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November 2, 1999

VIA FAX AND U.S. MAIL

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65101

**FILED**

NOV - 2 1999

Missouri Public  
Service Commission

Re: Case No. TT-99-428, et al

Dear Judge Roberts:

Attached for filing with the Commission is the original and nine (9) copies of AT&T Wireless Services, Inc.'s responses from R. Matthew Kohly in the above referenced matter.

I thank you in advance for your cooperation in bringing this to the attention of the Commission.

Very truly yours,

LATHROP & GAGE, L.C.

By   
Paul S. DeFord

Attachment

cc: All Parties of Record

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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of Alma Telephone Company's Filing  
to Revise its Access Service Tariff, PSC MO. No. 2

)  
) Case No. TT-99-428, et al

AFFIDAVIT OF R. MATTHEW KOHLY

**FILED**

NOV - 2 1999

STATE OF MISSOURI )

COUNTY OF COLE )

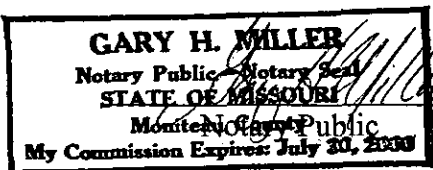
Missouri Public  
Service Commission

I, R. Matthew Kohly, of lawful age, being first duly sworn deposes and states:

1. My name is R. Matthew Kohly. I am a Manager for AT&T Communications of the Southwest, Inc. in its Law and Government Affairs organization.
2. Attached hereto and made a part hereof for all purposes are my responses to the questions of the requesting parties.
3. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded are true and correct to the best of my knowledge and belief.

  
R. Matthew Kohly

Subscribed and sworn to this 2 day of November, 1999



My Commission Expires: 7-30-2000

**Response to Written Questions from Small Telephone Company**

1. **Does AT&T (or any of its affiliates) operating in its capacity as a competitive local exchange carrier (CLEC) currently originate any local and/or interexchange traffic from its CLEC customers utilizing the Feature Group C (FGC) Network?**

It is my understanding that AT&T Communications of the Southwest, Inc. (AT&T) does not. I do not know about the other AT&T affiliates operating in Missouri: TCG - St. Louis (TCG-STL) or TCG Kansas City - (TCG-KC).

2. **Does AT&T (or any of its affiliates) operating in its capacity as a competitive local exchange carrier (CLEC) currently originate any local and/or interexchange traffic from its CLEC customers utilizing the Feature Group D (FGD) Network?**

I do not know for sure if AT&T has generated any traffic destined for other LECs but it is my understanding that if AT&T did originate local and interexchange traffic destined for another LEC it would be sent over the FGD network. I do not know for sure about the other AT&T affiliates.

3. **Does AT&T (or any of its affiliates) operating in its capacity as a CLEC currently create any originating records for local and/or interexchange traffic originated by its CLECs customers and terminated to customers served by other local exchange companies (LECs)?**

The interconnection agreement between AT&T and SWBT calls for AT&T to generate 92 99 records for local traffic. AT&T is in the process of developing those records and will begin transmitting those records to SWBT this month. Currently, the two companies compensate each other for local traffic using Percent Local Usage (PLU) factors. I do not know for sure about the other AT&T affiliates.

4. **If the answer to Question No. 3 is yes, please indicated the type(s) of records created by AT&T (or any of its affiliates) and provide a copy if available. Also, please indicate if different records are created if calls are originated on the FGC or FCD network.**

See response to question # 3.

5. **If AT&T creates originating records for local and/or interexchange traffic originated by its CLEC customers, are those records passed to any other LECs? If so, please identify the LECs that are receiving those records today and the LECs that AT&T would expect to received those records after elimination of the PTC plan?**

It is my understanding that traffic terminating to other LECs, if any, is classified as interexchange traffic and AT&T would pass the appropriate Category 11 records to the LEC terminating the traffic. I do not know for sure about the other AT&T affiliates.

6. **Is AT&T (or any of its affiliates) being compensated for intraLATA interexchange traffic originated in third party LEC exchanges and terminated to AT&T's CLEC customer via direct interconnections over the FGC network with Southwestern Bell Telephone Company?**

I do not know.

7. **Is AT&T (or any of its affiliates) being compensated for interexchange traffic originated in third part LEC exchanges and terminated to AT&T's CLEC customers via direct connections with interexchange carriers?**

I do not know.

