STATE OF SOUTH CAROLINA

(Caption of Case)

In Re: Complaint and Petition for Relief of South Carolina Net, Inc. d/b/a Spirit Communications v. BellSouth Telecommunications, LLC d/b/a AT&T South Carolina

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2016 - 79 - C

(Please type or print)

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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	

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BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

In Re: Complaint and Petition for Relief of South Carolina Net, Inc. d/b/a Spirit Communications v. BellSouth Telecommunications, LLC d/b/a AT&T Georgia, AT&T North Carolina, and AT&T South Carolina	))))	**Docket No. 2016-79-C**

SURREBUTTAL TESTIMONY OF CARL C. ALBRIGHT, JR.

ON BEHALF OF AT&T SOUTH CAROLINA

MAY 16, 2016

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Carl C. Albright, Jr. I work for AT&T Services, Inc. as an Area Manager –
3 Regulatory Relations in AT&T Infrastructure Planning and Optimization. My address is
4 3413 Booth Calloway, Richland Hills, Texas 76118.

5 **Q. DID YOU PREVIOUSLY SUBMIT DIRECT TESTIMONY IN THIS**
6 **PROCEEDING?**

7 A. Yes.

8 **Q. WHAT IS THE PURPOSE OF YOUR SURREBUTTAL TESTIMONY?**

9 A. I primarily respond to the Rebuttal Testimony of Mr. Covington and Mr. Baldwin for
10 Spirit to the extent they address network issues.

11 **Q. A MAIN POINT OF YOUR DIRECT TESTIMONY WAS THAT THERE IS A**
12 **DIFFERENCE BETWEEN TRUNKS AND FACILITIES, BOTH**
13 **OPERATIONALLY AND AS TO BILLING. DOES SPIRIT NOW SEEM TO**
14 **RECOGNIZE THAT IMPORTANT DIFFERENCE?**

15 A. Not entirely. Spirit's rebuttal testimony still uses these and other network terms loosely,
16 and sometimes interchangeably. For example, Spirit witness Mr. Baldwin asserts that
17 "[t]he charges for 911 interconnection facilities ordered from AT&T are tied to the 911
18 trunks provisioned by AT&T on those facilities. As a result, the facilities and trunks are
19 often reasonably grouped together and referred to simply as trunks."[1] That is misleading
20 for two reasons. First, trunks and facilities are billed differently. As Mr. McPhee and I
21 explained in our direct testimony, the charges for transport facilities used by Spirit to carry
22 its 911 trunks are entirely separate and distinct from the charges for 911 trunks – because
23 there are no monthly charges for 911 trunks. They are not "tied" in any way; rather, there
24 is a monthly charge (and bill) for the facilities (and facilities only)[2] and no monthly charge

[1] Baldwin Rebuttal at page 10, lines 6-9.

[2] Spirit has not paid its bills for 911 transport facilities in some time.

1 (or bill) for 911 trunks. Second, trunsk and facilities work together, but are operationally
2 distinct. Facilities are the physical medium utilized to transport traffic, while trunks are
3 the logical paths between switches that complete the circuit. Indeed, it is Spirit's refusal
4 to accept and acknowledge the difference between trunks and facilities that led to this
5 case, in which Spirit seeks refunds for trunk charges that do not exist and now complains
6 about facilities charges while refusing to use AT&T South Carolina's established process
7 that would allow Spirit to avoid those charges.

8 Mr. Covington also erroneously refers to the 24 available channels within a DS1
9 transport facility as "circuits."[3] The channels within a DS1 facility, however, are not
10 themselves "circuits." Rather, they are logical channels (delineated by timing and
11 signaling bits within the digital data stream) that can be used to carry a circuit. Simply
12 put, a channel is a smaller "pipe within the pipe" that is dedicated to the transmission of
13 one circuit. When activated, each channel may be referred to as a "trunk", or circuit
14 riding on the DS1 facility. But they are riding on the DS1 facility, not part of the DS1
15 facility.

16 **Q. DOES THE ICA REQUIRE SPIRIT TO OBTAIN *FACILITIES* FROM AT&T**
17 **SOUTH CAROLINA FOR ITS 911 TRUNKS?**

18 A. No. As Mr. McPhee and I explained in direct testimony, and as AT&T South Carolina
19 has explained to Spirit multiple times, the ICA allows Spirit to obtain *facilities* from a
20 third party or self-provision them. The only issue here is whether Spirit must, per the
21 ICA, maintain a minimum number of dedicated 911 *trunks* from AT&T South Carolina on
22 those facilities.

