STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Cincinnati Bell Any Distance, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold Local Exchange Telecommunications Services in the State of South Carolina

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2009 - 379 - C

(Please type or print)
Submitted by: John J. Pringle, Jr.

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DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition**

☐ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☐ Affidavit	☐ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certification
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigation
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certificate	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☐ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☒ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☐ Discovery	☒ Prefiled Testimony	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

Print Form Reset Form

ELLIS : LAWHORNE

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November 2, 2009

FILED ELECTRONICALLY
The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Application of Cincinnati Bell Any Distance, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold Local Exchange Telecommunications Services in the State of South Carolina
Docket No. 2009-379-C, Our File No. 2125-11684

Dear Mr. Terreni

Enclosed is the **Verified Testimony of D. Scott Ringo, Jr.** filed on behalf of Cincinnati Bell Any Distance, Inc. in the above-referenced docket.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,

John J. Pringle, Jr.

JJP/cr
Enclosure
cc: B. Randall Dong, Esquire (via electronic mail service)
Shealy Boland-Reibold, Esquire (via electronic mail service)
Margaret M. Fox, Esquire (via electronic mail service)
D. Scott Ringo, Jr. (via electronic mail service)

STATE OF SOUTH CAROLINA
BEFORE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	
	)	
CINCINNATI BELL ANY DISTANCE INC.	)	
for a Certificate of Public Convenience and Necessity	)	Docket No. 2009-379-C
to Provide Resold Local Exchange Services and	)	
for Flexible Regulation of its Local Exchange Services	)	

VERIFIED DIRECT TESTIMONY OF D. SCOTT RINGO JR.

Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND TELEPHONE NUMBER.

A. My name is D. Scott Ringo Jr. My business address is 221 East 4th Street, Room 1280 Cincinnati, Ohio 45201. The telephone number is 513 397-1354.

Q. WHAT IS YOUR POSITION WITH CINCINNATI BELL ANY DISTANCE INC. (CBAD)?

A. I am Assistant Corporate Secretary and National Director of Regulatory Affairs for Cincinnati Bell Any Distance Inc.

Q. WHAT ARE YOUR PRINCIPAL RESPONSIBILITIES WITH CBAD?

A. I am responsible for regulatory strategy and compliance for the regulated Cincinnati Bell companies, including CBAD. My responsibilities include cross-departmental operational compliance, tariffs, complaints, interconnections matters and disputes, among other regulatory matters.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

A. The purpose of my testimony is to support the Application which CBAD has filed with the South Carolina Public Service Commission for authority to provide

resold basic local exchange services to customers in South Carolina. My specific testimony focuses on the Company's qualifications for grant of the requested authority. These include its managerial, technical and financial qualifications, further description of the Company and its proposed local exchange operation in South Carolina, confirmation of CBAD's intention to operate in full compliance with the rules and policies of this Commission and the public interest benefits to be achieved by grant of the Company's Application.

Q. PLEASE DESCRIBE CBAD AND ITS GENERAL QUALIFICATIONS.

A. CBAD is an operating subsidiary of Cincinnati Bell Inc., a Cincinnati, Ohio based telecommunications holding company, and provides long distance services on a national basis. Along with CBAD, Cincinnati Bell operating subsidiaries include the Cincinnati Bell Telephone, Cincinnati Bell Wireless, Cincinnati Bell Extended Territories LLC, and Cincinnati Bell Technology Solutions subsidiaries. Cincinnati Bell and its subsidiaries are a full-service regional provider of data and voice communications services and equipment over wireline and wireless networks. With approximately 3,200 employees and $1.4 billion in annual revenue, the Cincinnati Bell companies serve residential and small, medium and enterprise business customers across the United States.

Cincinnati Bell's service offerings include local, long distance, wireless, IP and broadband offerings, post-paid calling card services, conference calling, frame relay, private line, VPN, ATM and MPLS services, web hosting services, Internet access, webmail, converged services, managed hosting and data centers. The Company provides telecommunications service primarily on its owned local and wireless networks with a well regarded brand name and reputation for

service. At other times, subsidiaries provide service by reselling the local telephony services of other telecommunications carriers or through the purchase of unbundled network elements. In addition, the Company provides business customers with efficient, scalable office communications systems and complex information technology solutions, including data center and managed services, telecommunications equipment and information technology hardware. The Company operates in three segments: wireline, wireless, and technology solutions.

CBAD was incorporated in Delaware on November 14, 1987. A copy of the Company's qualification to operate as a foreign corporation in South Carolina was included with its Application. The Company currently provides interstate and international service pursuant to its Section 214 authority and provides intrastate services in 48 states. With this application, the Company intends to expand its service offering to include resold local exchange services as well, enabling it to provide customers with "one-stop" access to complete end-to-end telecommunications services.