8. **If the answer to either Questions No. 6 or 7 is (are) in the affirmative, please indicate the carriers who are paying the terminating compensation to AT&T and type of compensation being paid for such interexchange traffic (e.g. local, access, or other compensation).**

n/a

9. **Are third party LECs being compensated for interexchange traffic originated by AT&T's (or any of its affiliates) CLEC customers and terminating to third party LECs via transiting services offered by SWBT?**

It is my understanding that AT&T does not use the transiting function of SWBT for interexchange traffic. I do not know for sure about the other AT&T affiliates.

- 10 **Are third party LECs being compensated for interexchange traffic originated in AT&T's (or any of its affiliates) CLEC customers and terminated to third party LECs via interexchange carriers?**

It would be up to the IXC to pay terminating compensation to the LEC terminating the call. AT&T, as an IXC, pays its access bills for access services that AT&T has requested. I cannot speak for other IXCs.

11. **If the answer either to Questions No. 9 or 10 preceding is (are) in the affirmative, please indicate who is paying the terminating compensation to third party LECs and the type of compensation being paid for such interexchange traffic (e.g. local, access, or other compensation).**

See response to question #9 or #10.

12. **When a customer of a third party LEC originates a 1+ interexchange call that is presubscribed to an interexchange carrier, such as AT&T, is it AT&T's opinion that the interexchange carrier is responsible for paying terminating compensation to all carriers involved in completing the call?**

Terminating compensation is paid by the IXC to the company that terminated the call.

13. **Would AT&T's opinion in response to Question 12 preceding be different if the 1+ interexchange call is terminated to a wireless carrier? If so, please indicate the reason for the difference of opinion?**

Possibly. I believe it would be appropriate for some form of compensation to be paid to the wireless carrier.

**Response to Written Questions from Mid-Missouri Group**

1. **What affiliates of AT&T are currently operating as an alternative competitive local exchange telecommunications company (CLEC) in Missouri?**

AT&T Communications of the Southwest, Inc. (AT&T)  
TCG St. Louis, Inc. (TCG-STL)  
TCG Kansas City, Inc. (TCG-KC)

2. **For each Interconnection Agreement (IA) that each such CLEC has with incumbent local exchange companies in Missouri, please state the following:**

- a. **identify the ILEC and the AT&T affiliates that are parties to each such IA;**

Each company listed in 1. has an IA with SWBT, AT&T and TCG STL have an IA with GTE Midwest, Inc.

- b. **the date the IA was approved by the Commission;**

AT&T-SWBT - 3/19/98  
AT&T - GTE - 7/22/98  
TCG-STL - SWBT - 7/23/99  
TCG-STL - GTE - 11/25/98  
TCG-KC - SWBT - 7/23/99

- c. **whether the CLEC is operating as a reseller or a facilities based CLEC;**

All companies listed in the response to Question 1. operate as facilities based CLECs.

- d. **whether there is a direct physical interconnection with the ILEC;**

It is my understanding that all companies are directly interconnected with SWBT. I do not know if there is a direct interconnection with GTE.

- e. **what entity requested the IA;**

It is my understanding that all CLECs list above requested the IA.

- f. **whether arbitration was required prior to completion of the IA;**

AT&T arbitrated with both SWBT and GTE.

- g. **what entity requested arbitration;**

AT&T requested arbitration with both SWBT and GTE. TCG St. Louis requested arbitration with SWBT as well but the arbitration was dismissed.

- h. **what local calling scope of the CLEC is defined by the IA;**

The IA does not define the CLECs calling scope. That is defined by its tariff.

- i. **all terms of the IA that pertain to CLEC traffic destined for third party carriers;**

All interconnection agreements that AT&T or any of its affiliates have with ILECs are public documents and are filed with the Missouri Public Service Commission. All terms related to CLEC traffic destined for third party carriers are set forth in those.

**j. for third party traffic, what entity records this traffic;**

For AT&T Communications of the Southwest, AT&T would transmit the appropriate Category 11 records to the LEC terminating the traffic. I do not know TCG-STL or TCG-KC.

**k. for third party traffic, where the recordings are made;**

see answer to j.

**l. for third party traffic, what records are exchanged;**

see answer to j

**m. the compensation rate for traffic terminated by the ILEC;**

For AT&T the answer is as follows: If the traffic were interexchange traffic, the compensation rates would be switched access rates as set forth in each LEC's access tariff. If the traffic is local traffic, the compensation rate paid to SWBT is set forth in Attachment 12 of the SWBT-AT&T IA. The compensation rate for local traffic terminated to GTE is set forth in Attachment 14 of the AT&T-GTE IA.

