showing of changed circumstances.
17

18 This language does two things. First, it provides for an explicit
19 opportunity for ETCs to seek a change in the current universal service
20 mechanism, presumably including a request for a change in the funding
21 mechanism, if it can make a compelling showing of changed circumstances.
22 Because this language is already present in the statute, a process is already in

means of addressing substantially changed circumstances. FCTA's Prehearing Statement addresses the legal question of whether the Commission would have the authority to establish such a funding mechanism.

1 place for an ETC, if it elects to do so, to seek a change from the Commission. To
2 my knowledge, no ETC has attempted to avail itself of this opportunity in its
3 filings in this proceeding, and my review of the record indicates that no
4 demonstration – compelling or otherwise – has been made of substantially
5 changed circumstances. To the contrary, the ILEC testimony consistently casts
6 the issue in terms of what may or may not happen going forward rather than a
7 discussion of any substantially changed circumstances that may have already
8 occurred.

9 Second, this language underscores why this proceeding is simply the
10 wrong forum for a discussion of Issues 6 and 6A. I am not aware of any language
11 in the statute that would permit a hearing on the merits of the PAA at issue here
12 to substitute for the process already established in Section 364.025(3). The
13 language of this section requiring a “compelling showing” that “circumstances
14 have changed substantially” suggests a much more thorough investigation than
15 can be conducted given the limited information available in the record of this
16 case.

17

18 Q. YOU STATED THAT THE COMMISSION HAS ALREADY ADDRESSED
19 THE POTENTIAL FOR SUBSTANTIALLY CHANGED CIRCUMSTANCES
20 AS WELL. PLEASE EXPLAIN WHY THIS IS THE CASE.

1 A. This issue is fully addressed in the Commission’s December 27, 1995 Order No.
2 PSC-95-1592-FOF-TP. In that proceeding, the Commission established the
3 Interim Mechanism for Universal Service/Carrier of Last Resort (“US/COLR”)
4 obligations. The Commission found (pp. 31-32) that (1) BellSouth and Verizon
5 had not demonstrated that competitive entry would erode their ability to sustain
6 their universal service and carrier of last resort obligations, (2) the LECs should
7 continue to fund their US/COLR programs as they had done; that is, through
8 revenues from current operations, and (3) that a LEC that believed its ability to
9 meet its universal service obligations could no longer be met because of
10 competitive pressures could petition the Commission for company-specific relief.

11 Specifically, the Commission concluded (p. 32) that

12 [I]f a LEC finds that its ability to sustain US as a COLR
13 has, in fact, been eroded due to competitive pressures, it
14 may file a petition for company-specific US relief. Its
15 petition would be handled on an expedited basis. The
16 petition must specifically demonstrate that competitive
17 entry has eroded its ability to sustain US as a COLR, and
18 specifically quantify the alleged shortfall that is due to
19 competitive entry. The LEC will need to submit
20 incremental cost data to identify the amount of its US
21 subsidy, as well as calculations of the amount of net
22 contribution lost that had been supporting the US subsidy.
23 In no case will a LEC receive US/COLR funding in excess
24 of the amount of its identified US subsidy. It is the LECs’
25 burden to demonstrate the appropriateness of any amount
26 requested and the reasonableness of the proposed method to
27 recover that amount.

28

1 This language, while providing more detail regarding what the
2 Commission would require for a “compelling showing” and what the Commission
3 would consider “substantially changed circumstances,” appears to be consistent
4 with Section 364.025(3).

5

6 Q. WHAT IS YOUR UNDERSTANDING OF WHAT AN ILEC MUST
7 DEMONSTRATE WHEN PETITIONING FOR RELIEF PPURSUANT TO THE
8 COMMISSION’S ORDER NO. PSC-95-1592-FOF-TP?

9 A. My understanding is that if an ILEC wishes to petition for a change to the existing
10 mechanism (one in which the ILEC meets its universal service obligations
11 through its current operations), the following requirements would apply:

12 (1) The ILEC bears the burden to provide the Commission with the information
13 necessary to demonstrate the cause of the changed circumstances, the
14 appropriateness of any funding requested, and the reasonableness of the proposed
15 method of recovery.

16 (2) The changed circumstances must be shown to be an inability to meet universal
17 service obligations that has been caused by competitive entry.

18 (3) The appropriateness of any funding requested must be demonstrated by the
19 submission of cost studies and other information sufficient to provide a
20 quantification of (a) the amount of any universal service subsidy, (b) the net
21 contribution that has been lost by the ILEC as a result of competitive entry, (c) the

1 amount of universal service subsidy no longer funded because of the lost
2 contribution directly resulting from competitive entry, and (d) that the amount of
3 funding sought is less than the amount of subsidy needed.

4 (4) The ILEC must provide a detailed description of its proposed method of
5 recovery and a demonstration that such a method is reasonable.

6

7 Q. HAVE THE ILECS PROVIDED THIS INFORMATION?

8 A. No. No ILEC has demonstrated, or even claimed, that it cannot currently meet its
9 universal service obligations. No ILEC has provided a quantification of its
10 existing subsidy, a quantification of the amount of net contribution lost as a direct
11 result of competitive entry, or a calculation of any resulting shortfall. And no
12 ILEC has proposed a specific method of funding or has attempted to demonstrate
13 the reasonableness of any such proposal. Based on the record before it, it does
14 not appear possible for the Commission to adopt a funding mechanism in this
15 proceeding in a way that is consistent with the requirements of its Order No. PSC-
16 95-1592-FOF-TP and with Section 364.025(3).

17

18 Q. WHAT IS YOUR UNDERSTANDING OF BELLSOUTH'S POSITION ON
19 ISSUES 6 AND 6A?

1 A. At pp. 10-11 of his direct testimony, Mr. Morillo states BellSouth’s belief that the
2 Commission does not have the authority to make the changes to the Lifeline
3 program and its eligibility criteria described in the PAA.

4 Mr. Morillo goes on to say that “therefore, BellSouth does not believe that
5 the Commission is likewise authorized to establish cost recovery mechanisms
6 associated with changes to the Lifeline program.” This may be a correct and
7 logical conclusion (and I believe that it is), but it misses the more fundamental
8 point: the Commission cannot establish a cost recovery mechanism in this
9 proceeding because a process for doing so has been established in both the Florida
10 Statutes and the Commission’s previous order, and that process has not been
11 followed. The ILECs have not petitioned the Commission for a change to the
12 current universal service mechanism pursuant to Section 364.025(3) or Order No.
13 PSC-95-1592-FOF-TP, and – equally importantly – the ILECs have not provided
14 the information necessary to meet their burden of demonstrating that competitive
15 entry is the cause of the changed circumstances, that any funding requested is
16 reasonable and calculated based on the difference between a quantification of any
17 existing subsidy and the net contribution lost as a result of competitive entry, and
18 that the proposed method of recovery is reasonable (or in most cases what their
19 proposed method of recovery actually is).

20 Mr. Morillo goes on to state that if the Commission does make the
21 changes as set forth in the PAA, “BellSouth believes individual ETCs should have

1 the option to implement a recovery mechanism.” As described in detail above,
2 BellSouth does have the option today, pursuant to Section 364.025(3) and Order
3 No. PSC-95-1592-FOF-TP, to petition the Commission for such recovery. To the
4 extent that BellSouth is suggesting that it has an opportunity to “implement a cost
5 recovery system” outside of the statutory process, then I disagree with its position.
6 I can find no basis in either the Florida Statutes or previous Commission orders
7 that would permit this kind of unilateral action by BellSouth.

8
9 Q. WHAT IS YOUR UNDERSTANDING OF THE POSITION OF VERIZON ON
10 ISSUES 6 AND 6A?

11 A. Both Verizon and the Small ILECs address the issue of funding mechanisms.

12 Dr. Danner’s testimony is difficult to interpret on this point. On the one
13 hand, he states that “Companies should be permitted to recover Lifeline-related
14 costs if Lifeline enrollment increases dramatically, or if a company believes its
15 particular circumstances so warrant” (p. 3), “Carriers should be permitted to
16 petition the Commission when and if they believe the circumstances warrant a
17 limited and targeted cost recovery mechanism to be implemented” (p. 21), and “It
18 should be left up to each carrier to determine whether, and when, to seek an
19 appropriate support mechanism to fund these benefits” (p. 23). This testimony
20 appears consistent with the opportunity currently available to Verizon pursuant to
21 Section 364.025(3) and Order No. PSC-95-1592-FOF-TP.