As discussed further in its Application, the Company is well qualified for the requested grant of authority. The Company effectively competes while maintaining both regulatory compliance and high standards of customer service, as underscored by the absence of complaint history. Moreover, no state has denied CBAD authority to provide the services that are the subject of this Application.

Q: HAS THIS COMMISSION PREVIOUSLY GRANTED TELECOMMUNICATIONS AUTHORITY TO CBAD?

1 A: Yes. CBAD currently provides resold long distance services to business and
2 residential consumers in South Carolina pursuant to a Certificate originally issued
3 by the Commission to Network Long Distance, Inc. via Order No. 94-1114 in
4 Docket No. 94-235-C issued on October 24, 1994. Via various requests to the
5 Commission effecting name changes, obtaining approval of mergers and transfers,
6 and otherwise providing notice of the foregoing, CBAD is currently the holder of
7 the Certificate in question.

8 **Q. DOES CBAD CURRENTLY PROVIDE ANY TELECOMMUNICATIONS**
9 **SERVICES IN SOUTH CAROLINA?**

10 **A.** At this time, CBAD provides interexchange services in South Carolina.

11 **Q. IS CBAD QUALIFIED TO PROVIDE TELECOMMUNICATIONS**
12 **SERVICES IN ANY OTHER JURISIDCTIONS?**

13 **A.** Yes. As noted above, the Company provides interstate and international services
14 pursuant to Section 214 authority granted by the Federal Communications
15 Commission. In addition, CBAD holds authority to provide local exchange
16 and/or interexchange services in 48 states. A list of those states (and authorized
17 services) is provided as ***Exhibit A*** to my testimony.

18 **Q. PLEASE DESCRIBE CBAD'S MANAGERIAL AND TECHNICAL**
19 **QUALIFICATIONS.**

20 **A.** CBAD is managed by a team of thoroughly experienced industry professionals
21 with solid expertise both in the technical operations and business management
22 necessary to operate a successful telecommunications company. The Company
23 benefits from the collective managerial and technical resources available within

1 the Cincinnati Bell companies. Resumes for the management team were provided
2 as ***Exhibit D*** to the Application.

3 **Q. PLEASE DESCRIBE CBAD'S FINANCIAL QUALIFICATIONS.**

4 **A.** CBAD is financially qualified to provide the services proposed in its Application.
5 The Company will have access to extensive financial resources throughout its
6 initial delivery of local exchange services in South Carolina and thereafter as
7 needed. CBAD maintains a solidly established and financially stable
8 telecommunications operation in 48 states and, moreover, is backed by the
9 consolidated strengths of Cincinnati Bell Inc. Audited consolidated financials for
10 Cincinnati Bell Inc. and its subsidiaries were submitted as *Exhibit C* in the
11 Application.

12 **Q. PLEASE DESCRIBE THE TYPES OF SERVICES THAT CBAD WILL**
13 **OFFER IN SOUTH CAROLINA.**

14 **A.** CBAD requests authority to provide resold basic local exchange services to South
15 Carolina business customers. The Company will tailor its services responsively to
16 South Carolina market demand; however, it expects initially to provide a
17 competitive offering of end-to-end business services including traditional local
18 and long distance calling, IP based offerings, conference calling, private line and
19 other high-capacity services. In addition, the Company expects to offer a variety
20 of non-regulated services to its customers.

21 **Q. DOES CBAD PLAN TO OWN AND DEPLOY ITS OWN FACILITIES**
22 **FOR THE PROVISION OF REGULATED TELECOMMUNICATIONS**
23 **SERVICES IN SOUTH CAROLINA?**

1 **A.** No. At this time, the Company proposes to operate as a reseller of local exchange
2 services.

3 **Q. WHOSE FACILITIES DOES THE APPLICANT PROPOSE TO RESELL**
4 **IN ORDER TO PROVIDE SERVICES IN MICHIGAN?**

5 **A.** CBAD will resell the underlying services of companies to which this Commission
6 has granted facilities-based local exchange authority. The Company may resell
7 the wholesale services of the incumbent provider in each operating territory;
8 however, should competitive market offerings and strategic factors warrant,
9 CBAD may resell the services of other authorized carriers as well

10 **Q. WHAT REGULATORY TREATMENT IS CBAD SEEKING IN THIS**
11 **APPLICATION?**

12 **A.** CBAD requests flexible regulation for its local exchange telecommunications
13 services as the Commission granted in Order No. 98-165 in Docket No. 95-661-C.
14 CBAD also requests a waiver of 26 S.C. Code Ann. Regs. 103-610 concerning the
15 location of books and records. CBAD is located in Cincinnati, Ohio and as a
16 reseller of other carriers services, it would be costly and burdensome to maintain a
17 location in South Carolina where books and records would be available for
18 viewing. CBAD, therefore requests a waiver of this requirement.

