

Exhibit No.:
Issue:
Witness: John Jennings
Sponsoring Party: Big River Telephone
Company, LLC
Type of Exhibit: Direct Testimony
Case No.: TC-2007-0085

BIG RIVER TELEPHONE COMPANY, LLC

DIRECT TESTIMONY

OF

JOHN JENNINGS

TC-2007-0085

June 21, 2007

STATE OF Missouri)
)
COUNTY OF St. Louis Co) SS.

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

BIG RIVER TELEPHONE)
COMPANY, LLC,)
)
Complainant,)
)
V.) Case No. TC-2007-0085
)
SOUTHWESTERN BELL)
TELEPHONE, L.P. D/B/A)
AT&T MISSOURI,)
)
Respondent.)

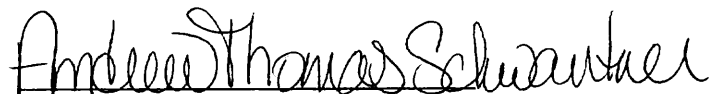
AFFIDAVIT OF JOHN JENNINGS

COMES NOW John Jennings, of lawful age, sound of mind and being first duly sworn. deposes and states:

1. My name is John Jennings. I am the Chief Financial Officer for Big River Telephone Company, LLC.
2. Attached hereto and made a part hereof for all purposes is my Direct Testimony in the above-referenced case.
3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.


John Jennings

SUBSCRIBED AND SWORN to before me, a Notary Public, this 19th day of June, 2007.


Notary Public

My Commission Expires: 5/31/2010
(SEAL)

ANDREW THOMAS SCHWANTNER
Notary Public - Notary Seal
STATE OF MISSOURI
Jefferson County
Commission #06893876
My Commission Expires 5 / 31 / 2010

**PRE-FILED DIRECT TESTIMONY
OF
JOHN JENNINGS**

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

2 **A.** My name is John Jennings. My business address is 24 So. Minnesota Ave., Cape
3 Girardeau, Missouri, 63703.

4 **Q. BY WHOM AND IN WHAT CAPACITY ARE YOU EMPLOYED?**

5 **A.** I am the CFO of Big River Telephone Company and have been employed there in that
6 capacity since August 19, 2002.

7 **Q. PLEASE DESCRIBE YOUR WORK EXPERIENCE.**

8 **A.** Prior to joining Big River, I worked in the telecommunications industry for 6 years and
9 worked in the accounting field for 11 years. Immediately prior to joining Big River, I
10 was the Senior Accounting Operations Manager for Nuvox Communications, formerly
11 known as Gabriel Communications, a full service competitive local exchange carrier.
12 At Nuvox, I oversaw various accounting and executive reporting functions, as well as,
13 Billing, Revenue Assurance, Cost Assurance and Collections. Prior to joining Nuvox
14 Communications, I was responsible for accounting operations and reporting at Brooks
15 Fiber Properties. Brooks Fiber Properties was a leading full-service provider of
16 competitive local and long distance communications services in 44 metropolitan areas
17 across the U.S. Prior to joining Brooks Fiber Properties I held various accounting
18 positions in other industries. I have a B.S. in Business - Accounting from the

1 University of Missouri and I am a Certified Public Accountant. My full CV is attached
2 hereto as Schedule J-1.

3 **Q. Please identify Schedule J-2 attached hereto.**

4 A. Schedule J-2 is a letter Big River (through me) sent to AT&T on June 5, 2006,
5 involving informal dispute resolution under the Interconnection Agreement between the
6 two companies regarding the matters that are in dispute in this case

7 **Q. Did the two companies conduct informal dispute resolution meetings on these**
8 **matters?**

9 A. Yes. On June 15, 2006 I had a meeting with Debbie Josephson and her supervisor Jerry
10 Gilmore via teleconference. Jerry Gilmore was not up to date on the dispute identified
11 in Schedule J-2 and requested a week to do some research. I communicated to them our
12 reasoning for the dispute.

13 I explained that our primary concern over the last few months was that AT&T would
14 disconnect service to our customers.

15 I explained that only reason we entered into the LWC agreement with AT&T was to
16 assure service was going to continue to be provided to a few customers that had
17 products that didn't fall under Section 271.

18 I also stated that AT&T was required per our Interconnection Agreement to establish an
19 ordering and billing process to migrate our UNE-P customers from Section 251
20 switching to Section 271 switching, which accounted for over 90% of our UNE-P lines.

1 We had held several meetings with Debbie Josephson, AT&T marketing and AT&T
2 billing groups to try to accomplish this, but AT&T had been unable to come up with
3 these processes.

4 I stated that we had been concerned that by executing an LWC agreement with AT&T,
5 that AT&T would try to move all of our customers to LWC and that we did not want
6 UNE-P customers under Section 271 to get billed as LWC. We communicated this
7 concern to AT&T including but not limited to Debbie Josephson and Howard White
8 (the chief negotiator for AT&T), at the time we were negotiating the LWC. We were
9 assured that this would not happen.

10 Jerry Gilmore conveyed that he would do more research and provide a response or
11 follow-up meeting for the week of June 19th.

12 **Q. Did you meet with these AT&T representatives again to discuss this issue?**

13 A. Yes. I meet with Debbie Josephson and Jerry Gilmore via teleconference on June 23,
14 2006. Jerry Gilmore stated that he was instructed by AT&T's attorneys that due to the
15 Preliminary Injunction Order from the United States District Court that Big River and
16 AT&T had "no other option but to move the UNE-P customers to LWC". He stated
17 that we may need to move forward with the formal dispute resolution process in order
18 to resolve this. He said that he would provide a written response to this issue
19 explaining AT&T's side.

20 I told them that I would wait for his written response and then review it before we
21 moved further with this dispute.

1 **Q. While these informal dispute resolution discussions were going on were there**
2 **other communications between the two companies regarding the disputed lines?**

3 A. Yes. On Friday June 16, 2006, AT&T made multiple attempts to move our UNE-P
4 lines to new billing accounts it had set up for the LWC. As indicated by the testimony
5 of Jennifer Rinesmith and Andrew Schwantner, AT&T personnel made multiple
6 attempts to get authorization from other Big River personnel to move the lines to the
7 LWC. Debbie Josephson also made multiple calls to Jennifer Rinesmith and Andrew
8 Schwantner on the afternoon of June 16th to accomplish this. Per my instructions,
9 Andrew conveyed to Debbie in a phone conversation that we would not move our lines
10 to the new billing accounts. Jennifer also relayed the same message via e-mail. Finally,
11 Debbie Josephson told us that AT&T would stop trying to get us to move the lines to
12 the new accounts.

13 **Q. Please identify Schedule J-3 attached hereto.**

14 A. Schedule J-3 is a series of email messages sent by Jerry Gilmore and Debbie Josephson
15 from AT&T to me for Big River in June and July, 2006, on the dates indicated thereon.

16 **Q. Please identify Schedule J-4 attached hereto.**

17 A. Schedule J-4 is a letter Big River (I) received from AT&T on or about August 1, 2006.

18 **Q. Does this conclude your direct testimony?**

1 A. Yes.