1 On the other hand, Dr. Danner goes well beyond the established processes
2 and describes (p. 27) the creation of “an industry-wide pool or fund” that may
3 include non-ETCs, and suggests (p. 28) that certain obligations of an ETC
4 (specifically the requirement to offer Lifeline assistance) should be extended to
5 “all certificated wireline carriers.” For the reasons given previously in my
6 testimony, the creation of “an industry-wide pool or fund” is well beyond the
7 scope of this proceeding, and premature because no ILEC, including Verizon, has
8 demonstrated the need for recovery (no ILEC has petitioned the Commission for
9 such relief).

10 While I am not an attorney, I believe that Dr. Danner’s suggestion that
11 ETC obligations should be extended to non-ETCs would violate federal law. 47
12 C.F.R. §54.201 defines Eligible Telecommunications Carriers and sets forth the
13 designation process for ETCs. §54.101 lists the supported services that an ETC
14 must provide. §54.205 describes the process by which a carrier, including an
15 ILEC, can relinquish its designation as an ETC. Nowhere does the Act or Code
16 of Federal Regulations give either the FCC or a state regulator the authority to
17 impose ETC restrictions on non-ETCs.

18

19 Q. WHAT IS YOUR UNDERSTANDING OF THE POSITION OF THE SMALL
20 ILECS ON ISSUES 6 AND 6A?

1 A. Mr. McCabe first asserts (p. 8) that requiring an ETC to provide a Lifeline credit
2 with no established form of cost recovery would be inconsistent with both state
3 and federal statutes. I'm not sure how this could be the case; the federal
4 requirements for ETCs include the requirement to offer Lifeline and Linkup
5 assistance, and state law fully anticipates a situation in which an ETC may need to
6 petition the Commission for relief (and Section 364.025(3) and Order No. PSC-
7 95-1592-FOF-TP describe the specific method and requirements for doing so).

8 Mr. McCabe then goes on to describe (p. 17) (though I cannot determine if
9 he actually recommends) an end user surcharge "to compensate the ETC provider
10 for the additional Lifeline discounts." It would appear that an end-user surcharge,
11 to be assessed by an ILEC on its own retail customers, would be a possible
12 remedy granted in response to a petition made pursuant to Section 364.025(3) and
13 Order No. PSC-95-1592-FOF-TP. To my knowledge, none of the small ILECs
14 represented by Mr. McCabe have made such a petition (and, of course, this
15 proceeding would be the wrong forum to address the merits of any such petition).

16

17 Q. **BOTH DR. DANNER AND MR. MCCABE REFER TO CARRIERS, ILECS,
18 AND TO ETCS. HAVE THEY USED THESE TERMS CORRECTLY AND
19 CONSISTENTLY?**

20 A. **Based on my reading** of their testimony, I believe that they have not been precise
21 enough in their use of these terms. Carriers that have been designated as ETCs

1 have specific obligations imposed on them because of this designation. As an
2 explicit *quid pro quo*, carriers designated as ETCs also qualify for financial
3 assistance in a variety of forms. Not all carriers are ETCs; while CLECs have the
4 opportunity pursuant to 47 C.F.R. §54.201 to request designation as an ETC, only
5 a few CLECs have sought to make the commitments necessary for designation,
6 and consequently few have qualified for available universal service funding.

7 When discussing universal service-related obligations, including the
8 obligation to make certain services available, it is important to make the proper
9 distinctions. Dr. Danner, for example, refers (p. 21) to a potential need for *ETCs*
10 to recover Lifeline-related costs, but in the next sentence refers more generally to
11 a need for *carriers* to be able to petition the Commission for relief. He later (p.
12 28) makes the leap to a recommendation that *all certificated wireline carriers* be
13 required to offer Lifeline assistance. These are three distinct categories; not all
14 carriers, or even certificated wireline carriers, have sought designation as an ETC,
15 and as a result do not have the same obligations (or opportunities to receive
16 support) as an ETC.

17 As Mr. McCabe points out (p. 11), non-ILEC carriers have sought and
18 been granted designation as an ETC in Florida. These carriers have elected to
19 take on additional obligations, including the requirement to offer Lifeline service,
20 in exchange for the opportunity to receive certain forms of universal service
21 support. Dr. Danner asserts (p. 22) that “it is not reasonable, in today’s

1 competitive environment, to place this obligation on only one category of
2 providers in the marketplace.” I would argue that the exact opposite is true: the
3 obligation to provide Lifeline service exists for one category of providers – ETCs
4 – who have elected to take on this responsibility in exchange for certain benefits.
5 It appears that Mr. McCabe’s and Dr. Danner’s idea of a “competitively neutral”
6 arrangement is for carriers who are non-ETCs in Florida to be required to take on
7 ETC obligations, but for the benefits of operation as an ETC to remain solely with
8 carriers currently designated as ETCs.

9
10 Q. BOTH DR. DANNER AND MR. MCCABE DESCRIBE VARIOUS
11 COMPETITIVE IMPACTS ON THEIR RESPECTIVE COMPANIES. ARE
12 THESE ALLEGED COMPETITIVE IMPACTS RELEVANT TO ISSUES 6
13 AND 6A?

14 A. No. The merits and legal status of the issues addressed in the PAA: the adoption
15 of additional eligibility criteria for Lifeline assistance, the option of self-
16 certification by consumers, and the requirements that ETCs file certain
17 information with the Commission, can be fully addressed without attempting to
18 develop a state funding mechanism in this proceeding. If an when each ETC
19 determines that it should seek relief, it has the opportunity to petition the
20 Commission and demonstrate the need for funding as a result of these competitive
21 impacts.

1 Dr. Danner also argues (p. 9) that placing Lifeline obligations “solely on
2 ILECs” will distort investment incentives, because “a unique economic burden
3 placed on one class of carriers can reduce its expected returns on investment in
4 Florida.” Dr. Danner’s statement is both factually incorrect and misleadingly
5 one-sided. Lifeline obligations are not imposed “solely on ILECs,” they are
6 imposed solely on ETCs. Non-ILECs have been designated as ETCs in Florida,
7 and ILECs have the opportunity to relinquish their ETC designation. Dr.
8 Danner’s attempt to create the appearance of inequity is off the mark; the carriers
9 with the Lifeline obligation are those who have chosen to take it on. A suggestion
10 that a requirement to offer Lifeline reduces expected returns on investment
11 considers only half the picture: an ETC that is required to offer Lifeline also may
12 have the opportunity to receive universal service support that increases expected
13 returns on investment.

14
15 Q. DR. DANNER REFERS TO VERIZON’S COMMITMENT TO EXPAND
16 LIFELINE ELIGIBILITY IN EXCHANGE FOR THE OPPORTUNITY TO
17 “REBALANCE” RATES. SHOULD THIS COMMITMENT BE A
18 CONSIDERATION IN THIS PROCEEDING?

1 A. To the extent that a funding mechanism is to be discussed,² it is absolutely
2 appropriate to consider the commitments of certain ETCs to expand Lifeline
3 eligibility. Dr. Danner argues (p. 22) that “it would be reasonable for [the]
4 Commission to allow cost recovery if the Commission’s actions result in a
5 demonstrable increase – over present levels – of the ILEC’s Lifeline costs.” This
6 statement needs to be considered in a more precise way. Because BellSouth and
7 Verizon have already made a commitment to expand eligibility in exchange for
8 other benefits, any petition made by these companies pursuant to Section
9 364.025(3) and Order No. PSC-95-1592-FOF-TP must include a quantification
10 (with supporting cost documentation) of the amount of universal service subsidy
11 that exists prior to the implementation of the PAA (any change in the amount of
12 the subsidy created by the ETC’s commitments in exchange for rate rebalancing
13 should be included in this baseline amount), a quantification of the amount of the
14 subsidy that will exist once the PAA is implemented, and a calculation of the
15 difference between the two. Any request for funding granted by the Commission
16 should not exceed this incremental difference.

17 It is also important to note that the likelihood that an ILEC would be able
18 to demonstrate a substantial change in circumstances due to competitive entry is
19 now much smaller. Once rate rebalancing has been implemented, the impact of

² As described above, I do not believe that this proceeding is the correct forum for evaluating or considering funding mechanisms.

