

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition by BellSouth Telecommunications, Inc. )  
for approval of arbitration of an interconnection )  
agreement with US LEC of Florida Inc. pursuant )  
to the Telecommunications Act of 1996. )  
\_\_\_\_\_ )

Docket No. 000084-TP

REBUTTAL TESTIMONY OF  
WANDA MONTANO  
ON BEHALF OF  
US LEC OF FLORIDA, INC.  
October 27, 2000

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FPSC-RECORDS/REPORTING

1 Q. PLEASE STATE YOUR NAME, YOUR POSITION WITH US LEC OF  
2 FLORIDA, INC. ("US LEC") AND BUSINESS ADDRESS?

3 A. My name is Wanda Montano . Currently, I am Vice President of Regulatory  
4 and Industry Affairs for US LEC Corp. and responsible for regulatory and  
5 industry relations of its operating subsidiaries, including US LEC of Florida  
6 Inc. ("US LEC"). My business address is Three Morrocroft Centre,  
7 Charlotte, NC 28211.

8 Q. ARE YOU THE SAME WANDA MONTANO WHO FILED DIRECT  
9 TESTIMONY IN THIS DOCKET?

10 A. Yes, I am.

11 Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

12 A. The purpose of my testimony is to rebut portions of the direct testimony of  
13 Cynthia Cox filed on behalf of BellSouth concerning Issue 6b. Issue 6b  
14 concerns whether US LEC should be compensated for the tandem switching  
15 elemental rates for purposes of reciprocal compensation if the Commission  
16 determines that elemental rates apply.

17 Q. ON PAGE 32 OF HER TESTIMONY, BEGINNING AT LINE 10, MS.  
18 COX STATES THAT "IN ORDER FOR US LEC TO  
19 APPROPRIATELY CHARGE BELL SOUTH FOR TANDEM  
20 SWITCHING ON ANY CALL, US LEC MUST DEMONSTRATE TO  
21 THE COMMISSION THAT: (1) ITS SWITCHES SERVE A  
22 COMPARABLE GEOGRAPHIC AREA TO THAT SERVED BY  
23 BELL SOUTH'S TANDEM SWITCHES AND THAT (2) ITS  
24 SWITCHES PERFORM LOCAL TANDEM FUNCTIONS." DO YOU  
25 AGREE WITH MS. COX'S STATEMENT?

1 A. No, I do not. FCC Rule 51.711(a)(3) requires symmetrical reciprocal  
2 compensation rates for transport and termination of local telecommunications  
3 traffic and specifically provides that "where the switch of a carrier other than  
4 an incumbent LEC serves a geographic area comparable with the area served  
5 by the incumbent LEC's tandem switch, the appropriate rate for the carrier  
6 other than an incumbent LEC is the incumbent LEC's tandem interconnection  
7 rate." There is nothing in the rule which even speaks to a requirement that  
8 the ALEC demonstrate that the facilities on its network, here, US LEC's  
9 switch, provides the same services as BellSouth's tandem and end office  
10 switches. The rule only requires US LEC's switch to serve a geographic area  
11 comparable to the area served by BellSouth's tandem and end office switches.  
12 Mr. Gates addresses this issue more fully in his testimony.

13 **Q. IF THE COMMISSION DETERMINES THAT FCC RULE**  
14 **51.711(A)(3) IMPORTS A REQUIREMENT THAT US LEC'S**  
15 **SWITCH PERFORM THE SAME SERVICES OR FUNCTIONS AS**  
16 **BELLSOUTH'S TANDEM AND END OFFICE SWITCHES, IS US**  
17 **LEC STILL ENTITLED TO BE COMPENSATED BY BELLSOUTH**  
18 **PURSUANT TO BELLSOUTH'S TANDEM INTERCONNECTION**  
19 **RATE?**

20 A. Yes, because US LEC's switch in each LATA in Florida performs the same  
21 or similar functions as BellSouth's tandem and end office switches in the  
22 same geographic area. [REDACTED]

23 [REDACTED]  
24 [REDACTED] As shown in Confidential Exhibit \_\_ (WM-1), [REDACTED]  
25 [REDACTED]

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[REDACTED] shown on Confidential Exhibit \_\_ (WM-1), [REDACTED]

**Q. DO YOU HAVE AN OPINION AS TO WHETHER US LEC'S SWITCHES IN THE FLORIDA LATAS PROVIDE A SIMILAR FUNCTION TO BELLSOUTH'S TANDEM AND END OFFICE SWITCHES?**

A. Yes, I do. As US LEC's network is currently configured, [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] Based on this architecture and configuration, it is my opinion that US LEC's switch provides a similar function to BellSouth's tandem and end office switches.

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

A. Yes, it does.

Switch Location

[REDACTED]

Jacksonville

[REDACTED]

Orlando

[REDACTED]

W. Palm Beach

[REDACTED]

Miami

[REDACTED]