19 **Q. IF AUTHORIZED TO PROVIDE COMPETITIVE**
20 **TELECOMMUNICATIONS SERVICES, WILL CBAD COMPLY WITH**
21 **ALL APPLICABLE RULES, REGULATIONS, POLICIES AND ORDERS**
22 **OF THIS COMMISSION, AND THE LAWS OF SOUTH CAROLINA, AS**
23 **NOW ADOPTED OR THAT MAY BE ADOPTED IN THE FUTURE, IN**

1 **ITS PROVISION OF COMPETITIVE INTRASTATE**
2 **TELECOMMUNICATIONS SERVICES?**
3 **A.** Yes. The Company is aware that the Commission has promulgated various
4 standards and policies for telecommunications carriers to observe throughout their
5 operations. CBAD intends to operate in full compliance with all applicable
6 Commission and state requirements.
7 **Q. HOW WILL CBAD GUARD AGAINST SLAMMING?**
8 **A.** CBAD will prevent unauthorized switching of customers by obtaining a signed
9 letter of authorization ("LOA"), or similar authorization, from all new customers.
10 CBAD will comply with South Carolina law and Federal Communications
11 Commission ("FCC") regulations regarding how carriers may change a
12 customer's service and carrier.
13 **Q. HOW WILL CABD HANDLE SERVICE, BILLING AND REPAIR**
14 **COMPLAINTS?**
15 **A.** CBAD has a toll free number, (800) 571-6601, that customers may call to register
16 service, billing and repair complaints. CBAD views customer satisfaction as
17 critical to its success in a competitive marketplace and will address all services,
18 billing and repair complaints and inquiries promptly. If CBAD is unable to
19 resolve a billing complaint to a customer's satisfaction, CBAD will advise the
20 customer of its right to file a complaint with the South Carolina Office of
21 Regulatory Staff or the South Carolina Public Service Commission.
22 **Q. CAN YOU ADDRESS THE STIPULATION CBAD ENTERED INTO**
23 **WITH THE SOUTH CAROLINA TELEPHONE COALITION (SCTC)?**

1 **A.** Yes. CBAD was made aware of the concerns of the rural carriers in past
2 Commission proceedings and contacted SCTC to discuss their intervention and
3 issues. SCTC provided CBAD with a draft stipulation addressing their concerns,
4 and CBAD was agreeable to the terms of the stipulation. The signed stipulation
5 was filed as part of this proceeding on October 19, 2009.

6 **Q. WILL CBAD COMPLY WITH ALL APPLICABLE COMMISSION**
7 **SERVICE RULES AND BILLING STANDARDS?**

8 **A.** Yes.

9 **Q. HAS THE OFFICE OF REGULATORY STAFF PROPOSED ANY**
10 **TARIFF REVISIONS TO CBAD?**

11 **A.** Yes. CBAD has agreed to make all the suggested revisions

12 **Q. PLEASE PROVIDE THE NAME, ADDRESS AND TELEPHONE**
13 **NUMBER OF THE PERSON THAT WILL SERVE AS YOUR**
14 **COMPANY'S CONTACT TO THE CONSUMER SERVICE DIVISION**
15 **FOR COMPLAINT RESOLUTION.**

16 **A.** Please contact Kathy Campbell, Regulatory Specialist, Cincinnati Bell Any
17 Distance Inc., 221 East 4th Street, Room 1280, Cincinnati, Ohio 45201, Tel: 513
18 397-1296, Fax: 513 421-1367, and Email: Kathy.Campbell@cinbell.com.

19 **Q: WILL THE COMPANY FILE ALL APPLICABLE REPORTS AS**
20 **REQUIRED BY THE COMMISSION?**

21 A: Yes. The Company is aware of the Commission's requirements that all
22 telecommunications carriers file a report on South Carolina operations, a gross
23 receipts report, and a universal service contribution report on an annual basis.

1 **Q: WILL THE SERVICES PROVIDED BY CBAD MEET THE SERVICE**
2 **STANDARDS THAT THE COMMISSION HAS ADOPTED OR MAY**
3 **ADOPT?**
4 A: Yes.
5 **Q: CAN CBAD ASSURE THE COMMISSION THAT ITS PROVISION OF**
6 **SERVICE WILL NOT ADVERSELY AFFECT THE AVAILABILITY OF**
7 **AFFORDABLE LOCAL EXCHANGE SERVICE?**
8 A: Yes.
9 **Q: WILL CBAD, TO THE EXTENT THAT IT MAY BE REQUIRED TO DO**
10 **SO BY THE COMMISSION, PARTICIPATE IN THE SUPPORT OF**
11 **UNIVERSALLY AVAILABLE TELEPHONE SERVICE AT**
12 **AFFORDABLE RATES?**
13 A: Yes.
14 **Q: WILL CBAD'S PROVISION OF SERVICE OTHERWISE IMPACT THE**
15 **PUBLIC INTEREST?**
16 A: Amending CBAD's certificate of public convenience and necessity to allow
17 CBAD to provide local exchange services will have a positive impact on the
18 public interest. CBAD's proposed service will provide alternative services of the
19 highest quality, will provide increased consumer choice in billing options, and
20 will offer increased diversification and increased reliability of communications
21 services. Our service offerings will enhance competition for telecommunications
22 services in this state because the addition of another supplier of telephone service
23 will increase competition in terms of price and quality of service for the business
24 of telephone service consumers.