1 competitive entry on an ILEC's ability to sustain its universal service obligations
2 will be significantly diminished. When seeking relief, the ILEC must
3 "specifically quantify the alleged shortfall that is due to competitive entry." The
4 rationale used to support the potential for such a shortfall centered primarily on
5 the fact that ILECs would be unable to sustain high rates in low cost areas. Rate
6 rebalancing addresses and eliminates this potential.

7

8 Q. PLEASE SUMMARIZE YOUR TESTIMONY.

9 A. My testimony can be summarized as follows:

- 10 • The establishment of a state funding mechanism was not addressed in the
11 Commission's PAA regarding Lifeline services, and therefore appears to be
12 beyond the scope of proceeding whose purpose is to evaluate the merits of the
13 various elements of the PAA. A subsequent proceeding to address issues
14 related to a potential funding mechanism should be undertaken if, but only if,
15 one or more ETCs later come forward to demonstrate a substantial change of
16 circumstances pursuant to Section 364.025(3), and it is determined that the
17 Commission has the authority to establish a state fund.
- 18 • The opportunity for ETCs to petition the Commission for relief has been
19 addressed by both the Legislature (Section 364.025(3) and the Commission
20 (Order No. PSC-95-1592-FOF-TP).
- 21 • Pursuant to these requirements, ETCs bear the burden of petitioning the

1 Commission for relief and of providing sufficient information to the
2 Commission in order to demonstrate the cause of the substantially changed
3 circumstances, the appropriateness of any funding requested, and the
4 reasonableness of the proposed method of recovery. Order No. PSC-95-1592-
5 FOF-TP contains specific requirements regarding the quantification of both
6 the subsidy and alleged funding shortfall.

- 7 • To date, no ETC has provided a quantification of its existing subsidy, a
8 quantification of the amount of net contribution lost as a direct result of
9 competitive entry, or a calculation of any resulting shortfall. No ETC has
10 proposed a specific method of funding or has attempted to demonstrate the
11 reasonableness of any such proposal. Based on the record before it, the
12 Commission does not have the information that is necessary and required for
13 it to adopt a funding mechanism in this proceeding.
- 14 • There is no justification or basis in the record to establish an industry-wide
15 fund that would include both ETCs and non-ETCs.
- 16 • There is no basis in the record, or to my knowledge, in the applicable law, to
17 justify extending ETC obligations, including the requirement that Lifeline
18 assistance be provided, to non-ETCs.
- 19 • BellSouth and Verizon have already made a commitment to expand Lifeline
20 eligibility in exchange for other benefits. Any petition made by these

1 companies pursuant to Section 364.025(3) and Order No. PSC-95-1592-FOF-
2 TP must include a quantification of the incremental amount of universal
3 service subsidy that exists in above and beyond any additional universal
4 service subsidy created by their commitments in exchange for rate
5 rebalancing. In the hypothetical case in which an ETC makes a petition and
6 provides the necessary quantification of these amounts, any additional funding
7 ultimately granted by the Commission (should the Commission determine that
8 such a grant is justified) should be limited to this incremental amount.

9

10 Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?

11 A. Yes.

12

Don J. Wood

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Voice 770.475.9971, Facsimile 770.475.9972*

CURRENT EMPLOYMENT

Don J. Wood is a principal in the firm of Wood & Wood. He provides economic, financial, and regulatory analysis services in telecommunications and related convergence industries, specializing in economic policy related to the development of competitive markets, inter-carrier compensation, and cost of service issues. In addition, Mr. Wood advises industry associations on regulatory and economic policy and assists investors in their evaluation of investment opportunities in the telecommunications industry. The scope of his work has included landline and wireless communications, data services, and emerging technologies.

As a consultant, Mr. Wood has assisted his clients in responding to the challenges and business opportunities of the industry both before and subsequent to the Telecommunications Act of 1996. Prior to his work as a consultant, Mr. Wood was employed in a management capacity at a major Local Exchange Company and an Interexchange Carrier. He has been directly involved in both the development and implementation of regulatory policy and business strategy.

In the area of administrative law, Mr. Wood has presented testimony before the regulatory bodies of thirty-nine states, the District of Columbia, and Puerto Rico, and has prepared comments and testimony for filing with the Federal Communications Commission. The subject matter of his testimony has ranged from broad policy issues to detailed cost and rate analysis.

Mr. Wood has also presented testimony in state, federal, and overseas courts regarding business plans and strategies, competition policy, inter-carrier compensation, and cost of service issues. He has presented studies of the damages incurred by plaintiffs and has provided rebuttal testimony to damage calculations performed by others. Mr. Wood has also testified in alternative dispute resolution proceedings conducted pursuant to both AAA and CPR rules.

Mr. Wood is registered as a neutral with the Georgia Office of Dispute Resolution.

PREVIOUS INDUSTRY EMPLOYMENT

Klick, Kent & Allen/FTI Consulting, Inc.

Regional Director.

GDS Associates, Inc.

Senior Project Manager.

MCI Telecommunications Corporation

Manager of Regulatory Analysis, Southeast Division.

Manager, Corporate Economic Analysis and Regulatory Affairs.

BellSouth Services, Inc.

Staff Manager.

EDUCATION

Emory University, Atlanta, Ga.

BBA in Finance, with Distinction.

College of William and Mary, Williamsburg, Va.

MBA, with concentrations in Finance and Microeconomics.

TESTIMONY - STATE REGULATORY COMMISSIONS:

Alabama Public Service Commission

Docket No. 19356, Phase III: Alabama Public Service Commission vs. All Telephone Companies Operating in Alabama, and Docket 21455: AT&T Communications of the South Central States, Inc., Applicant, Application for a Certificate of Public Convenience and Necessity to Provide Limited IntraLATA Telecommunications Service in the State of Alabama.

Docket No. 20895: In Re: Petition for Approval to Introduce Business Line Termination for MCI's 800 Service.

Docket No. 21071: In Re: Petition by South Central Bell for Introduction of Bidirectional Measured Service.

Docket No. 21067: In Re: Petition by South Central Bell to Offer Dial Back-Up Service and 2400 BPS Central Office Data Set for Use with PulseLink Public Packet Switching Network Service.

Docket No. 21378: In Re: Petition by South Central Bell for Approval of Tariff Revisions to Restructure ESSX and Digital ESSX Service.

Docket No. 21865: In Re: Petition by South Central Bell for Approval of Tariff Revisions to Introduce Network Services to be Offered as a Part of Open Network Architecture.

Docket No. 25703: In Re: In the Matter of the Interconnection Agreement Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Docket No. 25704: In Re: Petition by AT&T Communications of the South Central States, Inc. for Arbitration of Certain Terms and Conditions of a Proposed Agreement with GTE South Incorporated and CONTEL of the South, Inc. Concerning Interconnection and Resale under the Telecommunications Act of 1996.

Docket No. 25835: In Re: Petition for Approval of a Statement of Generally Available Terms and Conditions Pursuant to §252(f) of the Telecommunications Act of 1996 and Notification of Intention to File a §271 Petition for In-Region InterLATA Authority with the Federal Communications Commission Pursuant to the Telecommunications Act of 1996.

Docket No. 26029: In Re: Generic Proceeding - Consideration of TELRIC Studies.

Docket No. 25980: Implementation of the Universal Support Requirements of Section 254 of the Telecommunications Act of 1996.

Docket No. 27091: Petition for Arbitration by ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. 27821: Generic Proceeding to Establish Prices for Interconnection Services and Unbundled Network Elements.

Docket Nos. 27989 and 15957: BellSouth "Full Circle" Promotion and Generic Proceeding Considering the Promulgation of Telephone Rules Governing Promotions.

Docket No. 28841: In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth

Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. 29075: Petition of CenturyTel to Establish Wholesale Avoidable Cost Discount Rates for Resale of Local Exchange Service.

Docket No. 29054: IN RE: Implementation of the Federal Communications Commission's Triennial Review Order (Phase II – Local Switching for Mass Market Customers).

The Regulatory Commission of Alaska

Case No. U-02-039: In the Matter of Request by Alaska Digitel, LLC for Designation as a Carrier Eligible To Receive Federal Universal Service Support Under the Telecommunications Act of 1996.

Arkansas Public Service Commission

Docket No. 92-337-R: In the Matter of the Application for a Rule Limiting Collocation for Special Access to Virtual or Physical Collocation at the Option of the Local Exchange Carrier.