As AT&T affiliates are operating out of the same agreements, I believe the same answer would apply for TCG-St. Louis and for TCG Kansas City.

**n. the compensation rate for traffic transited by the ILEC to third parties;**

It is my understanding that AT&T does not use the transit function of SWBT. Therefore, SWBT would not have terminated traffic on behalf of AT&T. However, the compensation rate for transiting traffic paid to SWBT is set forth in Attachment 12 of the SWBT-AT&T IA. The compensation rate for transiting traffic carried GTE is set forth in Attachment 14 of the AT&T-GTE IA.

**o. whether the CLEC has maintained records of dates and volumes of third party traffic;**

Since AT&T does not use the transit function of SWBT, I do not know if AT&T, as a CLEC, would have records related to the termination of traffic to third party LECs.

**3. Has the CLEC originated "non-local" or "toll" traffic terminating to third party ILEC exchanges?**

I am not certain but it is likely that this has occurred.

**4. State the inclusive dates and amounts of all such traffic identified in your question to #3 above?**

I do not know this information.

**5. Have you paid any terminating compensation to any third party ILECs for traffic identified in #3 above?**

The traffic, if any, identified in #3 would have been considered interexchange traffic. If AT&T carried that traffic, it would have passed the appropriate Category 11 records and paid the access bill rendered by the company terminating the traffic. If the traffic were carried by another IXC, it would be up to that IXC to pay terminating compensation.

6. **Has the IA ILEC you interconnect with paid any terminating compensation to any third party ILECs for traffic identified in #3.**

I do not know what the ILECs have paid to third-party LECs.

7. **Do you take the position that the third party ILECs have been compensated pursuant to terminating to originating ratios for the traffic identified in #3 above?**

No.

8. **Has the CLEC originated "local" traffic terminating to third party ILEC exchanges?**

No. I do not believe so. Any call that an AT&T customer would make to the MMG companies would most likely be dialed "1+" and be rated as a toll call.

However, the third party LECs that operate in MCA territories may be terminating MCA calls to AT&T and other CLECs. I believe their tariff requires them to route calls made by MCA subscribers in their territories to all telephone subscribers in the mandatory MCA zones including CLEC customers. It is my understanding that no records are passed on these calls and that AT&T and AT&T's affiliates are not receiving any terminating compensation from the ILEC that originated these calls. If the MMG's tariffs are approved and AT&T is not allowed into the MCA, AT&T will seek compensation from the IEC originating these calls.

9. **State the inclusive dates and amounts of all such traffic identified in you answer to #8 above.**

I do not have this data available.

10. **Have you paid any terminating compensation to any third party ILECs for traffic identified in #8 above?**

See #8

11. **Has the IA ILEC you interconnect with paid any terminating compensation to any third party ILECs traffic identified in #8 above?**

See #8

12. **Do you take the position that the third party ILECs have been compensated pursuant to terminating to originating ratios for the traffic identified in #8 above?**

See #8

13. **Please identify any and all Missouri approved interconnection agreements or reciprocal compensation agreements you have entered into with ILECs with whom you have indirectly interconnected with.**

I am not aware of any IA other than those listed in question #1.

14. **Have you ever received a request for interconnection from an ILEC?**

Not to my knowledge

15. **Have you ever made a request for interconnection or reciprocal compensation with any MMG ILEC?**

Not to my knowledge.

16. **Do you allow your local subscribers their choice of presubscribed 1+ interLATA and intraLATA long distance carriers?**

Yes.

17. **Please identify each interLATA long distance 1+ carrier your customers can select.**

AT&T does not restrict the IXC's that a customer may choose from. AT&T's local customers can choose from any IXC that purchases AT&T's access services. I do not have a list of IXC's that have purchased AT&T's access services.

18. **Please identify each interLATA long distance 1+ carrier your customers can select.**

AT&T does not restrict the IXC's that a customer may choose from. AT&T's local customers can choose from any IXC that purchases AT&T's access services. I do not have a list of IXC's that have purchased AT&T's access services.

19. **For interLATA long distance calls your customers originated, please identify what carrier pays accompanying terminating compensation.**

The interexchange carrier that carried the call would be responsible for paying terminating access.

20. **For intraLATA long distance calls your customers originated, please identify what carrier pays accompanying terminating compensation.**

See #19.

