

Exhibit No.: _____

Issue: Policy Issues

Witness: Jack E. Redfern

Type of Exhibit: Rebuttal Testimony

Sponsoring Party: ALLTEL Communications, Inc.

Case No.: TO-2000-667

Date Testimony Prepared: November 6, 2000

**REBUTTAL TESTIMONY
OF
JACK E. REDFERN**

on behalf of

FILED

NOV 8 2000

ALLTEL Communications, Inc. **Missouri Public
Service Commission**

**Jefferson City, Missouri
November 6, 2000**

In the Matter of the Investigation into the)
 Effective Availability for Resale of Southwestern)
 Bell Telephone Company's Local Plus Service by) Case No. TO-2000-667
 Interexchange Companies and Facilities-Based)
 Competitive Local Exchange Companies)

STATE OF ARKANSAS)
) SS.
COUNTY OF Pulaski)

Jack E. Redfern

Jerry L. Clark
Notary Public

A circular notary seal for Jerry G. Clark. The outer ring contains the text "JERRY G. CLARK" at the top and "PULASKI CO., ARKANSAS" at the bottom. Inside the ring, the text "MY COMM. EXP." is at the top, "NOTARY" is in the center, and "PUBLIC" is at the bottom. Below "PUBLIC" is the date "12-16-2008". The seal is flanked by two stylized eye-like symbols.

1 **BEFORE THE PUBLIC SERVICE COMMISSION**
2 **STATE OF MISSOURI**
3
4
5

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7 Effective Availability for Resale of Southwestern)
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10 Competitive Local Exchange Companies)
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14

15 **REBUTTAL TESTIMONY**
16 **OF**
17 **JACK E. REDFERN**
18
19

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

21 A. My name is Jack E. Redfern. My business address is One Allied Drive, Little
22 Rock, Arkansas 72202-2013.
23

24 **Q. By whom are you employed and in what capacity?**

25 A. I am employed by ALLTEL Communications Service Corporation as Staff
26 Manager-State Government Affairs.
27

28 **Q. Please describe your educational background and experience.**

29 A. I attended Wilmington College in Wilmington, North Carolina, majoring in
30 Accounting. I have been involved in the telecommunications industry for twenty-
31 seven (27) years, serving the past eleven (11) years with ALLTEL
32 Communications Service Corporation, with various responsibilities in the areas of
33 Carrier Services, Separations and Settlements, and currently State Government

1 Affairs. My previous telephony experience involved Accounting and Commercial
2 Operations with Yell County Telephone Company, in Arkansas, for sixteen (16)
3 years.

4
5 **Q. What is the purpose of your testimony?**

6 A. The purpose of my testimony is to respond to the direct testimony of Thomas F.
7 Hughes of Southwestern Bell Telephone Company, filed in this proceeding in
8 October, 2000.

9
10 **Q. Is Local Plus available to non facilities-based CLECs?**

11 A. Yes. (Hughes direct testimony – pg. 4, line 11)

12
13 **Q. Is Local Plus available to facilities-based CLECs?**

14 A. No. (Hughes direct testimony – pg. 6, line 10) Although, ACI submitted a
15 proposal to Southwestern Bell Telephone Company (SWBT) in discovery
16 suggesting a solution and asking for their concurrence, SWBT to date has not
17 responded despite at least one conference call held on October 27, 2000 at
18 SWBT's request. SWBT's responses to ACI's data requests were due on October
19 31, 2000. If and when SWBT's responses to this discovery are received, ACI
20 reserves the right to file supplemental rebuttal testimony on this issue accordingly.

21
22 **Q. Is ALLTEL Communications, Inc. (ACI) a facilities-based CLEC?**

23 A. Yes.

1

2 **Q. Does this position by SWBT appear to be discriminatory?**

3 A. Yes. It also appears to conflict with the theory or assumption underlying the
4 Commission's April 6, 2000 Report and Order issued in Case No. TT-2000-258 that
5 facilities-based CLECs should be permitted to resell Local Plus service.

6

7 **Q. Why would SWBT need the settlement record described in rebuttal**
8 **testimony of Marty Detling?**

9 A. If a Local Plus call terminates to a non-SWBT ILEC, that terminating ILEC is
10 entitled to terminating access revenue for that call and would need such settlement
11 record in order to bill SWBT for that terminating access.

12

13 **Q. Since ACI is a facilities-based CLEC, leasing unbundled loops from SWBT**
14 **and using its own facilities to switch local calls, why then would SWBT be**
15 **liable for terminating access expense on Local Plus calls terminating to other**
16 **ILECs, rather than ACI bearing that responsibility?**

17 A. The issue of this Case is whether or not Local Plus is a service available for
18 resale. ACI intends to pay SWBT their tariffed rate, less applicable avoided cost
19 discount, for Local Plus service. In developing the rate for this service, SWBT
20 factored in, or should have, terminating access expense to non-SWBT terminating
21 ILECs, and, imputed terminating access to Local Plus calls terminating to its own
22 exchanges. To require a facilities-based CLEC to be responsible for terminating
23 access expense would enable SWBT to realize a revenue windfall and would not

1 allow Local Plus to be offered to a facilities-based CLEC as a competitive service.
2 Consequently, the facilities-based CLEC would be at a competitive disadvantage
3 to solicit SWBT customers who enjoy Local Plus service today. If SWBT did
4 not, in fact, consider terminating access expense in the development of rates for
5 this service, they have the ability to reprice that service. As long as the facilities-
6 based CLEC is not responsible for terminating access expense, the rate
7 established by SWBT, at any level, would be considered a competitive service
8 offering for the facilities-based CLEC.
9

10 **Q. Should ACI be able to order Local Plus service for resale at the same time it**
11 **orders unbundled loops from SWBT?**

12 A. If ACI, as a facilities-based CLEC, is allowed to resell Local Plus service, then,
13 based on Mr. Hughes direct testimony (pg. 4, line 1), they will. Mr. Hughes'
14 testimony states: "CLECs may use the standard ordering processes available to all
15 CLECs who wish to resell SWBT retail telecommunications services. CLECs
16 may use a manual process by faxing requests to the Local Service Center, or they
17 may use electronic ordering systems to place orders."
18

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

20 A. Yes, it does.