23 **Q. DOES AT&T SOUTH CAROLINA HAVE AN ESTABLISHED PROCESS THAT**
24 **SPIRIT COULD USE TO STOP PURCHASING FACILITIES FROM AT&T**

[3] Covington Rebuttal at page 3, lines 12-21

SOUTH CAROLINA AND STILL ABIDE BY THE 911 TRUNKING OBLIGATIONS IN THE ICA?

A. Yes. As I explained in my direct testimony and as AT&T South Carolina has previously explained to Spirit, all Spirit needs to do is "roll over" or "re-groom" its 911 trunks from the facilities it currently leases from AT&T South Carolina to ride on its own, or another provider's, transport facilities. Spirit could then disconnect the facilities it ordered and currently obtains from AT&T South Carolina to transport its 911 traffic, eliminating the monthly facility charges.

Q. IS THIS A DIFFICULT PROCESS?

A. No. In fact, trunk rolls, or "CFA grooms" as they are commonly called, are quite frequently done when a carrier wants to utilize the facilities of another carrier, or begin to build out their own network rather than rely on the AT&T ILEC network. The AT&T NICSD (Network Integrated Customer Service Delivery) project group supports this type of rearrangement of moving 911 trunks/DS0s from one DS1 facility to another DS1 facility. This is considered a "CFA Groom" and would be supported by the AT&T Project Team. The AT&T 21 State Roll and Groom (Customer Process) and Universal Project Spreadsheets can be found athttps://primeaccess.att.com/shell.cfm?section=113. The Universal Project Spreadsheet to be used is Roll-Groom for Switched Service. In addition, during this process AT&T South Carolina is willing to work with Spirit to identify potential redundant trunks, and potentially reduce Spirit's trunk count to the minimum number required under the terms of the ICA.

Q. CAN YOU PROVIDE A DIAGRAM TO SHOW HOW THESE FACILITIES WOULD LOOK DIFFERENT THAN THE CURRENT ARRANGEMENT?

A. Yes. I have attached two diagrams. The first diagram (Albright Rebuttal Attachment A) shows how a requesting carrier can lease and utilize the facilities and trunks of AT&T South Carolina, while the second diagram (Albright Rebuttal Attachment B) shows how a requesting carrier might instead use the facilities of a third party transport provider and have the 911 trunks from AT&T South Carolina ride on those faciltiies.

Q. HAS SPIRIT TAKEN ADVANTAGE OF THIS PROCESS?

A. Spirit has indicated that this option is not satisfactory, and Mr. Covington claims that AT&T South Carolina is holding Spirit "hostage to ongoing monthly charges for 911 interconnection facilities."[4] As my testimony demonstrates, this is not true. The choice of whether to obtain any *facilities* from AT&T South Carolina is entirely up to Spirit. This case is about 911 *trunks*.

Q. HAS SPIRIT EVER SUBMITTED AN ORDER TO AT&T SOUTH CAROLINA TO DISCONNECT ANY OF ITS TRANSPORT FACILITIES LEASED FOR ITS 911 TRUNKS?

A. Not that I am aware of.

Q. HAS SPIRIT PRODUCED ANY EVIDENCE OF SUCH ORDERS?

A. No. AT&T South Carolina asked for any orders to disconnect facilities that were submitted to AT&T South Carolina, and the documents Spirit produced did not contain any such orders.

Q. WOULD AT&T SOUTH CAROLINA HAVE COMPLETED SUCH ORDERS IF THEY HAD BEEN PLACED?

A. Yes, if Spirit were to follow the process as outlined above.

Q. MR. COVINGTON CONTENDS THAT IF SPIRIT RETAINS THE 911 TRUNKS TO AT&T SOUTH CAROLINA, SPIRIT MAY HAVE TO PAY MORE MONEY TO BANDWIDTH.COM FOR USE OF BANDWIDTH'S FACILITIES. HOW DO YOU RESPOND?

[4] Covington Rebuttal at page 6, line 15.

1 A. Every carrier must make its own cost/benefit decisions when deciding whether to use
2 third-party providers, but those decisions cannot affect that carrier's contracts with other
3 parties. Spirit's arrangements with Bandwidth are separate from Spirit's ICA obligations
4 to AT&T South Carolina. Spirit can choose to obtain 911 facilities from other providers,
5 but the terms of those arrangements have no bearing on the ICA between Spirit and
6 AT&T South Carolina.

7 **Q. DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY?**

8 A. Yes.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **AT&T South Carolina's Surrebuttal Testimony of Carl C. Albright, Jr.** has been served upon the following via electronic filing, addressed as shown below on the 16th day of May, 2016.

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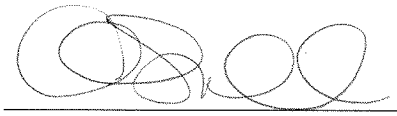

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