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Service Commission**

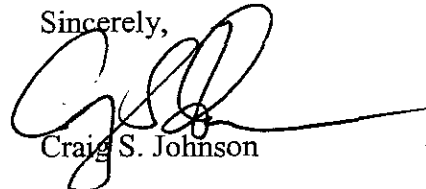
**Re: Mid-Missouri Telephone Co. v. Southwestern Bell Telephone Company
Case No. TC-2002-190**

Dear Secretary:

Enclosed please find an original and three (5) copies of the Direct Testimony of Denise Day on behalf of Mid-Missouri Telephone Company.

Thank you for seeing this filed.

Sincerely,



Craig S. Johnson

CSJ:tr

Enc.

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**BEFORE THE
PUBLIC SERVICE COMMISSION OF MISSOURI**

MID-MISSOURI TELEPHONE COMPANY,)	
)	
Petitioner,)	
)	
vs.)	Case No. TC-2002-190
)	
SOUTHWESTERN BELL TELEPHONE)	
COMPANY,)	
)	
Respondent.)	

DIRECT TESTIMONY OF

DENISE M. DAY

MID-MISSOURI TELEPHONE COMPANY

DECEMBER 12, 2002

AFFIDAVIT OF DENISE M. DAY

STATE OF MISSOURI)
) ss.
COUNTY OF COOPER)

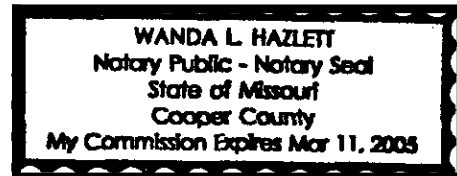
Denise M. Day, of lawful age, on my oath states, that I have participated in the preparation of the foregoing direct testimony in question and answer form, consisting of 19 pages, to be presented in this case; that the answers in the foregoing testimony were given by me; that I have knowledge of the matters set forth in such answers; and that such matters are true to the best of my knowledge and belief.

Denise M. Day

Subscribed and sworn to before me this 4th day of December, 2002.

Wanda L. Hazlett
Notary Public

My Commission Expires: 3-11-05



List of Schedules Referenced in this Testimony

<u>Schedule Number</u>	<u>Schedule</u>
1	July 18, 2000 Order in TC-2001-20
2	September 27, 2001 letter Mid-Missouri to SWBT
3HC	May 17, 2001 to August 16, 2002 call detail category A violations
4HC	May 17, 2001 to August 16, 2002 call detail category B violations
5HC	May 17, 2001 to August 16, 2002 call detail category C violations
6HC	May 17, 2001 to August 16, 2002 call detail category D violations
7HC	May 17, 2001 to August 16, 2002 call detail Mid-Mo Cellular to Mid-Missouri Telephone calls, probable category E or category F violations
8HC	Customer bill with category E violation call
9HC	Sept 12, 2002 Mid-Missouri Cellular to Mid-Missouri roaming interMTA cellular calls, category E violations
10HC	SWBT supplied transiting usage reports, violations

Schedules 1 and 2 are attached to this Testimony.

Schedules 3HC to 10HC are Highly Confidential Schedules contained in a separate "HC" binder. Only those persons authorized by Commission Order can review these schedules.

1 **Q. Please state your name, capacity, and business address?**

2 A. Denise M. Day. I am Co-Chief Executive Officer of Mid-Missouri Telephone
3 Company, 215 Roe, P.O. Box 38, Pilot Grove, Missouri, 65276.

4 **Q. On whose behalf are you testifying?**

5 A. Petitioner Mid-Missouri Telephone Company.

6 **Q. What is the purpose of this testimony?**

7 A. First I will explain what has transpired since David Jones' direct testimony was
8 filed in February of 2002. I will then provide the background for the Commission's July
9 18, 2000 Order in TC-2001-20. That Order provides the basis for Mid-Missouri's
10 complaint against Respondent Southwestern Bell Telephone Company (SWBT). I will
11 submit Mid-Missouri's evidence that SWBT has violated that Order. I will also present
12 the relief that Mid-Missouri requests.

