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Exchange Rule
Witness: William L. Voight
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MISSOURI PUBLIC SERVICE COMMISSION

REGULATORY REVIEW DIVISION

DIRECT TESTIMONY

OF

WILLIAM L. VOIGHT

HALO WIRELESS, INC.

FILE NO. TC-2012-0331

*Jefferson City, Missouri
June 2012*

Direct Testimony of
William L. Voight

1 2010 I served as a member of the MoBroadbandNow Task Force. As necessary and
2 appropriate, I also provide assistance to the Commission, upper management, and members of
3 the General Assembly on legislative matters.

4 **Q. What is your education and previous work experience?**

5 A. I received a Bachelor of Science degree with a major in economics from
6 Lincoln University in Jefferson City, Missouri. A copy of relevant work history is attached as
7 Schedule 1.

8 **Q. Have you previously testified before the Commission?**

9 A. Yes, a copy of previous testimonies is attached as Schedule 2.

10 **Q. What is the purpose of your direct testimony in this case?**

11 A. On April 4, 2012, HALO Wireless, Inc. ("HALO") filed a formal complaint
12 pursuant to 4 CSR 240-29 (9) & (10), the Enhanced Record Exchange Rules (the "ERE" rule)
13 of the Missouri Public Service Commission (Commission). HALO was responding to traffic
14 blocking requests submitted by numerous small incumbent local telephone companies in
15 which the small companies had requested AT&T Missouri to stop the flow of HALO's
16 Feature Group C traffic to the small companies. The small companies were alleging that they
17 were not being paid by HALO for calls sent by HALO to the small companies' networks.
18 Additionally, the small companies were alleging a lack of Calling Party Number identification
19 on calls received from HALO. Pursuant to the Commission's ERE rule, companies whose
20 traffic is subject to blockage are permitted to petition the Commission for resolution of the
21 matter, which is what HALO has done to create this case. The purpose of my direct testimony
22 is to provide the Telecommunication's Staff (Staff) position on the matter. Ultimately, the

1 Staff wants to make a recommendation to the Commission on whether to permit the blockage
2 to continue.

3 **Q. Please explain the purpose of the ERE rule.**

4 A. In my view, one of the greatest challenges brought about by the
5 Telecommunications Act of 1996 was the requirement for state commission to find ways to
6 open up local intrastate networks to competitive entry. Local networks which had previously
7 been established exclusively under oversight by the Commission and which were available
8 only to traditional local telephone companies, were all of a sudden required to be shared
9 equally with new entries. Almost immediately, something known as transiting traffic came to
10 be an issue. Transiting traffic is that which is transmitted by a company but which neither
11 originates nor terminates on that company's network. In this example, AT&T Missouri is said
12 to be the transiting company because it is using its facilities to make a connection between
13 HALO and the small companies. In this role, AT&T takes the call from HALO and sends it to
14 the small companies to be completed to a small company end-user. The ERE rule became
15 effective on July 30, 2005. It was established to avert incidences of unidentifiable, or
16 phantom, traffic. The ERE rule was put into place to ensure all companies on the call-path
17 were adequately compensated for use of their networks. Central to the goal of full and fair
18 compensation was a requirement for tandem switch providers, such as AT&T Missouri and
19 CenturyTel, to create billing records and for all companies to ensure calling party telephone
20 number (CPN) information is provided and transmitted for all types of traffic. The ERE rule
21 establishes a framework to help ensure: (1) CPN is transmitted on each call; (2) a record of
22 the call is created and made available to terminating carriers; and, (3) carriers are paid for the
23 use of their networks. If companies are not paid for use of their networks or if companies fail

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1 | to transmit CPN or otherwise disguise the jurisdiction of the call, the aggrieved company may
2 | request blockage of the offender's traffic. It is important to note that the ERE rule applies only
3 | to calls that are jurisdictionally under the jurisdiction of the MoPSC and does not, for
4 | example, extend to the Feature Group D network commonly used for interstate delivery of
5 | traffic. Consequently, carriers who find traffic being blocked on the Feature Group C network
6 | may continue to have traffic delivered uninterrupted on the Feature Group D network.

7 | **Q. The case involves HALO's request for the Commission to deny various**
8 | **requests for its traffic to be blocked. Does the Staff support HALO's request?**

9 | A. The Staff has reviewed numerous unsworn statements of attorneys and parties
10 | in this case as well as various pleadings, motions and allegations. However, the Staff would
11 | prefer to read the witnesses' testimony prior to making its recommendation to the
12 | Commission. Therefore, the Staff defers any further comment until further rounds of
13 | testimony are filed.

14 | **Q. Does this conclude your direct testimony?**

15 | A. Yes, it does.