Public Utilities Commission of the State of California

Rulemaking 00-02-005: Order Instituting Rulemaking on the Commission's Own Motion into Reciprocal Compensation for Telephone Traffic Transmitted to Internet Service Provider Modems.

Application Nos. 01-02-024, 01-02-035, 02-02-031, 02-02-032, 02-02-034, 02-03-002: Applications for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Public Utilities Commission of the State of Colorado

Docket No. 96A-345T: In the Matter of the Interconnection Contract Negotiations Between AT&T Communications of the Mountain States, Inc., and US West Communications, Inc., Pursuant to 47 U.S.C. Section 252. Docket No. 96A-366T: In the Matter of the Petition of MCIMetro Access Transmission Services, Inc., for Arbitration Pursuant to 47 U.S.C. § 252(b) of the Telecommunications Act of 1996 to Establish an Interconnection Agreement with US West Communications, Inc. (consolidated).

Docket No. 96S-257T: In Re: The Investigation and Suspension of Tariff Sheets Filed by US West Communications, Inc., with Advice Letter No. 2608 Regarding Proposed Rate Changes.

Docket No. 98F-146T: Colorado Payphone Association, Complainant, v. US West Communications, Inc., Respondent.

Docket No. 02A-276T: In the Matter of the Application of Wiggins Telephone Association for Approval of its Disaggregation Plan

Docket No. 02A-444T: In the Matter of NECC's Application to Redefine the Service Area of Eastern Slope Rural Telephone Association, Inc., Great Plains Communications, Inc., Plains Coop Telephone Association, Inc., and Sunflower Telephone Co., Inc.

State of Connecticut, Department of Utility Control

Docket 91-12-19: DPUC Review of Intrastate Telecommunications Services Open to Competition (Comments).

Docket No. 94-07-02: Development of the Assumptions, Tests, Analysis, and Review to Govern Telecommunications Service Reclassifications in Light of the Eight Criteria Set Forth in Section 6 of Public Act 94-83 (Comments).

Docket No. 03-11-16: Petition of Tel Comm Technologies, et. al., for Review and Amendment of Southern New England Telephone Company's Charges for Pay Telephone Access Services.

Delaware Public Service Commission

Docket No. 93-31T: In the Matter of the Application of The Diamond State Telephone Company for Establishment of Rules and Rates for the Provision of IntelliLinQ-PRI and IntelliLinQ-BRI.

Docket No. 41: In the Matter of the Development of Regulations for the Implementation of the Telecommunications Technology Investment Act.

Docket No. 96-324: In the Matter of the Application of Bell Atlantic-Delaware, Inc. for Approval of its Statement of Terms and Conditions Under Section 252(f) of the Telecommunications Act of 1996 (Phase II).

Docket No. 02-001: In the Matter of the Inquiry into Verizon Delaware Inc.'s Compliance with the Conditions Set Forth in 47 U.S.C. § 271(c).

Florida Public Service Commission

Docket No. 881257-TL: In Re: Proposed Tariff by Southern Bell to Introduce New Features for Digital ESSX Service, and to Provide Structural Changes for both ESSX Service and Digital ESSX Service.

Docket No. 880812-TP: In Re: Investigation into Equal Access Exchange Areas (EAEAs), Toll Monopoly Areas (TMAs), 1+ Restriction to the Local Exchange Companies (LECs), and Elimination of the Access Discount.

Docket No. 890183-TL: In Re: Generic Investigation into the Operations of Alternate Access Vendors.

Docket No. 870347-TI: In Re: Petition of AT&T Communications of the Southern States for Commission Forbearance from Earnings Regulation and Waiver of Rule 25-4.495(1) and 25-24.480 (1) (b), F.A.C., for a trial period.

Docket No. 900708-TL: In Re: Investigation of Methodology to Account for Access Charges in Local Exchange Company (LEC) Toll Pricing.

Docket No. 900633-TL: In Re: Development of Local Exchange Company Cost of Service Study Methodology.

Docket No. 910757-TP: In Re: Investigation into the Regulatory Safeguards Required to Prevent Cross-Subsidization by Telephone Companies.

Docket No. 920260-TL: In Re: Petition of Southern Bell Telephone and Telegraph Company for Rate

Stabilization, Implementation Orders, and Other Relief.

Docket No. 950985-TP: In Re: Resolution of Petitions to establish 1995 rates, terms, and conditions for interconnection involving local exchange companies and alternative local exchange companies pursuant to Section 364.162, Florida Statutes.

Docket No. 960846-TP: In Re: Petition by MCI Telecommunications Corporation and MCI Metro Access Transmission Services, Inc. for Arbitration of Certain Terms and Conditions of a proposed agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996 and Docket No. 960833-TP: In Re: Petition by AT&T Communications of the Southern States, Inc. for Arbitration of Certain Terms and Conditions of a Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996 (consolidated).

Docket No. 960847-TP and 960980-TP: In Re: Petition by AT&T Communications of the Southern States, Inc., MCI Telecommunications Corporation, MCI Metro Access Transmission Service, Inc., for Arbitration of Certain Terms and Conditions of a Proposed Agreement with GTE Florida Incorporated Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996 (consolidated).

Docket No. 961230-TP: In Re: Petition by MCI Telecommunications Corporation for Arbitration with United Telephone Company of Florida and Central Telephone Company of Florida Concerning Interconnection Rates, Terms, and Conditions, Pursuant to the Federal Telecommunications Act of 1996

Docket No. 960786-TL: In Re: Consideration of BellSouth Telecommunications, Inc.'s Entry Into InterLATA Services Pursuant to Section 271 of the Federal Telecommunications Act of 1996.

Docket Nos. 960833-TP, 960846-TP, 960757-TP, and 971140-TP: Investigation to develop permanent rates for certain unbundled network elements.

Docket No. 980696-TP: In Re: Determination of the cost of basic local telecommunications service, pursuant to Section 364.025 Florida Statutes.

Docket No. 990750-TP: Petition by ITC^DeltaCom Communications, Inc., d/b/a/ ITC^DeltaCom, for arbitration of certain unresolved issues in interconnection negotiations between ITC^DeltaCom and BellSouth Telecommunications, Inc.

Docket No. 991605-TP: Petition of BellSouth Telecommunications, Inc. for Arbitration of the Interconnection Agreement Between Time Warner Telecom of Florida, L.P., pursuant to Section 252 (b) of the Telecommunications Act of 1996.

Docket No. 030137-TP: In re: Petition for Arbitration of Unresolved Issues in Negotiation of Interconnection Agreement with BellSouth Telecommunications, Inc. by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom.

Docket no. 030300-TP: In re: Petition for expedited review of BellSouth Telecommunications, Inc.'s intrastate tariffs for pay telephone access services (PTAS) rate with respect to rates for payphone line access, usage, and features, by Florida Public Telecommunications Association.

Docket No. 030851-TP: In Re: Implementation of Requirements Arising from Federal Communications Commission Triennial UNE Review: Local Circuit Switching for Mass Market Customers.

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Docket No. 3882-U: In Re: Investigation into Incentive Telephone Regulation in Georgia.

Docket No. 3883-U: In Re: Investigation into the Level and Structure of Intrastate Access Charges.

Docket No. 3921-U: In Re: Compliance and Implementation of Senate Bill 524.

Docket No. 3905-U: In Re: Southern Bell Rule Nisi.

Docket No. 3995-U: In Re: IntraLATA Toll Competition.

Docket No. 4018-U: In Re: Review of Open Network Architecture (ONA) (Comments).

Docket No. 5258-U: In Re: Petition of BellSouth Telecommunications for Consideration and Approval of its "Georgians FIRST" (Price Caps) Proposal.

Docket No. 5825-U: In Re: The Creation of a Universal Access Fund as Required by the Telecommunications Competition and Development Act of 1995.

Docket No. 6801-U: In Re: Interconnection Negotiations Between BellSouth Telecommunications, Inc. and AT&T Communications of the Southern States, Inc., Pursuant to Sections 251-252 and 271 of the Telecommunications Act of 1996.

Docket No. 6865-U: In Re: Petition by MCI for Arbitration of Certain Terms and Conditions of Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996.

Docket No. 7253-U: In Re: BellSouth Telecommunications, Inc.'s Statement of Generally Available Terms and Conditions Under Section 252 (f) of the Telecommunications Act of 1996.

Docket No. 7061-U: In Re: Review of Cost Studies and Methodologies for Interconnection and Unbundling of BellSouth Telecommunications Services.