13 **Q. Please outline your experience and qualifications.**

14 A. I am a certified public accountant. I obtained my accounting degree from the
15 University of Missouri at Columbia in 1984. I have been employed by Mid-Missouri
16 since 1987. Sequentially, my employment positions with Mid-Missouri have been
17 Controller, Chief Financial Officer, and Co-Executive Officer. I have held my current
18 Co-CEO position since June 1, 2001. I also hold the corporate offices of Co-President
19 and Secretary of Mid-Missouri Telephone Company. My primary area of responsibility
20 while Controller, Chief Financial Officer and as Co-CEO is financial matters, including
21 carrier billing systems and revenues. I have had a working experience with switch
22 recordings, switch call detail, and industry carrier billing systems and procedures, since
23 1987. I have also worked with and am responsible for other Mid-Missouri switch
24 engineers and billing personnel involved in this case. I have had oversight
25 responsibilities over Mid-Missouri personnel performing the functions underlying this
26 dispute. I am familiar with the background leading up the Commission's July 18, 2000
27 Order in TC-2000-20, and that Order itself.

28

29

1 **Q. What has transpired since Mr. Jones' direct testimony was filed?**

2 A. In accordance with the January 28, 2002 Ordered procedural schedule, the direct
3 testimony was filed on February 22, 2002. SWBT's rebuttal was due April 18, 2002. On
4 March 18, 2002 SWBT filed motions to suspend the procedural schedule, for access by
5 in-house employees to the highly confidential (HC) summary data attached to that direct
6 testimony, and to refer the case to a Staff-supervised investigation. The Commission
7 granted each SWBT request by Orders of March 28, 2002 and July 9, 2002.

8 **Q. Please describe what has transpired since then?**

9 A. SWBT personnel apparently reviewed the HC data for which SWBT requested
10 suspension to review. In September of 2002 SWBT informed Staff and Mid-Missouri
11 that it could not review the summary data, and that it needed individual call records. On
12 September 25 and 27, 2002, Mid-Missouri provided Staff and SWBT a sample month
13 (September 15, 2001 to October 16, 2001) of individual call detail for call violations.
14 Thereafter SWBT informed Staff and Mid-Missouri that SWBT lacked the capability to
15 evaluate historical Mid-Missouri switch data. SWBT stated that it had no such data with
16 which to evaluate the switch data filed with Mid-Missouri's direct testimony.

17 SWBT stated that it needed to turn on its business intelligence systems during a
18 specified future time period during which it requested Mid-Missouri to provide call detail
19 for calls Mid-Missouri believed were terminating in violation of the Order. SWBT said it
20 would turn on its business intelligence systems, and investigate the call data Mid-
21 Missouri submitted for that period.

22 Mid-Missouri agreed to do this, and the parties agreed to a single 24 hour test
23 period, September 12, 2002. In agreeing to this request, Mid-Missouri did not agree that
24 this 24 hour period test was necessarily representative of the totality of calls terminated
25 by SWBT between July 18, 2000 and September 12, 2002. Mid-Missouri supplied
26 SWBT with call violation data for that 24 hour period. Thereafter SWBT apparently
27 prepared a report of its analysis. Mid-Missouri requested the underlying data, SWBT's
28 external investigation materials, and SWBT's analysis methodology. SWBT provided
29 some of the information requested, but classified it all as Highly Confidential. Mid-

1 Missouri filed a motion for in-house access to this HC data, which SWBT supported.
2 The Motion was recently granted, but too late for Mid-Missouri to attempt to obtain,
3 evaluate, and address SWBT's conclusions in this testimony.

4 **Q. It looks as though the procedural schedule was delayed for eight months or**
5 **more based upon SWBT's request to evaluate the switch data attached to David**
6 **Jones' February, 2002 direct testimony. Has SWBT ever evaluated this data?**

7 A. Not to my knowledge. SWBT had access to the data attached to the testimony
8 after July, 2002. SWBT then informed it could not evaluate the data because it was
9 "summary" data, not call detail. Mid-Missouri provided a sample month of call detail,
10 and offered to provide the same for all other months. Then SWBT stated it could not
11 perform the evaluation it desired unless a future "test" period was selected during which
12 SWBT would turn on its business intelligence systems. To my knowledge SWBT has
13 never provided the Commission or any party with any analysis of the call information for
14 which suspension of the procedural schedule was requested by SWBT.

15 **Q. Do you believe Mid-Missouri has been prejudiced by this delay?**

16 A. Yes. In the eight months Mid-Missouri has continued to suffer the compensation
17 losses mentioned in Mid-Missouri's February, 2002 direct testimony. Mid-Missouri has
18 also been delayed from seeking a determination of whether SWBT was in compliance
19 with the July, 2001 Order in TC-2001-20.