21. **For interLATA long distance calls your customers originated, does the responsible toll carrier pay you originating access?**

The toll carrier should pay originating access.

22. **For intraLATA long distance calls your customers originated, does the responsible toll carrier pay you originating access?**

The toll carrier should pay originating access.

23. **If your answer to #21 or #22 is in the negative, please identify what compensation, if any, you receive, and whether the compensation is paid pursuant to tariff or contract.**

n/a

24. **For any intraLATA long distance calls your customers originated, do you create any originating records for this traffic?**

AT&T would create and transmit Category 11 records.

25. **Please provide a copy of any records identified in your answer to #24 above.**



I do not have a copy of those records available.

26. **Please identify all other LECs to whom the records identified in you answer to #24 are passed.**

I do not have this information.

**Response Questions from Southwestern Bell Telephone Company.**

1. **On page 4-5 of the rebuttal testimony of Mr. Kohly, the assertion is made that there is no industry consensus on the type of records to exchange related to traffic between CLECs and ILECs. With regard to the interconnection agreement between AT&T and SWBT, does AT&T agree that Attachment 12, Compensation, 7.2.4 provides that records to be exchanged between those two parties are contemplated by Technical Exhibit Settlement TESP?**

Yes.

2. **Does AT&T agree that the TESP requires the exchange of 92 records between the parties?**

I have not reviewed the TESP but that is my understanding. However, AT&T and SWBT are currently compensating each other for the exchange of local traffic using Percent Local Usage (PLU) factors. This month, the companies will begin exchange 92 records but will still compensate each other based upon the PLU factors. In December or January, the companies will begin using 92 records to compensate each other.

3. **Does AT&T agree that it is not aware of any interconnection agreement SWBT and any other CLEC and any other CLEC in Missouri which contemplates the exchange of 92 records as provided in the TESP?**

I am not familiar with the IAs that SWBT has entered with other CLECs so I cannot agree with the statement.

4. **Does AT&T agree that it was provided a copy of the attached letter dated September 23, 1999 addressed to various CLECs advising it of the Commission's order in Case No. TO-99-254 concerning the exchange of Category 11 records with certain small LECs in Missouri?**

I had not seen the letter before it was provided by SWBT after the hearings concluded in this case. I have not been able to verify if AT&T or its affiliates received the letter.

5. **Has AT&T initiated any contact with any members of the Mid-Missouri Group or Small Telephone Company Group since September 23, 1999 to discuss the exchange of records of intraLATA toll traffic that used the Feature Group C network and terminated to any of those LECs? If so, please state the date of any contact, the parties contacted and the substance of the discussions.**

Not to my knowledge. It is my understanding that AT&T does not use SWBT's Feature Group C Network to transit intraLATA toll traffic to other LECs in Missouri. As such AT&T is currently transmitting the appropriate Category 11 records to the LECs in Missouri.

6. **Do any local exchange customers in Missouri served by an AT&T company place intraLATA toll calls to any Mid-Missouri Group (MMG) companies utilizing the transiting service of SWBT pursuant to an interconnection agreement with Southwestern Bell Telephone? If so, please identify each MMG company to which such traffic is terminated and state whether AT&T has paid any compensation to such MMG company in relation to such calls. In addition, please identify the record type (Category 11 or 92 records) utilized in conjunction with compensation for such calls.**

I do not have information to the amount of traffic, if any, that AT&T may have terminated to a particular MMG company. If AT&T carried that traffic, it would have passed the appropriate

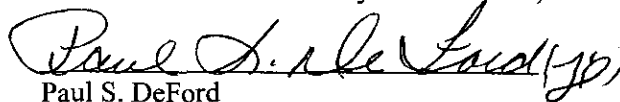
Category 11 records and paid the access bill rendered by the company terminating the traffic. If the traffic were carried by another IXC, it would up to that IXC to pay terminating compensation.

7. **Do any local exchange customers in Missouri served by an AT&T company place local exchange calls to any MMG companies utilizing the transiting service of SWBT pursuant to a SWBT interconnection agreement. If so, please identify each MMG company to which such traffic is terminated and state whether AT&T has paid any compensation to such MMG company with relation to such calls. In addition, please identify the record type (Category 11 or 92 records) utilized in conjunction with compensation for such calls.**

See Response to Questions from Mid-Missouri Group, #8.

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsels of record as shown on the attached service list this 2<sup>nd</sup> day of November, 1999.

  
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