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January 30, 2006

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

Re: Dockets Nos. 050119-TP and 050125-TP.

Dear Ms. Bayó:

Enclosed for filing in the above referenced dockets is the Rebuttal Testimony of Richard T. Guepe on behalf of AT&T Communications of the Southern States, LLC. If you have any questions, please do not hesitate to contact me at (850) 425-6360.

Thank you for your assistance with this filing.

Sincerely yours,

Tracy W. Hatch

- OMP
- COM 5
- CTR og TWH/sd
- ECR _____ Enclosure
- GCL 2 cc: Parties of Record
- OPC _____
- RCA _____
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**CERTIFICATE OF SERVICE
DOCKET NOS. 050119 and 050125-TP**

I HEREBY CERTIFY that a copy of the foregoing has been furnished via U.S.
Mail this 30th day of January 2006, the following parties of record:

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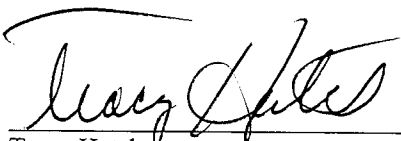
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Tracy Hatch

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition by TDS Telecom d/b/a DOCKET NO. 050119-TP
TDS Telecom/Quincy Telephone; ALLTEL
Florida, Inc.; Northeast Florida Telephone
Company d/b/a NEFCOM; GTC, Inc. d/b/a GT
Com; Smart City Telecommunications, LLC
d/b/a Smart City Telecom; ITS
Telecommunications Systems, Inc.; and
Frontier Communications of the South, LLC
["Joint Petitioners"] objecting to and
requesting suspension and cancellation of
proposed transit traffic service tariff filed by
BellSouth Telecommunications, Inc.

In re: Petition and complaint for suspension DOCKET NO. 050125-TP
and cancellation of Transit Traffic Service
Tariff No. FL2004-284 filed by BellSouth
Telecommunications, Inc., by AT&T
Communications of the Southern States, LLC.

**REBUTTAL TESTIMONY OF
RICHARD T. GUEPE**

**ON BEHALF OF
AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC**

January 30, 2006

DOCUMENT NUMBER DATE

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1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS FOR THE**
2 **RECORD.**

3 A. My name is Richard T. Guepe. My business address is 1230 Peachtree Street,
4 Atlanta, Georgia, 30309.

5

6 **Q. ARE YOU THE SAME RICHARD GUEPE THAT PROVIDED**
7 **TESTIMONY EARLIER IN THIS PROCEEDING?**

8 A. Yes.

9

10 **Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?**

11 A. The purpose of my testimony is to respond to portions of the direct the testimony
12 of the Small LEC Petitioners' witness Mr. Steven E. Watkins. Specifically, I
13 address positions that impact the operation of AT&T in Florida. To the extent I
14 do not specifically address any arguments raised by parties in this docket, that
15 should not necessarily be taken as agreement with those positions. Instead, in
16 those instances, I would refer the Commission to my direct testimony which I
17 believe already fully addresses these issues.

18

19 **Q. DO YOU AGREE WITH THE SMALL LEC POSITION THAT THE**
20 **INDEPENDENT COMPANIES SHOULD NOT BE RESPONSIBLE FOR**
21 **TRANSIT TRAFFIC COSTS FOR ITS ORIGINATING TRAFFIC FOR**
22 **TRANSIT TRAFFIC BETWEEN THE ICO AND CLECS OR CMRS**
23 **PROVIDERS?**

24 A. No. Small LEC witness Watkins is the lone witness to support this position. All
25 other parties offering testimony in this case support the position that the
26 originating carrier is responsible for providing compensation to BellSouth for the
27 provision of the transit transport and switching service.

1 BellSouth witness McCallen (Direct, P. 14) states “the originating carrier (cost
2 causer) should be responsible for paying the transit charges to the transit
3 provider.”

4 CompSouth witness Gates (Direct, P. 25) states “the originating carrier is
5 responsible for compensating BellSouth for transit services.”

6 Sprint witness Pruitt (Direct, P.19) states “Pursuant to federal law, an originating
7 carrier is responsible for all costs, including transit costs, associated with
8 delivering traffic originate on its network to the terminating carrier’s network.”

9 Verizon Wireless witness Sterling (Direct, P. 5) states “the originating carrier is
10 responsible for delivering its traffic to BellSouth in such a manner that it can be
11 identified, routed, and billed. The originating carrier further is responsible for
12 paying the transit charges for the traffic it originates over a third party’s network.”

13
14 The concept that the originating party pays is standard practice in intercarrier
15 compensation processes for the traffic at issue here and it is appropriate for the
16 originating telecommunications service provider to pay the transit charges. As
17 Mr. McCallen points out, the party originating the call is the cost causer and the
18 originating provider is responsible to pay the transit traffic charges. In other
19 words, if a CLEC customer originates a call that is terminated to an ICO customer
20 and transited by BellSouth, the CLEC pays BellSouth for the transit function. If
21 an ICO customer originates a call that is terminated to a CLEC customer and
22 transited by BellSouth, the ICO pays BellSouth for the transit function. If the
23 ICO elected to deliver its originated traffic directly to the CLEC, the ICO would

1 be financially responsible for the transport of such traffic. In either case, the ICO
2 is financially responsible for delivery of its originated traffic; its use of a transit
3 provider does not change its obligation under the law.

4

5 **Q. DO YOU AGREE WITH MR. WATKINS ASSERTION (DIRECT, P. 10)**
6 **THAT SMALL LECS “SUBSIDIZE THE CLEC AND CMRS**
7 **PROVIDERS’ OPERATIONS THROUGH THE PAYMENT OF TRANSIT**
8 **SERVICE CHARGES TO BELL SOUTH FOR THE CLECS’ AND CMRS**
9 **PROVIDERS’ USE OF THE BELL SOUTH NETWORK?”**

10 A. Absolutely not. AT&T pays BellSouth for the transit traffic it originates and
11 sends to the BellSouth network. The Small LECs do not pay BellSouth for the
12 traffic originated on AT&T’s network and are not subsidizing AT&T.

13

14 **Q. IS THE SMALL LECS’ TESTIMONY ON THE ISSUE OF WHO IS**
15 **RESPONSIBLE FOR PAYMENT OF COMPENSATION TO BELL SOUTH**
16 **FOR THE PROVISION OF THE TRANSIT TRANSPORT AND**
17 **SWITCHING SERVICE CONSISTENT WITH THE AGREEMENT**
18 **RECENTLY REACHED BY ONE OF ITS MEMBERS WITH CINGULAR**
19 **WIRELESS?**

20 A. No it is not. In an agreement filed with the Commission on October 28, 2005
21 between Northeast Florida Telephone Company and New Cingular Wireless, the
22 parties agreed that it is the responsibility of the originating party to pay the
23 provider of transit service.

24

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

26 A. Yes.