Docket No. 10692-U: In Re: Generic Proceeding to Establish Long-Term Pricing Policies for Unbundled Network Elements.

Docket No. 10854-U: In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. 16583-U: In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. 17749-U: Re: FCC's Triennial Review Order Regarding the Impairment of Local Switching for Mass Market Customers.

Public Utilities Commission of Hawaii

Docket No. 7702: In the Matter of Instituting a Proceeding on Communications, Including an Investigation of the Communications Infrastructure of the State of Hawaii.

Idaho Public Utilities Commission

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Case No. GNR-T-03-08: In the Matter of the Petition of IAT Communications, Inc., d/b/a NTCDIdaho, Inc., or ClearTalk, for Designation as an Eligible Telecommunications Carrier, and Case No. GNR-T-03-16: In the Matter of the Application of NCPR, Inc., d/b/a Nextel Partners, seeking designation as an Eligible Telecommunications Carrier.

Indiana Utility Regulatory Commission

Cause No. 42303: In the Matter of the Complaint of the Indiana Payphone Association for a Commission Determination of Just and Reasonable Rates and Charges and Compliance with Federal Regulations.

Cause No. 41052-ETC-43: In the Matter of the Designation of Eligible Telecommunications Carriers by the Indiana Utility Regulatory Commission Pursuant to the Telecommunications Act of 1996 and Related FCC Orders. In Particular, the Application of NPCR, Inc. d/b/a Nextel Partners to be Designated.

Iowa Utilities Board

Docket No. RPU-95-10

Docket No. RPU-95-11.

State Corporation Commission of the State of Kansas

Docket No. 00-GIMT-1054-GIT: In the Matter of a General Investigation to Determine Whether Reciprocal Compensation Should Be Paid for Traffic to an Internet Service Provider.

Docket No. 04-RCCT-338-ETC: In the Matter of Petition of RCC Minnesota, Inc. for Designation as an Eligible Telecommunications Carrier under 47 U.S.C. § 214(e)(2).

Kentucky Public Service Commission

Administrative Case No. 10321: In the Matter of the Tariff Filing of South Central Bell Telephone Company to Establish and Offer Pulselink Service.

Administrative Case No. 323: In the Matter of An Inquiry into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality.

Phase IA: Determination of whether intraLATA toll competition is in the public interest

Phase IB: Determination of a method of implementing intraLATA competition.

Rehearing on issue of Imputation

Administrative Case No. 90-256, Phase II: In the Matter of A Review of the Rates and Charges and Incentive Regulation Plan of South Central Bell Telephone Company.

Administrative Case No. 336: In the Matter of an Investigation into the Elimination of Switched Access Service Discounts and Adoption of Time of Day Switch Access Service Rates.

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Administrative Case No. 91-250: In the Matter of South Central Bell Telephone Company's Proposed Area Calling Service Tariff.

Administrative Case No. 96-431: In Re: Petition by MCI for Arbitration of Certain Terms and Conditions of a Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996.

Administrative Case No. 96-478: In Re: The Petition by AT&T Communications of the South Central States, Inc. for Arbitration of Certain Terms and Conditions of a Proposed Agreement with GTE South Incorporated Concerning Interconnection and Resale Under the Telecommunications Act of 1996.

Administrative Case No. 96-482: In Re: The Interconnection Agreement Negotiations Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Administrative Case No. 360: In the Matter of: An Inquiry into Universal Service and Funding Issues.

Administrative Case No. 96-608: In the Matter of: Investigation Concerning the Provision of InterLATA Services by BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Administrative Case No. 382: An Inquiry into the Development of Deaveraged Rates for Unbundled Network Elements.

Case No. 2003-00143: In the matter of: Petition of NCPR, Inc., d/b/a Nextel Partners for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Kentucky.

Case No. 2003-00397: Review of Federal Communications Commission's Triennial Review Order Regarding Unbundling Requirements for Individual Network Elements.

Louisiana Public Service Commission

Docket No. 17970: In Re: Investigation of the Revenue Requirements, Rate Structures, Charges, Services, Rate of Return, and Construction Program of AT&T Communications of the South Central States, Inc., in its Louisiana Operations.

Docket No. U-17949: In the Matter of an Investigation of the Revenue Requirements, Rate Structures, Charges, Services, Rate of Return, and Construction Program of South Central Bell Telephone Company, Its Louisiana Intrastate Operations, The Appropriate Level of Access Charges, and All Matters Relevant to the Rates and Service Rendered by the Company.

Subdocket A (SCB Earnings Phase)

Subdocket B (Generic Competition Phase)

Docket No. 18913-U: In Re: South Central Bell's Request for Approval of Tariff Revisions to Restructure ESSX and Digital ESSX Service.

Docket No. U-18851: In Re: Petition for Elimination of Disparity in Access Tariff Rates.

Docket No. U-22022: In Re: Review and Consideration of BellSouth Telecommunications, Inc.'s TSLRIC and LRIC Cost Studies Submitted Pursuant to Sections 901(C) and 1001(E) of the Regulations for

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Competition in the Local Telecommunications Market as Adopted by General Order Dated March 15, 1996 in Order to Determine the Cost of Interconnection Services and Unbundled Network Components to Establish Reasonable, Non-Discriminatory, Cost Based Tariffed Rates and Docket No. U-22093: In Re: Review and Consideration of BellSouth Telecommunications, Inc.'s Tariff Filing of April 1, 1996, Filed Pursuant to Section 901 and 1001 of the Regulations for Competition in the Local Telecommunications Market Which Tariff Introduces Interconnection and Unbundled Services and Establishes the Rates, Terms and Conditions for Such Service Offerings (consolidated).

Docket No. U-22145: In the Matter of Interconnection Agreement Negotiations Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Docket No. U-22252: In Re: Consideration and Review of BST's Preapplication Compliance with Section 271 of the Telecommunications Act of 1996, including but not limited to the fourteen requirements set forth in Section 271 (c) (2) (b) in order to verify compliance with section 271 and provide a recommendation to the FCC regarding BST's application to provide interLATA services originating in-region.

Docket No. U-20883 Subdocket A: In Re: Submission of the Louisiana Public Service Commission's Forward Looking Cost Study to the FCC for Purposes of Calculating Federal Universal Service Support.

Docket No. U-24206: In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. U-22632: In Re: BellSouth Telecommunications, Inc. Filing of New Cost Studies for Providing Access Line Service for Customer Provided Public Telephones and Smartline Service for Public Telephone Access.

Docket No. Docket No. U-24714-A: In Re: Final Deaveraging of BellSouth Telecommunications, Inc. UNE Rates Pursuant to FCC 96-45 Ninth Report and Order and Order on Eighteenth Order on Reconsideration Released November 2, 1999.

Docket No. U-27571: In Re: Louisiana Public Service Commission Implementation of the Requirements Arising from The Federal Communications Commission's Triennial Review Order, Order 03-36: Unbundled Local Circuit Switching for Mass Market Customers and Establishment of a Batch Cut Migration Process.

Public Service Commission of Maryland

Case 8584, Phase II: In the Matter of the Application of MFS Intelenet of Maryland, Inc. for Authority to Provide and Resell Local Exchange and Intrastate Telecommunications Services in Areas Served by C&P Telephone Company of Maryland.

Case 8715: In the Matter of the Inquiry into Alternative Forms of Regulating Telephone Companies.

Case 8731: In the Matter of the Petitions for Approval of Agreements and Arbitration of Unresolved Issues Arising Under Section 252 of the Telecommunications Act of 1996.

Massachusetts Department of Telecommunications and Energy

D.P.U./D.T.E. 97088/97-18 (Phase II): Investigation by the Department of Telecommunications & Energy on its own motion regarding (1) implementation of section 276 of the Telecommunications Act of 1996

relative to public interest payphones, (2) Entry and Exit Barriers for the Payphone Marketplace, (3) New England Telephone and Telegraph Company d/b/a NYNEX's Public Access Smart-Pay Service, and (4) the rate policy for operator service providers.

Minnesota Public Utilities Commission

PUC Docket No. PT6153/AM-02-686, OAH Docket No. 3-2500-14980-2: In the Matter of Petition of Midwest Wireless Communications, LLC for Designation as an Eligible Communications carrier under 47 U.S.C. § 214(e)(2).

PUC Docket No. PT-6182, 6181/M-02-1503: In the Matter of RCC Minnesota, Inc. and Wireless Alliance, LLC for Designation as an Eligible Telecommunications Carrier under 47 U.S.C. § 214(e)(2).