1 **Q. IS GRANTING OF CBAD'S REQUEST FOR AUTHORITY CONSISTENT**
2 **WITH THE PUBLIC INTEREST BENEFITS IN SOUTH CAROLINA?**
3 **A.** Absolutely. CBAD's entry into the South Carolina exchange telecommunications
4 market and the competitive end-to-end service offerings it will make available to
5 South Carolina consumers are precisely the marks of competition envisioned by
6 the U.S. Congress when they mandated competition with the incumbent
7 monopolies. The addition of companies such as CBAD to the roster of South
8 Carolina providers will fuel competitive activity in the telecommunications
9 market, resulting in lower prices, increasingly consumer-responsive product
10 design, expanded availability of tailored service packages, improved customer
11 service and reduced consumer complaints. By extension, the increased
12 vitalization of the telecommunications sector should create spillover benefits for
13 the rest of the South Carolina economy. Grant of the Application will enhance
14 further the service options available to South Carolina consumers for the reasons
15 set forth above.
16 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**
17 **A.** Yes it does.

AFFIDAVIT OF D. SCOTT RINGO JR.

I, D. Scott Ringo Jr., having been duly sworn state that if I am called as a witness in this matter I am competent to testify based on my personal knowledge as follows:

I am Asst. Corp. Secretary and National Director of Regulatory Affairs for Cincinnati Bell Any Distance Inc. I was duly authorized to file my direct testimony in this matter on behalf of Cincinnati Bell Any Distance Inc. The answers contained in my direct testimony are true.

Further affiant sayeth not.

D. Scott Ringo Jr.

Subscribed and sworn to before
me, a Notary Public, on the
28th day of October, 2009

Kathleen M. Campbell
Notary Public

My Commission Expires on _____

KATHLEEN M. CAMPBELL
Notary Public, State of Ohio
My Commission Expires 10-14-2013

Exhibit A

EXHIBIT A

JURISDICTIONS IN WHICH CINCINNATI BELL ANY DISTANCE INC. PROVIDES TELECOMMUNICATIONS SERVICES

Cincinnati Bell Any Distance Inc. provides international services under Section 214 authority from the Federal Communications Commission. The Company provides domestic intrastate services in the following jurisdictions.

State	Services Offered		State	Services Offered
ALABAMA	Long Distance		NEBRASKA	Long Distance
ARIZONA	Long Distance		NEVADA	Long Distance
ARKANSAS	Long Distance		NEW HAMPSHIRE	Long Distance
CALIFORNIA	Long Distance		NEW JERSEY	Long Distance
COLORADO	Long Distance		NEW MEXICO	Long Distance
CONNECTICUT	Long Distance		NEW YORK	Local/Long Distance
DELAWARE	Long Distance		NORTH CAROLINA	Local/Long Distance
FLORIDA	Long Distance		NORTH DAKOTA	Long Distance
GEORGIA	Long Distance		OHIO	Local/Long Distance
IDAHO	Long Distance		OKLAHOMA	Long Distance
ILLINOIS	Local/Long Distance		OREGON	Long Distance
INDIANA	Local/Long Distance		PENNSYLVANIA	Local/Long Distance
IOWA	Long Distance		RHODE ISLAND	Long Distance
KANSAS	Long Distance		SOUTH CAROLINA	Long Distance
KENTUCKY	Local/Long Distance		SOUTH DAKOTA	Long Distance
LOUISIANA	Long Distance		TENNESSEE	Local/Long Distance
MAINE	Long Distance		TEXAS	Local/Long Distance
MARYLAND	Long Distance		UTAH	Long Distance
MASSACHUSETTS	Long Distance		VERMONT	Long Distance
MICHIGAN	Local/Long Distance		VIRGINIA	Long Distance
MINNESOTA	Long Distance		WASHINGTON	Local/Long Distance
MISSISSIPPI	Long Distance		WEST VIRGINIA	Long Distance
MISSOURI	Local/Long Distance		WISCONSIN	Long Distance
MONTANA	Long Distance		WYOMING	Long Distance