

Exhibit No.:
Issues: InterMTA Factors
Witness: Angela Linares
Sponsoring Party: Sprint PCS
Type of Exhibit: Surrebuttal Testimony
Case No.: TC-2002-057
Date Testimony Prepared: March 26, 2004

SPRINT SPECTRUM, LP
d/b/a
SPRINT PCS

FILED

MAR 26 2004

**Missouri Public
Service Commission**

SURREBUTTAL TESTIMONY
OF
ANGELA R. LINARES

CASE NO. TC-2002-057

Jefferson City, Missouri
March 26, 2004

STATE OF MISSOURI

Northeast Missouri Rural Telephone Company)
And Modern Telecommunications Company, et. al.)

Petitioners,)

) Case No. TC-2002-57 et al

v.)

Southwestern Bell Telephone Company,)
Southwestern Bell Wireless (Cingular),)
Voicestream Wireless (Western Wireless),)
Aerial Communications, Inc., CMT Partners)
(Verizon Wireless), Sprint Spectrum LP,)
United States Cellular Corp., and Ameritech)
Mobile Communications, Inc.,)

Respondents.)

AFFIDAVIT OF ANGELA R. LINARES

STATE OF KANSAS)

) ss:

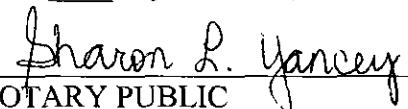
COUNTY OF JOHNSON)

I, Angela R. Linares, being of lawful age and duly sworn, dispose and state on my oath the following:

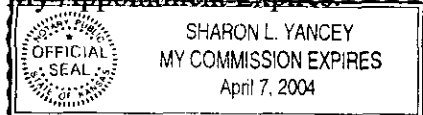
1. I am presently Senior Regulatory Analyst for Sprint.
2. I have participated in the preparation of the attached Surrebuttal Testimony in question and answer form to be presented in the above entitled case;
3. The answers in the attached Surrebuttal Testimony were given by me; and,
4. I have knowledge of the matters set forth in such answers and that such matters are true and correct to the best of my knowledge and belief.


ANGELA R. LINARES

Subscribed and sworn to before me on this 25th day of March, 2004.


NOTARY PUBLIC

My Appointment Expires:



1 **BEFORE THE PUBLIC SERVICE COMMISSION**
2 **OF THE STATE OF MISSOURI**
3 **SURREBUTTAL TESTIMONY**
4 **OF**
5 **ANGELA LINARES**
6

7 **Q. Please state your name and business address.**

8 A. My name is Angela Linares. My business address is 6360 Sprint Parkway,
9 Overland Park, Kansas 66251.
10

11 **Q. Are you the same Angela Linares that filed Rebuttal Testimony on February**
12 **20, 2004 in this case?**

13 A. Yes.
14

15 **Q. What is the purpose of your surrebuttal testimony?**

16 A. The purpose of my surrebuttal testimony is to rebut certain aspects of the Rebuttal
17 Testimony of Staff witness Mr. Michael Scheperle. Specifically, Mr. Scheperle
18 recommends the Commission adopt interMTA factors between Sprint PCS and
19 Chariton Valley as well as between Sprint PCS and Northeast that are not
20 developed based upon FCC guidelines. Because the proposed interMTA factors
21 are not based upon sound mythology, the results are not a reasonable outcome.
22
23

1 **Q. Has Sprint PCS reached a negotiated stipulation and agreement regarding**
2 **the inter/intraMTA factor with any of the Petitioners in this case?**

3 A. Yes. As I stated in my Rebuttal Testimony, Sprint PCS has negotiated
4 agreements with four of the six Petitioners to this case – all but Chariton Valley
5 and Northeast. Specifically, Sprint PCS successfully negotiated interMTA factors
6 with the following four parties to this case:

7 Alma -- 10% interMTA
8 Mid-Mo -- 43% interMTA
9 Choctaw -- 0% interMTA
10 Mo-Kan -- 0% interMTA
11

12 **Q. What are the interMTA factors recommended by Staff witness Mr. Mike**
13 **Scheperle for Sprint PCS/Chariton Valley and Sprint PCS/Northeast?**

14 A. Mr. Scheperle recommends Sprint PCS interMTA factors of 38% for Northeast
15 and 41% for Chariton Valley (see Scheperle Schedule 5).
16

17 **Q. Is the approach used by Staff in the development of its proposed interMTA**
18 **factors consistent with the FCC?**

19 A. No. Starting on page 6 of his Rebuttal Testimony, Staff witness Mr. Mike
20 Scheperle puts forward four methodologies to develop interMTA factors.
21 Specifically, Mr. Scheperle puts forward three primary means of developing
22 interMTA factors: (1) use actual billing records, (2) negotiate, or (3) a study using
23 FCC criteria. Mr. Scheperle also puts forward a fourth methodology to be used
24 only if the three primary means are not available – in other words a last resort
25 methodology. Staff's recommended interMTA factors are based upon this fourth

1 – and last resort – methodology; however, Sprint PCS submits that the third
2 option provided by Staff (a study using FCC criteria) is viable and therefore
3 Staff's fourth alternative is not needed.

4
5 **Q. Does Sprint PCS agree with the three primary means to develop interMTA**
6 **factors discussed by Staff witness Mr. Mike Scheperle?**

7 A. Yes. The first option presented by Mr. Scheperle is the use of billing records
8 where the originating cell site is captured. This type of real-time billing records is
9 not available to wireless carriers and has been well documented throughout this
10 case. Furthermore, the call details records for the traffic subject to this case are
11 no longer available. As a result, Staff's option 1 is not available.

12
13 The second option presented by Mr. Scheperle is for the companies involved to
14 negotiate an interMTA factor. As mentioned previously, Sprint PCS has
15 successfully negotiated interMTA factors for four of the six petitioners to this
16 case as well as dozens of other interMTA factors with other carriers in Missouri.
17 Sprint PCS is very open to the use of this option.

18
19 The third option presented by Mr. Scheperle is for the use of a traffic study
20 developed based upon FCC criteria. Sprint PCS witness Mr. D. Canfield puts
21 forward in his Rebuttal Testimony individual traffic studies based upon FCC
22 methodology for both Chariton Valley Telephone Company and Northeast
23 Missouri Rural Telephone Company.

1
2 **Q. What is Sprint's position as it relates to the fourth alternative – the last**
3 **resort option – presented by Staff witness Mr. Mike Scheperle?**

4 A. Sprint PCS submits that Staff's fourth and last resort option is not warranted in
5 this case because Sprint PCS' traffic study is based upon FCC criteria and is a
6 preferred approach. Mr. Scheperle states that his fourth approach should only be
7 undertaken in the event that options 1-3 are not available (Scheperle Rebuttal
8 Testimony, page 7). Sprint PCS takes no position regarding the mechanics of
9 Staff's fourth alternative other than to state it is not consistent with FCC criteria.
10

11 **Q. Has Sprint PCS developed a traffic study consistent with FCC criteria?**

12 A. Yes. Sprint PCS witness Mr. D. Canfield puts forward in his Rebuttal Testimony
13 individual traffic studies based upon FCC methodology for both Chariton Valley
14 Telephone Company and Northeast Missouri Rural Telephone Company. At the
15 time of Rebuttal Testimony, the resulting interMTA factors were 11.91% and
16 11.33%, respectively. Sprint witness Mr. D. Canfield has since slightly revised
17 the study in his Surrebuttal Testimony to more accurately reflect actual cell site
18 locations. The revised interMTA factors for Chariton Valley and Northeast are
19 11.2% and 15%, respectively, as fully explained by Mr. D. Canfield in his
20 Surrebuttal Testimony.
21

22 **Q. Does this conclude your testimony?**

23 A. Yes, this concludes my testimony.