Mississippi Public Service Commission

Docket No. U-5086: In Re: MCI Telecommunications Corporation's Metered Use Service Option D (Prism I) and Option E (Prism II).

Docket No. U-5112: In Re: MCI Telecommunications Corporation's Metered Use Option H (800 Service).

Docket No. U-5318: In Re: Petition of MCI for Approval of MCI's Provision of Service to a Specific Commercial Banking Customers for Intrastate Interexchange Telecommunications Service.

Docket 89-UN-5453: In Re: Notice and Application of South Central Bell Telephone Company for Adoption and Implementation of a Rate Stabilization Plan for its Mississippi Operations.

Docket No. 90-UA-0280: In Re: Order of the Mississippi Public Service Commission Initiating Hearings Concerning (1) IntraLATA Competition in the Telecommunications Industry and (2) Payment of Compensation by Interexchange Carriers and Resellers to Local Exchange Companies in Addition to Access Charges.

Docket No. 92-UA-0227: In Re: Order Implementing IntraLATA Competition.

Docket No. 96-AD-0559: In Re: In the Matter of the Interconnection Agreement Negotiations Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Docket No. 98-AD-035: Universal Service.

Docket No. 97-AD-544: In Re: Generic Proceeding to Establish Permanent Prices for BellSouth Interconnection and Unbundled Network Elements.

Docket No. 2003-AD-714: Generic Proceeding to Review the Federal Communications Commission's Triennial Review Order.

Public Service Commission of the State of Missouri

Case No. TO-2004-0527: In the Matter of the Application of WWC License, LLC, d/b/a CellularOne, for Designation as an Eligible Telecommunications Carrier, and Petition for Redefinition of Rural Telephone Company Areas.

Public Service Commission of the State of Montana

Docket No. D2000.8.124: In the Matter of Touch America, Inc.'s Petition for Arbitration Pursuant to Section 252(b) of the Telecommunications Act of 1996 of the Terms and Conditions of Interconnection with Qwest Corporation, f/k/a US West Communications, Inc.

Docket No. D2000.6.89: In the Matter of Qwest Corporation's Application to Establish Rates for Interconnection, Unbundled Network Elements, Transport and Termination, and Resale Services.

Docket No. D2003.1.14: In the Matter of WWC Holding Co. Application for Designation as an Eligible Telecommunications Carrier in Montana Areas Served by Qwest Corporation.

Nebraska Public Service Commission

Docket No. C-1385: In the Matter of a Petition for Arbitration of an Interconnection Agreement Between AT&T Communications of the Midwest, Inc., and US West Communications, Inc.

Public Utilities Commission of Nevada

Docket No. 04-3030: In re: Application of WWD License LLC, d/b/a CellularOne, for redefinition of its service area as a designated Eligible Telecommunications Carrier.

New York Public Service Commission

Case No. 28425: Proceeding on Motion of the Commission as to the Impact of the Modification of Final Judgement and the Federal Communications Commission's Docket 78-72 on the Provision of Toll Service in New York State.

North Carolina Public Utilities Commission

Docket No. P-100, Sub 72: In the Matter of the Petition of AT&T to Amend Commission Rules Governing Regulation of Interexchange Carriers (Comments).

Docket No. P-141, Sub 19: In the Matter of the Application of MCI Telecommunications Corporation to Provide InterLATA Facilities-Based Telecommunications Services (Comments).

Docket No. P-55, Sub 1013: In the Matter of Application of BellSouth Telecommunications, Inc. for, and Election of, Price Regulation.

Docket Nos. P-7, Sub 825 and P-10, Sub 479: In the Matter of Petition of Carolina Telephone and Telegraph and Central Telephone Company for Approval of a Price Regulation Plan Pursuant to G.S. 62-133.5.

Docket No. P-19, Sub 277: In the Matter of Application of GTE South Incorporated for and Election of, Price Regulation.

Docket No. P-141, Sub 29: In the Matter of: Petition of MCI Telecommunications Corporation for

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Arbitration of Interconnection with BellSouth Telecommunications, Inc., Petition of AT&T Communications of the Southern States, Inc. for Arbitration of Interconnection with BellSouth Telecommunications, Inc. (consolidated).

Docket No. P-141, Sub 30: In the Matter of: Petition of MCI Telecommunications Corporation for Arbitration of Interconnection with General Telephone Company of North Carolina, Inc., Petition of AT&T Communications of the Southern States, Inc. for Arbitration of Interconnection with General Telephone Company of North Carolina, Inc. (consolidated).

Docket No. P-100, Sub 133b: Re: In the Matter of Establishment of Universal Support Mechanisms Pursuant to Section 254 of the Telecommunications Act of 1996.

Docket No. P-100, Sub 133d: Re: Proceeding to Determine Permanent Pricing for Unbundled Network Elements.

Docket No. P-100, Sub 84b: Re: In the Matter of Petition of North Carolina Payphone Association for Review of Local Exchange Company Tariffs for Basic Payphone Services (Comments).

Docket No. P-561, Sub 10: BellSouth Telecommunications, Inc., Complainant, v. US LEC of North Carolina, LLC, and Metacomm, LLC, Respondents.

Docket No. P-472, Sub 15: In the Matter of the Interconnection Agreement Between BellSouth Telecommunications, Inc. and Time Warner Telecom of North Carolina, L.P. Pursuant to Section 252(b) of the Telecommunications Act of 1996.

Docket Nos. P-7, Sub 995; P-10, Sub 633: ALEC., Inc. v. Carolina Telephone and Telegraph Company and Central Telephone Company.

Docket No. P-500, Sub 18: In the Matter of: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. P-118, Sub 30: In the matter of: Petition of Celco Partnership d/b/a Verizon Wireless for Arbitration Pursuant to Section 252 of the Telecommunications Act of 1996.

Docket No. P-100, Sub 133q: In Re: Implementation of Requirements Arising from Federal Communications Commission Triennial UNE Review: Local Circuit Switching for Mass Market Customers

Public Utilities Commission of Ohio

Case No. 93-487-TP-ALT: In the Matter of the Application of The Ohio Bell Telephone Company for Approval of an Alternative Form of Regulation.

Oklahoma Corporation Commission

Cause No. PUD 01448: In the Matter of the Application for an Order Limiting Collocation for Special Access to Virtual or Physical Collocation at the Option of the Local Exchange Carrier.

Cause No. PUD 200300195: Application of United States Cellular Corporation for Designation as an Eligible Telecommunications Carrier Pursuant to the Telecommunications Act of 1996.

Cause No. PUD 200300239: Application of Dobson Cellular Systems, Inc. for Designation as an Eligible

Telecommunications Carrier Pursuant to the Telecommunications Act of 1996.

Public Utility Commission of Oregon

Docket No. UT 119: In the Matter of an Investigation into Tariffs Filed by US West Communications, Inc., United Telephone of the Northwest, Pacific Telecom, Inc., and GTE Northwest, Inc. in Accordance with ORS 759.185(4).

Docket No. ARB 3: In the Matter of the Petition of AT&T Communications of the Pacific Northwest, Inc., for Arbitration of Interconnection Rates, Terms, and Conditions Pursuant to 47 U.S.C. § 252(b) of the Telecommunications Act of 1996. Docket No. ARB 6: In the Matter of the Petition of MCIMetro Access Transmission Services, Inc. for Arbitration of Interconnection Rates, Terms, and Conditions Pursuant to 47 U.S.C. § 252(b) of the Telecommunications Act of 1996 (consolidated).

Docket No. ARB 9: In the Matter of the Petition of an Interconnection Agreement Between MCIMetro Access Transportation Services, Inc. and GTE Northwest Incorporated, Pursuant to 47 U.S.C. Section 252

Docket No. UT-125: In the Matter of the Application of US West Communications, Inc. for an Increase in Revenues.

Docket No. UM 1083: RCC Minnesota, Inc. Application for Designation as an Eligible Telecommunications Carrier, Pursuant to the Telecommunications Act of 1996.

Docket No. UM 1084: United States Cellular Corporation Application for Designation as an Eligible Telecommunications Carrier, Pursuant to the Telecommunications Act of 1996.

Pennsylvania Public Utilities Commission

Docket No. I-00910010: In Re: Generic Investigation into the Current Provision of InterLATA Toll Service.