20 **Q. To your knowledge has any investigation been completed since the**
21 **procedural schedule was originally suspended?**

22 A. No. Neither Staff nor SWBT has reported the investigation of any of the eight
23 months of data attached to Mid-Missouri's February testimony. Neither Staff nor SWBT
24 has reported the investigation of any of the 15 months of historical switch data Mid-
25 Missouri provided or offered to provide. Instead SWBT and Staff have apparently
26 focused on the 24 hour test period representing September 12, 2002. Mid-Missouri has
27 been unable to review SWBT's analysis of that 24 hour period due to lack of timely in-
28 house access to HC designated information. Mid-Missouri does not believe any
29 investigation can be considered complete without Mid-Missouri's opportunity to review

1 it. Counsel for Mid-Missouri did file opposition to characterizations contained in Staff's
2 November 18, 2002 Report describing the supposed results of the 24 hour period
3 analysis.

4 **Q. Turning to the merits of this case, please describe the events that led to the**
5 **July 14, 2000 Order in TC-2001-20.**

6 A. The Primary Toll Carrier Plan was terminated in Mid-Missouri service territory in
7 October of 1999. This terminated SWBT's role as an interexchange carrier *originating*
8 toll traffic in Mid-Missouri's service area. SWBT did not sever its trunks connecting
9 SWBT's McGee tandem to Mid-Missouri's Pilot Grove tandem. Since the end of the
10 PTC Plan, SWBT has continued to *terminate* traffic, both traffic that SWBT originated,
11 and traffic originated by other carriers, over the SWBT access trunks to Mid-Missouri.

12 After the end of the PTC Plan, SWBT refused to pay terminating compensation
13 for any traffic delivered by SWBT to Mid-Missouri over SWBT's trunks, except that
14 traffic that SWBT reported had been originated by SWBT. SWBT refused to pay for
15 traffic supposedly originated by other carriers that SWBT had agreed to place on the
16 SWBT trunks for termination to Mid-Missouri. This was contrary to the compensation
17 responsibilities in use during the PTC Plan. During the PTC Plan, SWBT did pay Mid-
18 Missouri for traffic originated by the other carriers, as well as for SWBT's own traffic.
19 Mid-Missouri also believed that SWBT's responsibility to pay for all traffic was set forth
20 in its filed access tariffs.

21 Consequently, Mid-Missouri began incurring a loss of compensation for traffic
22 that SWBT had placed on its trunks for termination to Mid-Missouri. Mid-Missouri
23 recordings consistently showed 50% more minutes terminating on SWBT's trunks than
24 SWBT was reporting. Mid-Missouri wanted SWBT to pay for all traffic. SWBT
25 refused. SWBT and Mid-Missouri were unable to resolve this dispute. On May 15,
26 2000, Mid-Missouri notified SWBT and other carriers reported to have traffic terminating
27 on SWBT trunks that, on July 16, 2000, the trunks would be disconnected for lack of
28 payment.

1 Two months later, on July 11, 2000 SWBT filed a complaint against Mid-
2 Missouri asking the Commission to Order Mid-Missouri not to disconnect the trunk
3 group. The Commission scheduled an emergency hearing for July 14, three days later.
4 During the hearing the Commission indicated it agreed that traffic for which Mid-
5 Missouri was not being compensated should be "blocked". As a result of that hearing,
6 Mid-Missouri was ordered not to disconnect the trunks. However, in return SWBT was
7 ordered to block, or not to deliver, certain types of traffic to Mid-Missouri. Although
8 Mid-Missouri did not agree it was appropriate for carriers other than SWBT to be paying
9 for the traffic, this resolution should have protected Mid-Missouri from uncompensated
10 traffic pending resolution of the network case.

11 **Q. What types of traffic was SWBT ordered not to deliver to Mid-Missouri?**

12 A. The July 18, 2000 Order in TC-2001-20 provided as follows:

13 "That Southwestern Bell Telephone Company is hereby ordered to make any and
14 all translation and routing changes in its facilities and programs necessary to
15 lawfully discontinue the transport, transit, or termination of all intrastate
16 telecommunications traffic to Mid-Missouri Telephone Company, except for the
17 following traffic:

18
19 a. interexchange traffic originated by Southwestern Bell Telephone
20 Company in the 524 LATA and terminating to Mid-Missouri Telephone
21 Company in the 524 LATA; and
22

23 b. interexchange traffic presented to Southwestern Bell Telephone Company
24 by GTE Midwest, Inc., or its heir or assigns, in the 524 LATA and terminating to
25 Mid-Missouri Telephone Company in the 524 LATA; and
26

27 c. interexchange traffic presented to Southwestern Bell Telephone Company
28 by Sprint Missouri, Inc. and Sprint Communications Company, L.P. in the 524
29 LATA and terminating to Mid-Missouri Telephone Company in the 524 LATA;
30 and
31

