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**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

Docket No. 070699-TP

**Petition of Intrado Communications Inc. Pursuant to Section 252(b) of the
Communications Act of 1934, as amended, to Establish an Interconnection
Agreement with Embarq Florida, Inc.**

DIRECT TESTIMONY OF CAREY F. SPENCE-LENSS

April 21, 2008

**Q: PLEASE STATE YOUR NAME, TITLE, AND BUSINESS ADDRESS
FOR THE RECORD.**

A: My name is Carey F. Spence-Lens. My business address is 1601 Dry Creek Drive, Longmont, CO, 80503. I am Vice President of Regulatory and Government Affairs for Intrado Inc. and its affiliate, Intrado Communications Inc. (“Intrado Comm”).

Q: PLEASE DESCRIBE YOUR RESPONSIBILITIES FOR INTRADO COMM.

A: I am responsible for regulatory, legislative and policy initiatives for Intrado Comm. In that capacity, I lead a team of professionals who serve as government affairs liaisons throughout the United States. We investigate, track and, in turn, educate and advocate all corporate regulatory, policy and legislative matters. In addition to the federal and state regulatory and legislative work, I plan, coordinate and participate in state and national 911 and telecommunications forums to advance Intrado Comm key initiatives. I

1 routinely provide support and information to 911 stakeholders, namely Public
2 Safety Answering Points (“PSAPs”), related to state legislative/statutory,
3 administrative rules and tariffs, and cost recovery. I provide direct support
4 and assess the impact of matters specific to wireline, wireless, or Voice over
5 Internet Protocol (“VoIP”) deployments. In addition, I serve on the core team
6 for Intrado Comm’s Intelligent Emergency Network®, which is responsible
7 for laying the foundation for the technical and operational implementation of
8 the Intrado Comm Intelligent Emergency Network®, including establishing
9 interconnection relationships with other carriers such as Embarq Florida, Inc.
10 (“Embarq”).

11 **Q: PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND**
12 **PROFESSIONAL EXPERIENCE.**

13 **A:** I am a graduate of the University of Texas at Austin, Texas where I earned a
14 Bachelor of Science degree in Speech, Organizational Communications. I
15 also have completed certification coursework at Texas A&M Engineering
16 Extension in Basic Telephony DC/AC & Data Communications, and at the
17 University of Texas at Austin Continuing Engineering Studies
18 Telecommunications Series. I am certified as a National Emergency
19 Numbering Association (“NENA”) Emergency Number Professional
20 (“ENP”). I have over 20 years of emergency communications experience.
21 From 1989 to 2003, I held various management positions at the Texas
22 Commission on State Emergency Telecommunications, including Deputy
23 Director from 1998 to 2003. Preceding my work at the Texas Commission, I

1 was employed by the City of Dallas, Information Services Department as an
2 Emergency Communications Coordinator. My professional affiliations
3 include former chair positions of several committees of NENA, and I was a
4 founding member of the NENA Emergency Number Professional program. I
5 also served as an officer on the Texas Emergency Number Association. I was
6 a member of National Association of State 911 Administrators (“NASNA”)
7 and remain active in this association, Association of Public Safety
8 Communications (“APCO”), NENA national conference, and the National
9 Conference of State Legislators.

10 **Q: HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE FLORIDA**
11 **PUBLIC SERVICE COMMISSION?**

12 **A:** No.

13 **Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

14 **A:** The purpose of my testimony is to explain the history of Intrado Comm, its
15 role in the public safety industry, and provide an overview of its current
16 service offerings and customer relationships. My testimony also addresses
17 Issue 1(a), (b), (c), and (d) regarding Intrado Comm’s interconnection rights
18 and the rates to be included in the interconnection agreement.

19 **Q: PLEASE PROVIDE THE HISTORY OF INTRADO COMM AND ITS**
20 **ROLE IN THE COMPETITIVE 911 MARKETPLACE.**

21 **A:** Intrado Comm was established in 1999 as a wholly-owned subsidiary of
22 Intrado Inc., which was founded in 1979. Intrado Comm provides regulated
23 telecommunications services (*i.e.*, 911 selective routing, switching,

1 aggregation, and transport). Intrado Comm’s telecommunications services are
2 combined with Intrado Inc.’s Automatic Location Identification (“ALI”)
3 services to form the basis for Intrado Comm’s Intelligent Emergency
4 Network®. The Intelligent Emergency Network® enables the public safety
5 community to transcend the limitations of the nation’s legacy 911
6 infrastructure, making new applications and services available to PSAPs and
7 other public safety entities that will increase their efficiency and effectiveness
8 in responding to emergency calls. The companies combined are the nation’s
9 leading providers of sophisticated solutions that identify, manage, and deliver
10 mission critical information for telecommunications providers and public
11 safety organizations. Today, Intrado Comm’s local exchange services and
12 telecommunications services facilitate, enhance, and advance the provision of
13 emergency services throughout the United States to VoIP service providers,
14 and other wireline, wireless, and telematics (e.g., On Star) service providers.
15 Intrado Comm shares Intrado Inc.’s legacy in expertise, financial stability, and
16 vast experience in delivering mission-critical performance in emergency
17 communications networks and related data. For a quarter-century, Intrado
18 Inc. has been the nation’s premier provider of integrated data and emergency
19 communications solutions and has played a key role in defining, building, and
20 maintaining core emergency communications infrastructure and 911
21 technologies throughout the United States.