Docket No. P-00930715: In Re: The Bell Telephone Company of Pennsylvania's Petition and Plan for Alternative Form of Regulation under Chapter 30.

Docket No. R-00943008: In Re: Pennsylvania Public Utility Commission v. Bell Atlantic-Pennsylvania, Inc. (Investigation of Proposed Promotional Offerings Tariff).

Docket No. M-00940587: In Re: Investigation pursuant to Section 3005 of the Public Utility Code, 66 Pa. C. S. §3005, and the Commission's Opinion and Order at Docket No. P-930715, to establish standards and safeguards for competitive services, with particular emphasis in the areas of cost allocations, cost studies, unbundling, and imputation, and to consider generic issues for future rulemaking.

Docket No. A-310489F7004: Petition of Celco Partnership d/b/a Verizon Wireless for Arbitration Pursuant to Section 252 of the telecommunications Act of 1996.

South Carolina Public Service Commission

Docket No. 90-626-C: In Re: Generic Proceeding to Consider Intrastate Incentive Regulation.

Docket No. 90-321-C: In Re: Petition of Southern Bell Telephone and Telegraph Company for Revisions to

its Access Service Tariff Nos. E2 and E16.

Docket No. 88-472-C: In Re: Petition of AT&T of the Southern States, Inc., Requesting the Commission to Initiate an Investigation Concerning the Level and Structure of Intrastate Carrier Common Line (CCL) Access Charges.

Docket No. 92-163-C: In Re: Position of Certain Participating South Carolina Local Exchange Companies for Approval of an Expanded Area Calling (EAC) Plan.

Docket No. 92-182-C: In Re: Application of MCI Telecommunications Corporation, AT&T Communications of the Southern States, Inc., and Sprint Communications Company, L.P., to Provide IntraLATA Telecommunications Services.

Docket No. 95-720-C: In Re: Application of BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company for Approval of an Alternative Regulation Plan.

Docket No. 96-358-C: In Re: Interconnection Agreement Negotiations Between AT&T Communications of the Southern States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Docket No. 96-375-C: In Re: Interconnection Agreement Negotiations Between AT&T Communications of the Southern States, Inc. and GTE South Incorporated Pursuant to 47 U.S.C. § 252.

Docket No. 97-101-C: In Re: Entry of BellSouth Telecommunications, Inc. into the InterLATA Toll Market.

Docket No. 97-374-C: In Re: Proceeding to Review BellSouth Telecommunications, Inc. Cost for Unbundled Network Elements.

Docket No. 97-239-C: Intrastate Universal Service Fund.

Docket No. 97-124-C: BellSouth Telecommunications, Inc. Revisions to its General Subscriber Services Tariff and Access Service Tariff to Comply with the FCC's Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996.

Docket No. 1999-268-C: Petition of Myrtle Beach Telephone, LLC, for Arbitration Pursuant to Section 252(b) of the Telecommunications Act of 1996 to Establish an Interconnection Agreement with Horry Telephone Cooperative, Inc.

Docket No. 1999-259-C: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. 2001-65-C: Generic Proceeding to Establish Prices for BellSouth's Interconnection Services, Unbundled Network Elements and Other Related Elements and Services.

Docket No. 2003-326-C: In Re: Implementation of Requirements Arising from Federal Communications Commission Triennial UNE Review: Local Circuit Switching for Mass Market Customers.

South Dakota Public Utilities Commission

Docket No. TC03-191: In the Matter of the Filing by WWC License, LLC d/b/a CellularOne for Designation as an Eligible Telecommunications Carrier in Other Rural Areas.

Docket no. TC03-193: In the Matter of the Petition of RCC Minnesota, Inc., and Wireless Alliance, L.L.C., for Designation as an Eligible Telecommunications Carrier under 47 U.S.C. §214(e)(2).

Tennessee Public Service Commission

Docket No. 90-05953: In Re: Earnings Investigation of South Central Bell Telephone Company.

Docket Nos. 89-11065, 89-11735, 89-12677: AT&T Communications of the South Central States, MCI Telecommunications Corporation, US Sprint Communications Company -- Application for Limited IntraLATA Telecommunications Certificate of Public Convenience and Necessity.

Docket No. 91-07501: South Central Bell Telephone Company's Application to Reflect Changes in its Switched Access Service Tariff to Limit Use of the 700 Access Code.

Tennessee Regulatory Authority

Docket No. 96-01152: In Re: Petition by AT&T Communications of the South Central States, Inc. for Arbitration under the Telecommunications Act of 1996 and Docket No. 96-01271: In Re: Petition by MCI Telecommunications Corporation for Arbitration of Certain Terms and Conditions of a Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996 (consolidated).

Docket No. 96-01262: In Re: Interconnection Agreement Negotiations Between AT&T of the South Central States, Inc. and BellSouth Telecommunications, Inc. Pursuant to 47 U.S.C. § 252.

Docket No. 97-01262: Proceeding to Establish Permanent Prices for Interconnection and Unbundled Network Elements.

Docket No. 97-00888: Universal Service Generic Contested Case.

Docket No. 99-00430: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. pursuant to the Telecommunications Act of 1996.

Docket No. 97-00409: In Re: All Telephone Companies Tariff Filings Regarding Reclassification of Pay Telephone Service as Required by Federal Communications Commission Docket No. 96-128.

Docket No. 03-00119: In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc.

Docket No. 03-00491: In Re: Implementation of Requirements Arising from Federal Communications Commission Triennial UNE Review: Local Circuit Switching for Mass Market Customers.

Public Utility Commission of Texas

Docket No. 12879: Application of Southwestern Bell Telephone Company for Expanded Interconnection

Exhibit DJW-1 ()
CV of Don J. Wood

for Special Access Services and Switched Transport Services and Unbundling of Special Access DS1 and DS3 Services Pursuant to P. U. C. Subst. R. 23.26.

Docket No. 18082: Complaint of Time Warner Communications against Southwestern Bell Telephone Company.

Docket No. 21982: Proceeding to Examine Reciprocal Compensation Pursuant to Section 252 of the Federal Telecommunications Act of 1996.

Docket No. 23396: Joint Petition of CoServ, LLC d/b/a CoServ Communications and Multitechnology Services, LP d/b/a CoServ Broadband Services for Arbitration of Interconnection Rates, Terms, Conditions, and Related Arrangements with Southwestern Bell Telephone Company.

Docket No. 24015: Consolidated Complaints and Requests of Post-Interconnection Dispute Resolution Regarding Inter-Carrier Compensation for FX-Type Traffic Against Southwestern Bell Telephone Company.

PUC Docket No. 27709: Application of NPCR, Inc., dba Nextel Partners for Eligible Telecommunications Carrier Designation (ETC).

PUC Docket No. 28744: Impairment Analysis for Dedicated Transport.

PUC Docket No. 28745: Impairment Analysis for Enterprise Loops.

PUC Docket No. 29144: Application of Dobson Cellular Systems, Inc., for Designation as an Eligible Telecommunications Carrier (ETC) pursuant to 47 U.S.C. 241 (e) and P.U. C. Subst. Rule 26.418.

State of Vermont Public Service Board

Docket No. 6533: Application of Verizon New England Inc. d/b/a Verizon Vermont for a Favorable Recommendation to Offer InterLATA Services Under 47 U.S.C. 271.

Docket No. 6882: Investigation into Public Access Line Rates of Verizon New England, Inc., d/b/a Verizon Vermont.

Docket No. 6934: Petition of RCC Atlantic Inc. for designation as an Eligible Telecommunications Carrier in areas served by rural telephone companies under the Telecommunications Act of 1996.

Virginia State Corporation Commission

Case No. PUC920043: Application of Virginia Metrotel, Inc. for a Certificate of Public Convenience and Necessity to Provide InterLATA Interexchange Telecommunications Services.

Case No. PUC920029: Ex Parte: In the Matter of Evaluating the Experimental Plan for Alternative Regulation of Virginia Telephone Companies.

Case No. PUC930035: Application of Contel of Virginia, Inc. d/b/a GTE Virginia to implement community calling plans in various GTE Virginia exchanges within the Richmond and Lynchburg LATAs.