32 d. interexchange traffic presented to Southwestern Bell Telephone Company
33 by Alltel Missouri, Inc. and Alltel Communications, Inc. in the 524 LATA and
34 terminating to Mid-Missouri Telephone Company in the 524 LATA; and
35

36 e. commercial mobile radio service or wireless traffic originating with the
37 Kansas City Major Trading Area and terminating to Mid-Missouri Telephone
38 Company, and

1
2 f. interexchange traffic utilizing FGA connections.”
3

4 A copy of this Order is attached as Schedule 1.

5 **Q. Have there been any subsequent Commission or Court Orders authorizing**
6 **SWBT to discontinue this required blocking?**

7 A. Not that I am aware of.

8 **Q. Please describe the types of traffic that Mid-Missouri believes SWBT is**
9 **delivering in violation of that Order?**

10 A. Utilizing industry standard Signaling System 7 (SS7) call information, and the
11 industry's Local Exchange Routing Guide (LERG), which in turn incorporates a
12 Terminating Point Master File (TPM, sometimes referred to as a “toll point master file”),
13 Mid-Missouri switch recordings establish that SWBT is delivering traffic in violation of
14 each of subparagraphs (a) through (f) of Ordered paragraph 1. SWBT is delivering its
15 own traffic originated outside of the 524 LATA (category A). SWBT is delivering GTE,
16 Verizon, Spectra, or CenturyTel traffic originated outside of the 524 LATA (category B).
17 SWBT is delivering Sprint traffic originated outside of the 524 LATA (category C).
18 SWBT is delivering Alltel traffic originated outside of the 524 LATA (category D).
19 SWBT is delivering wireless traffic which crosses Major Trading Area (MTA)
20 boundaries (category E). SWBT is delivering IXC traffic which is not FGA traffic
21 (category F). SWBT has also provided Mid-Missouri reports wherein SWBT has
22 represented it is delivering intrastate traffic originated by CLECs. This type of traffic is
23 also not permitted by the July 18 Order.

24 **Q. How did it come to pass that Mid-Missouri checked for prohibited traffic?**

25 A. After the Commission entered the July 18, 2000 Order, SWBT personnel notified
26 Mid-Missouri that SWBT was experiencing problems reporting its own traffic
27 terminating to Mid-Missouri. SWBT and Mid-Missouri then agreed that Mid-Missouri
28 would bill, and SWBT would pay, based upon Mid-Missouri's recording of the total
29 terminating traffic, less CTUSR minutes, less minutes reported as GTE, Sprint, Alltel,

1 Spectra, or FGA minutes. Mid-Missouri made its recordings, made these subtractions,
2 and billed SWBT for the remaining traffic.

3 SWBT honored the agreement and paid these bills until August 23, 2001.
4 However, on August 23, 2001 SWBT presented Mid-Missouri with a payment that was
5 less than billed by Mid-Missouri for the period beginning May 17, 2001 and ending June
6 15, 2001. Until that payment was received Mid-Missouri had no financial incentive to
7 check for prohibited traffic. Mid-Missouri then had a reason to check for prohibited
8 traffic. Mid-Missouri checked and found that traffic that SWBT had been ordered not to
9 deliver was in fact being delivered.

10 **Q. Did Mid-Missouri attempt to contact SWBT regarding these violations?**

11 A. Yes, when Mid-Missouri discovered the prohibited and uncompensated traffic was
12 again terminating, Mid-Missouri billing personnel contacted SWBT personnel, were
13 directed to Mark Dietrich of SWBT, and discovered that SWBT had decided to no longer
14 honor the agreement regarding the payment of Mid-Missouri billings. On September 27,
15 2001 Mid-Missouri sent SWBT a letter requesting that the Order be complied with. See
16 Schedule 2. Although this letter was sent to the same SWBT contact person at SWBT's
17 Missouri industry contact address, and sent in an envelope containing Mid-Missouri's
18 logo, the letter was returned to Mid-Missouri marked "return to sender". Mid-Missouri
19 then filed this complaint to enforce the prior Commission Order.

20 **Q. What proof does Mid-Missouri have that SWBT is delivering traffic in**
21 **violation of the Order?**

22 A. Mid-Missouri's switch tickets industry standard SS7 call information for traffic
23 delivered on the SWBT trunks. The SS7 information identifies the calling party's NPA-
24 NXX, as well as the called party's NPA-NXX. Mid-Missouri then compared the
25 originating NPA-NXX information against the information contained in the LERG/TPM.
26 The LERG/TPM is an industry standard database established by Bellcore, and
27 subsequently transferred to Telcordia Technologies. This database is relied upon by all
28 carriers for toll processing purposes.

