

FILED²

MAR 15 2004

**Missouri Public
Service Commission**

Exhibit No:
Issue: InterMTA Factor
Witness: Goldstein
Type: Rebuttal
Sponsoring Party:
T-Mobile USA
Case No.: TC-2002-57
Date: February 20, 2004

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

Northeast Missouri Rural Telephone Company, et al.,)	
)	
Petitioners,)	
)	Case No. TC-2002-57, et al.
)	consolidated.
)	
)	
Southwestern Bell Telephone Company, et al.,)	
)	
Respondents.)	

REBUTTAL TESTIMONY

of

LEE GOLDSTEIN

on Behalf of

T-MOBILE USA, INC.

February 20, 2004

1 **DIRECT TESTIMONY OF LEE GOLDSTEIN**

2 **Q: Please state your name, occupation, and address.**

3 A: My name is Lee Goldstein. I am employed by T-Mobile USA, Inc., as Regional Director
4 – Network Engineering and Operations. My business address is 8550 West Bryn Mawr
5 Ave., Chicago, Illinois, 60631.

6 **Q: Please describe your duties with T-Mobile.**

7 A: My duties and responsibilities include oversight of T-Mobile's fixed facility network
8 operations for the Midwest region. These duties include the design, provisioning,
9 operations, and trouble resolution of all aspects of T-Mobile's interconnection with IXC's
10 and LECs and the establishment of backbone facilities linking cell sites to our switches. I
11 have a primary focus on network optimization via cost containment of inter-carrier
12 connections and cell site facility homing arrangements. Cost containment is manifested
13 via efficiency studies and rate negotiations. My oversight responsibilities include the St.
14 Louis market, which covers the eastern portion of Missouri.

15 **Q. Please describe your educational background.**

16 A. I have a Bachelors of Science in Electrical Engineering from the University of Illinois in
17 Urbana-Champaign conferred in 1986. I have a Masters in Business Administration with
18 an emphasis in Corporate Finance from the University of Dallas conferred in 1993. I
19 have been employed by T-Mobile since 1996. I have been on the carrier side of the
20 Telecommunications Industry since 1985, with career time spent with Local Exchange
21 Carriers, Inter-Exchange providers and wireless service providers

1 **Q: Have you filed testimony in this proceeding?**

2 A: No.

3 **Q: On whose behalf are you testifying?**

4 A: I am testifying on behalf of T-Mobile.

5 **Q: What is the purpose of your testimony?**

6 A: The purpose of my testimony is to present to inform the Commission that T-Mobile
7 believes that negotiation is the best way to achieve an acceptable and supportable
8 jurisdictional allocation of wireless traffic in Missouri, between interMTA and intraMTA
9 traffic.

10 **Q: What would be the best procedure to determine the allocation of such traffic?**

11 A: Mr. Ron Williams, testifying on behalf of Western Wireless on this issues, states that
12 “due to the inherent difficulty in determining the jurisdiction of mobile originated traffic,
13 Western Wireless believes that a negotiated settlement would serve all parties. It is
14 impossible to forecast what percentage of future telecommunications traffic will be
15 interMTA or intraMTA. Likewise, the jurisdictional nature of past traffic – whether the
16 traffic originated and terminated within the same MTA – is very difficult to account for
17 as the telecommunications industry is not set up to track originating and terminating
18 jurisdiction for calls placed from a mobile device. Accordingly, Western Wireless has
19 engaged in negotiations with the complainant ILECs' representatives to reach agreement
20 on a percentage of mobile-to-land terminating traffic that is interMTA in nature.” I agree
21 with that testimony, and as the witness for T-Mobile, state that my company agrees with
22 Mr. Williams on this issue.

1 **Q: Do you believe that negotiation of the interMTA/intraMTA split can be successful?**

2 A: Absolutely. The fact that many of the wireless carriers have already agreed demonstrates
3 that fact. In addition, T-Mobile has agreed to jurisdictional allocations in the companion
4 complaint case, Case No. TC-2002-1077, demonstrating that T-Mobile is willing to reach
5 agreement on this issue. Such negotiations yield a percentage allocation of the traffic,
6 which is a reliable estimate of the actual allocation.

7 **Q. Do you believe it is possible to calculate an accurate interMTA factor without**
8 **originating call data which identifies the point of origination?**

9 A. All of the methods of which I am aware rely upon a surrogate (something other than
10 actual mobile-to-land traffic volumes) for determination of a factor. As Mr. Williams
11 testifies, "you cannot accurately estimate the characteristics of a given CMRS provider's
12 terminating traffic by using access lines, population, or traffic averages from any other
13 carrier. Each CMRS provider's network and customer base is unique as is its traffic
14 relationship with any given LEC or LEC exchange." I agree with those points, and thus it
15 is not reasonably possible to come up with an accurate interMTA factor without the
16 originating call data.

17 **Q: Does that conclude your testimony?**

18 A: Yes.

STATE OF Illinois)
)
COUNTY OF Cook) ss.

VERIFICATION

Comes now Lee Goldstein, being of lawful age and duly sworn, and states that he has read the foregoing direct testimony, and that it is true and correct to the best of his knowledge and belief.

Lee Goldstein
Lee Goldstein

Sworn to and subscribed before me this 26 day of February, 2004

Donna L. Vece
Notary Public

My commission expires: 5-10-04

