

Exhibit No:  
Issues: IC-2, 4, 11d, 18b, 20a,  
GT&C Definitions-19  
Witness: Sandra Douglas  
Type of Exhibit: Rebuttal Testimony  
Sponsoring Party: Southwestern Bell  
Telephone Company, L.P., d/b/a  
SBC Missouri  
Case No: TO-2005-0166

SOUTHWESTERN BELL TELEPHONE COMPANY, L.P.,  
d/b/a SBC MISSOURI

CASE NO. TO-2005-0166

REBUTTAL TESTIMONY

OF

SANDRA DOUGLAS

St. Louis, Missouri  
February 7, 2005

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of Level 3 Communications, LLC's )  
Petition for Arbitration Pursuant to Section 252(b) )  
Of the Communications Act of 1934, as Amended )  
By the Telecommunications Act of 1996, and the ) Case No. TO-2005-0166  
Applicable State Laws for Rates, Terms and )  
Conditions of the Interconnection with Southwestern )  
Bell Telephone Company, L.P., d/b/a SBC Missouri )

**AFFIDAVIT OF SANDRA MARIE DOUGLAS**

STATE OF MISSOURI

CITY OF ST. LOUIS

I, Sandra Marie Douglas, of lawful age, being duly sworn, depose and state:

- 1 My name is Sandra Marie Douglas. I am presently Associate Director-Switched Access Regulatory for Southwestern Bell Telephone, L.P.
- 2 Attached hereto and made a part hereof for all purposes is my Rebuttal Testimony.
- 3 I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded are true and correct to the best of my knowledge and belief.

  
Sandra Marie Douglas

Subscribed and sworn to before me this 7<sup>th</sup> day of February, 2005.

  
Notary Public

My Commission Expires: 01/05/08

MARYANN PURCELL  
Notary Public - Notary Seal  
STATE OF MISSOURI  
City of St. Louis  
My Commission Expires: Jan. 5, 2008

## **TABLE OF CONTENTS**

	<b><u>Page</u></b>
I. Introduction.....	1
II. Intercarrier Compensation .....	1

## I. INTRODUCTION

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

2 A. My name is Sandra Douglas. My business address is 1010 Pine, 6-E-11, St. Louis, MO,  
3 63101.

4 **Q. ARE YOU THE SAME SANDRA DOUGLAS WHO FILED DIRECT**  
5 **TESTIMONY IN THIS CASE?**

6 A. Yes, I am.

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

8 A. My Rebuttal Testimony will address issues raised in the Direct Testimony of Level 3's  
9 witnesses Richard Cabe and Kenneth L. Wilson.

## II INTERCARRIER COMPENSATION

11 **Q. MR. CABE STATES FEATURE GROUP D (FGD) BILLING PROBLEMS "MAY**  
12 **HAVE BEEN CONCERNS AT ONE TIME, HOWEVER, THOSE CONCERNS**  
13 **HAVE BEEN LARGELY RESOLVED BY USING TRAFFIC ALLOCATORS**  
14 **FOR BILLING"<sup>1</sup> AND MR. WILSON STATES "[W]HEN THE COMPANIES USE**  
15 **PLU AND PIU THERE IS NO NEED FOR RECORDING AND FORMATTING**  
16 **RECORDS FOR INDIVIDUAL CALLS."<sup>2</sup> PLEASE COMMENT.**

17 A. Contrary to Level 3's position, using factors does not resolve the issues associated with  
18 accurately billing Switched Access Charges. Up to this point, there has been no  
19 recognition by Level 3 that interstate Switched Service is under the authority of the  
20 Federal Communications Commission (FCC). Therefore, to the extent Level 3 is sending  
21 SBC Missouri interstate traffic, Level 3 will still need to abide by the language within  
22 SBC Missouri's Tariff FCC No. 73.

23 The Percent Interstate Usage (PIU) factor development, including the rules and  
24 regulations for auditing the PIU, are documented in SBC Missouri's Tariff FCC No. 73  
25 and in SBC Missouri's Access Services Tariff, P.S.C. Mo.-No. 36. The PIU language

---

<sup>1</sup> Direct Testimony of Richard Cabe, Ph.D., page 16.

<sup>2</sup> Direct Testimony of Kenneth L. Wilson, page 33.

1 was approved by both the FCC and this Commission and has been in effect with  
2 relatively few changes for 20+ years.<sup>3</sup> The language in effect in both SBC Missouri's  
3 Tariff FCC No. 73 and in SBC Missouri's Access Services Tariff states the jurisdiction  
4 (interstate or intrastate excluding local traffic) will be determined when call detail records  
5 are sufficient. Over the course of the 20+ years that access charges have been in effect,  
6 the amount of traffic jurisdictionalized based on call detail records has increased  
7 dramatically. Level 3's proposal to use factors to determine the jurisdiction of 100% of  
8 the traffic is a step backwards, forcing all traffic to appear as if call detail records are  
9 insufficient and, thus, is unknown traffic. Furthermore, Level 3's proposal is not in  
10 accordance with the rules and regulations in SBC Missouri's Tariff FCC No. 73, which is  
11 outside the scope of this Commission's authority.

12 Another point that should be considered is at no time has the PIU factor language  
13 been revised to incorporate the inclusion of local traffic carried over Switched Access  
14 services nor has it been revised to identify a methodology for calculation of a PIU factor  
15 for Switched Access traffic carried over local interconnection trunks. In addition, neither  
16 SBC Missouri's Tariff FCC No. 73 nor SBC Missouri's Switches Access Services Tariff,  
17 P.S.C. Mo.-No. 36 discusses the Percent Local Usage (PLU) factor or the Percent Internet  
18 Protocol Usage (PIPU) factor proffered by Level 3. To alter Switched Access Service to  
19 include either of these factors would be a major undertaking that would most likely result  
20 in intervention before the FCC.

21 In addition to revisions to the PIU factor, SBC Missouri's Tariff FCC No. 73 does  
22 not contain tariff language that accounts for assessing Switched Access charges for

---

<sup>3</sup> Tariff FCC No. 68 was the predecessor to Tariff FCC No. 73.

1 Switched Access traffic carried over local interconnection trunks or adjusting Switched  
2 Access charges for local traffic carried over Switched Access services. Lastly and most  
3 importantly, Section 251(g) of the Act is clear that the rules and regulations for access  
4 services remained unchanged. Therefore, since the FCC maintains authority over  
5 interstate services, at a minimum Level 3's interstate Switched Access traffic would  
6 require Switched Access service to be purchased from Tariff FCC No. 73.

7 From an intrastate point of view, there has been no discussion by Level 3 of the  
8 appropriate way to determine the mileage, which in turn drives the distance sensitive  
9 Local Transport per minute of use (MOU) rate that would apply on Missouri intrastate  
10 Switched Access traffic. For all of these reasons, Level 3's proposal to use factors to  
11 determine bill Switched Access Charges should be rejected.

12 **Q. ARE ANY OTHER COMPETITIVE LOCAL EXCHANGE CARRIERS (CLECs)**  
13 **REPORTING A PLU FACTOR TO SBC MISSOURI?**

14 A. My understanding is no other CLEC currently reports a PLU factor in SBC's thirteen  
15 states.

16 **Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

17 A. Yes.