1 Comparing the calling party's NPA-NXX against the industry LERG/TPM
2 database provides Mid-Missouri with originating LATA, NXX Type Code, and the
3 Operating Company Number (OCN) assigned to that NPA-NXX.

4 Every NPA-NXX is associated with only one LATA. The originating LATA
5 information identifies if the call was placed within the same LATA as all of the Mid-
6 Missouri exchanges are located, the 524 LATA (the Kansas City LATA).

7 NXX Type Code allows Mid-Missouri to identify if the call was placed by a
8 landline or wireless subscriber. The LERG/TPM utilizes the following two digit code
9 system by which landline NPA-NXXs, wireless NPA-NXXs, or "shared" NPA-NXXs
10 can be identified:

11 00 – Regular (POTS)

12 01 – Dedicated to Mobile Radio

13 02 – Dedicated to Paging

14 04 – Dedicated to Cellular

15 50 – Shared 3 or more (POTS, Cellular, Paging, Mobile)

16 54 – Shared (POTS & Cellular)

17 55 – Special Billing – Cellular

18 58 – Special Billing shared 2 or more (Cellular, Paging, Mobile)

19 60 – Selective LEC Intralata; Special Billing Cellular

20 65 – Misc Service (Non-500 PCS, etc.)

21 The acronym "POTS" refers to landline telephone service, or "Plain Old Telephone
22 Service". Any call reported as "00" is a landline call. Any call reported as "04" can
23 only be a cellular call. For the situations where a cellular carrier purchases some
24 numbers from a landline LEC resulting in both cellular and landline calls using the same
25 NPA-NXX, the NXX type code is reported as "50" or "54".

26 The Operating Company Number (OCN) represents the company to whom the
27 NPA-NXX is assigned. Each NPA-NXX is assigned to a specific company in the
28 LERG/TPM.

1 Combining the SS7 information received for each call with the LERG/TMP
2 database information allows Mid-Missouri to identify in which LATA each call was
3 originated, the company responsible for the NPA-NXX, and whether the caller was
4 making a landline or cellular call. Matching this information against the categories of
5 calls SWBT is permitted by the Order to deliver to Mid-Missouri allows us to identify
6 calls which are not permitted (prohibited calls).

7 **Q. Please set forth the calls violating category (a) of the Commission's July 18**
8 **Order?**

9 A. Category (a) of permitted traffic is:

10 **a. interexchange traffic originated by Southwestern Bell Telephone Company**
11 **in the 524 LATA and terminating to Mid-Missouri Telephone Company in**
12 **the 524 LATA**
13

14 Calls that SWBT originated in a LATA other than the 524 LATA and terminating
15 to Mid-Missouri would be prohibited calls. Using the SS7 and LERG/TPM process I
16 described earlier, all calls displaying SWBT's OCN (SWBT's OCN is 9533), a "00"
17 NXX type code, and a LATA number other than 524, would be prohibited. These would
18 be landline calls originated by SWBT in a LATA outside the 524 LATA and terminated
19 to Mid-Missouri in the 524 LATA.

20 Attached as Schedule 3HC is a listing of approximately 10,344 calls SWBT
21 delivered between May 17, 2001 and August 16, 2002 that were interLATA landline
22 interexchange calls originated by SWBT outside the 524 LATA and terminating to Mid-
23 Missouri in the 524 LATA. This Schedule consists of 15 carrier access billing (CABS)
24 months. At the beginning of each monthly printout of switch data is a summary of the
25 records, followed by individual call detail.

26 **Q. Please set forth the calls violating category (b) of the Commission's July 18**
27 **Order?**

28 A. Category (b) of permitted traffic is:

29 **b. interexchange traffic presented to Southwestern Bell Telephone Company by**
30 **GTE Midwest, Inc., or its heir or assigns, in the 524 LATA and terminating**
31 **to Mid-Missouri Telephone Company in the 524 LATA**

1
2 Calls that GTE or its successors (Verizon, Spectra, CenturyTel) originated outside
3 the 524 LATA, presented to SWBT, and SWBT delivered to Mid-Missouri for
4 termination in the 524 LATA would be prohibited calls. Using the SS7 and LERG/TPM
5 process I described earlier, all calls displaying GTE's OCN (GTE/Verizon entities have
6 OCN numbers 9208, 1015, 9213, 9212, 0886, 9104, 9102, 0772, 4344, and 2319), a "00"
7 NXX type code, and a LATA number other than 524 would be prohibited. These would
8 be landline calls originated by a GTE/Verizon entity in a LATA outside the 524 LATA ,
9 presented to SWBT, and delivered by SWBT for termination to Mid-Missouri in the 524
10 LATA.