Case No. PUC930036: Ex Parte: In the Matter of Investigating Telephone Regulatory Methods Pursuant to

Virginia Code § 56-235.5, & Etc

Washington Utilities and Transportation Commission

Docket Nos. UT-941464, UT-941465, UT-950146, and UT-950265 (Consolidated): Washington Utilities and Transportation Commission, Complainant, vs. US West Communications, Inc., Respondent; TCG Seattle and Digital Direct of Seattle, Inc., Complainant, vs. US West Communications, Inc., Respondent; TCG Seattle, Complainant, vs. GTE Northwest Inc., Respondent; Electric Lightwave, Inc., vs. GTE Northwest, Inc., Respondent.

Docket No. UT-950200: In the Matter of the Request of US West Communications, Inc. for an Increase in its Rates and Charges.

Docket No. UT-000883: In the Matter of the Petition of U S West Communications, Inc. for Competitive Classification.

Public Service Commission of West Virginia

Case No. 02-1453-T-PC: Highland Cellular, Inc. Petition for consent and approval to be designated as an eligible telecommunications carrier in the areas served by Citizens Telecommunications Company of West Virginia.

Case No. 03-0935-T-PC: Easterbrooke Cellular Corporation Petition for consent and approval to be designated as an eligible telecommunications carrier in the area served by Citizens Telecommunications Company of West Virginia d/b/a Frontier Communications of West Virginia.

Public Service Commission of Wyoming

Docket No. 70000-TR-95-238: In the Matter of the General Rate/Price Case Application of US West Communications, Inc. (Phase I).

Docket No. PSC-96-32: In the Matter of Proposed Rule Regarding Total Service Long Run Incremental Cost (TSLRIC) Studies.

Docket No. 70000-TR-98-420: In the Matter of the Application of US West Communications, Inc. for authority to implement price ceilings in conjunction with its proposed Wyoming Price Regulation Plan for essential and noncompetitive telecommunications services (Phase III).

Docket No. 70000-TR-99-480: In the Matter of the Application of US West Communications, Inc. for authority to implement price ceilings in conjunction with its proposed Wyoming Price Regulation Plan for essential and noncompetitive telecommunications services (Phase IV).

Docket No. 70000-TR-00-556: In the Matter of the Filing by US West Communications, Inc. for Authority to File its TSLRIC 2000 Annual Input Filing and Docket No. 70000-TR-00-570: In the Matter of the Application of US West Communications, Inc. for Authority to File its 2000 Annual TSLRIC Study Filing.

Public Service Commission of the District of Columbia

Formal Case No. 814, Phase IV: In the Matter of the Investigation into the Impact of the AT&T Divestiture

and Decisions of the Federal Communications Commission on Bell Atlantic - Washington, D. C. Inc.'s Jurisdictional Rates.

Puerto Rico Telecommunications Regulatory Board

Case No. 98-Q-0001: In Re: Payphone Tariffs.

Case No. JRT-2001-AR-0002: In the Matter of Interconnection Rates, Terms and Conditions between WorldNet Telecommunications, Inc. and Puerto Rico Telephone Company.

Case No. JRT-2003-AR-0001: Re: Petition for Arbitration pursuant to Section 252(b) of the Federal Communications Act, and Section 5(b), Chapter II of the Puerto Rico Telecommunications Act, regarding interconnection rates, terms, and conditions.

Case No. JRT-2004-Q-0068: Telefónica Larga Distancia de Puerto Rico, Inc., Complainant, v. Puerto Rico Telephone Company, Defendant (local calling areas).

COMMENTS/DECLARATIONS - FEDERAL COMMUNICATIONS COMMISSION

CC Docket No. 92-91: In the Matter of Open Network Architecture Tariffs of Bell Operating Companies.

CC Docket No. 93-162: Local Exchange Carriers' Rates, Terms, and Conditions for Expanded Interconnection for Special Access.

CC Docket No. 91-141: Common Carrier Bureau Inquiry into Local Exchange Company Term and Volume Discount Plans for Special Access.

CC Docket No. 94-97: Review of Virtual Expanded Interconnection Service Tariffs

CC Docket No. 94-128: Open Network Architecture Tariffs of US West Communications, Inc

CC Docket No. 94-97, Phase II: Investigation of Cost Issues, Virtual Expanded Interconnection Service Tariffs.

CC Docket No. 96-98: In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996

CC Docket No. 97-231: Application by BellSouth to Provide In-Region InterLATA Services

CC Docket No. 98-121: Application by BellSouth to Provide In-Region InterLATA Services

CCB/CPD No. 99-27: In the Matter of Petition of North Carolina Payphone Association for Expedited Review of, and/or Declaratory Ruling Concerning, Local Exchange Company Tariffs for Basic Payphone Services.

CC Docket No. 96-128: In the Matter of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CCB/CPD No. 99-31: Oklahoma Independent Telephone Companies Petition for Declaratory Ruling (consolidated).

CCB/CPD No. 00-1: In the Matter of the Wisconsin Public Service Commission Order Directing Filings

CC Docket No. 99-68: In the Matter of Inter-Carrier Compensation for ISP-Bound Traffic

File No. EB-01-MD-020: In the Matter of Sprint Communications Company, L.P., Complainant v. Time Warner Telecom, Inc. Defendant.

Request by the American Public Communications Council that the Commission Issue a Notice of Proposed Rulemaking to Update the Dial-Around Compensation Rate

File Nos. EB-02-MD-018-030: In the Matter of Communications Vending Corp. of Arizona, et. al., Complainants, v. Citizens Communications Co. f/k/a Citizens Utilities Co. and Citizens Telecommunications Co., et. al., Defendants.

CC Docket No. 96-45: In the Matter of Federal-State Joint Board on Universal Service, Cellular South License, Inc., RCC Holdings, Inc., Petitions for designation as an Eligible Telecommunications Carrier in the State of Alabama.

CC Docket No. 96-45: In the Matter of Federal-State Joint Board on Universal Service, Declaration in Support of the Comments to the Federal-State Joint Board of the Rural Cellular Association and the Alliance of Rural CMRS Carriers.

REPRESENTATIVE TESTIMONY – STATE, FEDERAL, AND OVERSEAS COURTS

Court of Common Pleas, Philadelphia County, Pennsylvania

Shared Communications Services of 1800-80 JFK Boulevard, Inc., Plaintiff, v. Bell Atlantic Properties, Inc., Defendant.

Texas State Office of Administrative Hearings

SOAH Docket No. 473-00-0731: Office of Customer Protection (OCP) Investigation of Axces, Inc. for Continuing Violations of PUC Substantive Rule §26.130, Selection of Telecommunications Utilities, Pursuant to Procedural Rules 22.246 Administrative Penalties.

SOAH Docket No. 473-03-3673: Application of NPCR, Inc., dba Nextel Partners for Eligible Telecommunications Carrier Designation (ETC).

SOAH Docket No. 473-04-4450: Application of Dobson Cellular Systems, Inc., for Designation as an Eligible Telecommunications Carrier (ETC) pursuant to 47 U.S.C. 241 (e) and P.U. C. Subst. Rule 26.418.

Superior Court for the State of Alaska, First Judicial District

Richard R. Watson, David K. Brown and Ketchikan Internet Services, a partnership of Richard R. Watson and David K. Brown, plaintiffs, v. Karl Amylon and the City of Ketchikan, Defendants.

United States District Court for the District of South Carolina, Columbia Division

Brian Wesley Jeffcoat, on behalf of himself and others similarly situated, Plaintiffs, v. Time Warner Entertainment - Advance/Newhouse Partnership, Defendant.

United States District Court for the Northern District of Texas, Fort Worth Division

Multitechnology Services, L. P. d/b/a CoServ Broadband Services, Plaintiffs, v. Southwestern Bell Telephone Company, Defendant.

Multitechnology Services, L. P. d/b/a CoServ Broadband Services, Plaintiffs, v. Verizon Southwest f/k/a GTE Southwest Incorporated.

High Court of the Hong Kong Special Administrative Region, Court of First Instance

Commercial List No. 229 of 1999: Cable and Wireless HKT International Limited, Plaintiff v. New World Telephone Limited, Defendant.

REPRESENTATIVE TESTIMONY – PRIVATE COMMERCIAL ARBITRATION TRIBUNALS

American Arbitration Association

Southwestern Bell Telephone Company, Claimant vs. Time Warner Telecom, Respondent.

New Access Communications LLC, Choicetel LLC and Emergent Communications LLC, Claimants vs. Qwest Corporation, Respondent (Case No. 77 Y 1818 0031603).

CPR Institute for Dispute Resolution

Supra Telecommunications and Information Systems, Inc., Claimant vs. BellSouth Telecommunications, Inc., Respondent.