11 Attached as Schedule 4HC is a listing of approximately 61 calls originated by
12 GTE/Verizon outside the 524 LATA, presented to SWBT, delivered by SWBT to Mid-
13 Missouri, and terminating to Mid-Missouri in the 524 LATA between May 17, 2001 and
14 August 16, 2002. At the beginning of each monthly printout of switch data is a summary
15 of the records, followed by individual call detail.

16 **Q. Please set forth the calls violating category (c) of the Commission's July 18**
17 **Order?**

18 A. Category (c) of permitted traffic is:

19 **c. interexchange traffic presented to Southwestern Bell Telephone Company by**
20 **Sprint Missouri, Inc. and Sprint Communications Company, L.P. in the 524**
21 **LATA and terminating to Mid-Missouri Telephone Company in the 524**
22 **LATA**
23

24 Calls that Sprint originated outside the 524 LATA, presented to SWBT, and
25 SWBT delivered to Mid-Missouri for termination in the 524 LATA would be prohibited
26 calls. Using the SS7 and LERG/TPM process I described earlier, all calls displaying
27 Sprint's OCN (Sprint entities have OCN numbers 1957, 1842, 0470, 2084, 0209, 0661,
28 and 0341), a "00" NXX type code, and a LATA number other than 524 would be
29 prohibited. These would be landline calls originated by a Sprint entity in a LATA outside
30 the 524 LATA , presented to SWBT, and delivered by SWBT for termination to Mid-
31 Missouri in the 524 LATA.

1 Attached as Schedule 5HC is a listing of approximately 7929 landline calls
2 originated by Sprint outside the 524 LATA, presented to SWBT, and delivered by SWBT
3 to Mid-Missouri, and terminating to Mid-Missouri in the 524 LATA between May 17,
4 2001 and August 16, 2002. At the beginning of each monthly printout of switch data is a
5 summary of the records, followed by individual call detail.

6 **Q. Please set forth the calls violating category (d) of the Commission's July 18**
7 **Order?**

8 A. Category (d) of permitted traffic is:

9 **d. interexchange traffic presented to Southwestern Bell Telephone Company by**
10 **Alltel Missouri, Inc. and Alltel Communications, Inc. in the 524 LATA and**
11 **terminating to Mid-Missouri Telephone Company in the 524 LATA**
12

13 Calls that Alltel originated outside the 524 LATA, presented to SWBT, and
14 SWBT delivered to Mid-Missouri for termination in the 524 LATA would be prohibited
15 calls. Using the SS7 and LERG/TPM process I described earlier, all calls displaying
16 Alltel's OCN (Alltel entities have OCN numbers 1885, 1691, 1568, 9690, 4332, 0176), a
17 "00" NXX type code, and a LATA number other than 524 would be prohibited. These
18 would be landline calls originated by an Alltel entity in a LATA outside the 524 LATA ,
19 presented to SWBT, and delivered by SWBT for termination to Mid-Missouri in the 524
20 LATA.

21 Attached as Schedule 5HC is a listing of approximately 252 calls originated by
22 Alltel outside the 524 LATA, presented to SWBT, delivered by SWBT to Mid-Missouri,
23 and terminating to Mid-Missouri in the 524 LATA. between May 17, 2001 and August
24 16, 2002. At the beginning of each monthly printout of switch data is a summary of the
25 records, followed by individual call detail.

26 **Q. Please set forth the calls violating category (e) of the Commission's July 18**
27 **Order?**

28 A. I would like to discuss categories (e) and (f) in the same answer. The reason for
29 this is to set forth the basis of my analysis of these two categories. There are difficulties
30 determining the originating location of wireless customers making calls terminating to

1 Mid-Missouri, due to the differences between LATA and MTA boundaries. However,
2 Mid-Missouri has specific knowledge relative to traffic originated by its affiliate, Mid-
3 Missouri Cellular, that allows the identification of wireless-originated calls as being in
4 violation of either category (e) or category (f).

5
6 Category (e) of permitted traffic is:

7 **e. commercial mobile radio service or wireless traffic originating with the**
8 **Kansas City Major Trading Area and terminating to Mid-Missouri**
9 **Telephone Company**
10

11 Category (f) of permitted traffic is:

12 **f. interexchange traffic utilizing FGA connections**
13

14 Category (e) permits SWBT to deliver only intraMTA wireless-originated traffic
15 to Mid-Missouri. With respect to wireless traffic, SWBT provides Mid-Missouri with
16 Cellular Transiting Usage Summary Reports (CTUSR). The CTUSRs do not provide the
17 originating NPA-NXX of wireless calls. The CTUSRs do not attempt to identify the
18 location of the wireless carrier at origination of the call. The CTUSRs only give a
19 summary of wireless traffic terminating to different Mid-Missouri exchanges by
20 terminating NXX. Thus SWBT's CTUSR fail to distinguish between interMTA and
21 intraMTA calls.

22 SWBT has testified in TC-2002-57 that its LATA tandem switches accept
23 wireless calls destined for any exchange within that LATA. SWBT has apparently
24 implemented such translations even though the LATA boundaries do not coincide with
25 the MTA boundaries. InterLATA calls can be interMTA calls. IntraLATA calls can be
26 interMTA calls. SWBT has apparently failed to program its switches to comply with
27 subparagraph (e) of the Commission Order in TC-2001-20.

28 Two of Mid-Missouri's 12 exchanges—High Point and Latham—are in the St.
29 Louis MTA, but the other 10 are in the Kansas City MTA. Yet all 12 exchanges are
30 served by the SWBT McGee 524 LATA tandem. Any wireless calls originated in the
31 Kansas City MTA and delivered by SWBT to High Point (660-489 NPA-NXX) or to

1 Latham (660-458 NPA-NXX) would be interMTA calls terminated over the SWBT
2 trunks in violation of category (e). Likewise, any wireless calls originated in the St.
3 Louis MTA and terminated by SWBT to any of the other ten Mid-Missouri exchanges
4 would also be interMTA calls violating category (e).

5 Category (f) permits SWBT to deliver only "IXC" traffic that is Feature Group A
6 (FGA). The term "IXC" in this category refers to interexchange carriers other than the
7 former PTCs or their successors. FGA utilizes a line side network connection. A
8 distinguishing feature of an IXC FGA call is that Mid-Missouri records a POTS
9 originating number that would always be the same number for that IXC's FGA traffic.

10 Mid-Missouri's wireless affiliate, Mid-Missouri Cellular, hands off its calls to
11 eMeritus Communications, an IXC that Mid-Missouri Cellular contracts with for
12 termination. Mid-Missouri Cellular intraMTA traffic terminating to Mid-Missouri on a
13 SWBT trunk is a violation of category (f), unless the call was a "roamer" call handed off
14 to SWBT by another cellular carrier. However, even roaming Mid-Missouri Cellular
15 terminating to Mid-Missouri on a SWBT trunk is a violation of category (e) if it is an
16 interMTA call.

17 Thus, by sorting the terminating traffic by Mid-Missouri Cellular NXXs, Mid-
18 Missouri can identify Mid-Missouri Cellular originated calls. Schedule 7HC is a monthly
19 list of all Mid-Missouri cellular calls terminated over the SWBT trunks. Any of these
20 calls which were handed off by Mid-Missouri Cellular to eMeritus are violations of
21 category (f). Any of these calls that were interMTA roaming calls are violations of
22 category (e). Only those calls on Schedule 7HC that were not carried by eMeritus, and
23 also were intraMTA roaming calls brought to SWBT by another cellular carrier would be
24 permissible under categories (e) and (f).

25 **Q. Can Mid-Missouri determine which of the calls in Schedule 7HC were**
26 **violations and which were permissible?**

27 A. Not strictly from Mid-Missouri's switch recording.

28 **Q. Do you have additional information allowing Mid-Missouri to identify any**
29 **calls in Schedule 7HC that are violations?**

1 A. Yes. Schedule 8HC is a Mid-Missouri Cellular Customer billing record. This
2 record shows a January 21, 2002 wireless call originated from Coin, Iowa, and terminated
3 to Mid-Missouri's Arrow Rock Exchange. This was a prohibited interMTA call.

4 **Q. Can you prove that this call terminated to Mid-Missouri on SWBT's trunks?**

5 A. Yes. Looking at Schedule 7HC, the billing month covering January 16, 2002 to
6 February 15, 2002, at the 8th page, I have underlined and place an asterisk by this call, as
7 recorded on the SWBT trunk to Mid-Missouri. Looking at the customer bill, this call was
8 carried by SWBW (Cingular) before being handed to SWBT and terminated to Mid-
9 Missouri.

10 **Q. Have you attempted to obtain customer bills for all other Mid-Missouri**
11 **Cellular Customers and matched them against all calls in Schedule 7HC?**

12 A. No, we stopped when we found this call. It would be extremely time consuming,
13 and intrusive, to obtain copies of all Mid-Missouri Cellular customer bills and manually
14 match them against the 15 months of switch data. If rebuttal testimony necessitates more
15 examples, I could have more of this done.

16 **Q. Is there any other information you have identifying violations of categories**
17 **(e) or (f)?**

18 A. Yes. Using the same process used to identify the prohibited Coin, Iowa call only
19 for the 24 hour September 12, 2002 recording period, Mid-Missouri identified 35 calls
20 made from Mid-Missouri Cellular wireless customers to Mid-Missouri Telephone
21 landline customers. These calls were matched against Mid-Missouri Cellular call
22 information. The Mid-Missouri Cellular information included the Serving Identification
23 Designation (SID) number of the facility where the call originated. This allows the
24 origination point of these calls to be associated with a particular MTA. Mid-Missouri
25 knows what county each of its customers are located in, which means we know what
26 MTA they are located in.

27 Applying originating MTA information and terminating MTA information, I was
28 able to identify 17 of these 35 calls that were prohibited interMTA wireless calls
29 terminated to Mid-Missouri over the SWBT trunk in violation of category (e) of the

1 Order. These 35 calls are set forth in Schedule 9 HC. The 17 prohibited interMTA calls
2 have an asterisk to the left of the call columns on Schedule 9 HC.

3 **Q. If Schedule 9HC is also a representative sample that were applied to the**
4 **traffic contained in Schedule 7 HC, would almost ½ of the 12,823 calls identified in**
5 **Schedule 7HC calls also be prohibited calls?**

6 A. Yes, approximately 6,000 would be.

7 **Q. Do you have information proving that other types of calls were delivered by**
8 **SWBT in violation of the Order?**

9 A. Yes. Schedule 10HC consists of 36 reports received by Mid-Missouri directly
10 from SWBT. In these reports SWBT has represented to Mid-Missouri that it has
11 delivered approximately 2400 CLEC originated traffic to Mid-Missouri over the SWBT
12 trunks. I did not include interstate CLEC traffic, or operator handled traffic, in
13 computing this total. These calls were not permitted by the Order.

14 **Q. Do you believe the termination of prohibited traffic by SWBT is continuing?**

15 A. Yes, I have no reason to believe it is not.

16 **Q. What relief does Mid-Missouri seek from the Commission?**

17 A. Mid-Missouri seeks either of two types of relief. First, Mid-Missouri would like
18 to be released by the Commission from the provisions of the July 18, 2000 Order in TC-
19 2000-20 prohibiting Mid-Missouri from disconnecting the SWBT trunks. If released,
20 Mid-Missouri could proceed with the disconnection process it began 2 and ½ years ago.
21 Upon disconnection of the SWBT trunks, Mid-Missouri would stop the loss of
22 compensation for traffic terminated over SWBT trunks.

23 Second, Mid-Missouri would be willing to forego disconnection if SWBT were
24 ordered to pay for all traffic, as recorded by Mid-Missouri, exclusive of CTUSR reported
25 intraMTA wireless traffic, and exclusive of intraLATA traffic reported and paid for by
26 Alltel, Sprint, Verizon, and Spectra. SWBT should be ordered to pay these past
27 uncompensated traffic amount since May 17th 2001, and to pay for all traffic terminated
28 on these trunks in the future.

29 **Q. Why is the second alternative relief acceptable to Mid-Missouri?**

1 A. Actually, the second alternative is preferable to the first, as it would avoid
2 possible disruption of calls associated with trunk disconnection. SWBT is an access
3 customer of Mid-Missouri. The second alternative would simply make SWBT
4 responsible for all traffic it delivers to Mid-Missouri's access tandem, which is what is
5 required by Mid-Missouri's filed access tariff of all IXC's after the implementation of
6 equal access. InterLATA equal access was implemented by Mid-Missouri in 1990.
7 IntraLATA equal access was implemented in October of 1999.

8 In an equal access environment, IXC's pay for all traffic they deliver, both traffic
9 that that they originate and traffic that they deliver for other carriers on their trunks for
10 terminating to Mid-Missouri's access tandem. Mid-Missouri records the other IXC
11 traffic at its access tandem, assigns payment responsibility to the IXC responsible for the
12 trunks for all traffic delivered, and bills that IXC. This structure has been used for other
13 IXC's for interLATA and intraLATA traffic for over 10 years.

14 With the end of the PTC Plan in 1999, SWBT was to have been treated the same
15 as other IXC's. There is no reason to treat SWBT in a different manner than any other
16 IXC. The second alternative would simply apply our filed access tariffs to SWBT in
17 accordance with that tariff.

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

19 A. Yes.