22 **Q: PLEASE PROVIDE AN OVERVIEW OF THE CURRENT SERVICE**
23 **OFFERINGS OF INTRADO COMM AND INTRADO INC.**

1 **A:** Since the 1990s, Intrado Inc. has provided the core of the nation’s 911 ALI
2 and selective routing infrastructure. Intrado Comm supports Intrado Inc. in its
3 role as processor of customer 911 records, and as purveyor of data and
4 communications services to PSAPs and incumbent 911 service providers
5 throughout approximately one-half of the United States. In the remaining
6 portions of the country, Intrado Inc. provides and maintains 911 ALI and
7 Selective Routing Database (“SRDB”) systems for incumbent 911 service
8 providers like Embarq. Every year, Intrado Comm and Intrado Inc. support
9 over 200 million 911 calls to over 6,000 PSAPs and manage over 350 million
10 subscriber records for 11 incumbent local exchange carriers (“ILECs”) and 41
11 competitive local exchange carriers (“CLECs”) with 234 million subscribers,
12 and for over 60 wireless carriers with 120 million subscribers.

13 **Q: IS INTRADO COMM AUTHORIZED TO PROVIDE LOCAL**
14 **EXCHANGE SERVICE IN OTHER STATES AND HAS IT ENTERED**
15 **INTO INTERCONNECTION AGREEMENTS WITH OTHER ILECS?**

16 **A:** Intrado Comm has authority to operate as a competitive local exchange carrier
17 or CLEC in Florida. In addition, Intrado Comm and its affiliates hold
18 authority to provide competitive local telecommunications services in thirty
19 eight other states. Intrado Comm has entered into two other Section 251
20 interconnection agreements with AT&T affiliates in Illinois and California, as
21 well agreements with Qwest.

22 **Q. HOW HAVE OTHER STATES TREATED INTRADO COMM’S**
23 **LOCAL EXCHANGE SERVICES?**

1 **A.** The benefits of Intrado Comm’s local exchange services, including its
2 competitive 911 offering, have already been recognized by other states. For
3 example, the West Virginia Public Service Commission supported
4 competitive entry by other providers of 911 services because that would
5 provide competitive choices to PSAPs. This decision is attached as Exhibit
6 No. ____ (Spence-Lenss, Direct Exhibit CSL-1). The Public Utilities
7 Commission of Ohio, in approving Intrado Comm’s certification, established
8 a new Competitive Emergency Services Telecommunications Carrier
9 (“CESTC”) classification in recognition of the competitive entry in the 911
10 services market. This decision is attached as Exhibit No. _____ (Spence-
11 Lenss, Direct Exhibit CSL-2). The Public Utilities Commission of Ohio
12 recently upheld its decision in the face of opposition by ILECs, including
13 Embarq’s affiliate operating in Ohio. This decision is attached as Exhibit No.
14 _____ (Spence-Lenss, Direct Exhibit CSL-3).

15 **Q: DOES INTRADO COMM COMPETE WITH EMBARQ?**

16 **A:** Yes. Intrado Comm is a direct competitor of Embarq in Florida. Intrado
17 Comm seeks to expand its competitive service offerings to include an
18 alternative to Embarq’s 911 service sold directly to PSAPs in Florida. The
19 demand for competitive next generation E911 services is growing. Despite
20 the significant numbers of competitive providers in the local exchange market,
21 competitive options and choices for the public safety industry do not exist
22 today. Intrado Comm seeks to change that with its innovative, next generation
23 Intelligent Emergency Network®. Intrado Comm’s Florida 911 service tariff

1 is attached as Exhibit No. ____ (Spence-Lenss, Direct Exhibit CSL-4). Florida,
2 in particular, is experiencing the advent of true 911 competition as counties
3 receive access to new funding for systems and services. Counties are
4 planning to deploy next generation technologies to assist them with the
5 growing demands in accepting and processing emergency calls from
6 innovative technologies, text services, and video and photographs. In addition
7 to better managing wireless and VoIP and other new technologies, Florida
8 PSAPs have identified the need to transfer calls among 911 centers to
9 facilitate accurate emergency response, especially where one PSAP is
10 overloaded with intake calls during an emergency. Letters from Charlotte,
11 Martin, Alachua, and Sarasota counties filed with the Commission explaining
12 the need to migrate beyond the legacy 911 system are attached as Exhibit No.
13 ____ (Spence-Lenss, Direct Exhibit CSL-5). Intrado Comm is at the forefront
14 of next-generation offerings to counties in Florida. To ensure that PSAPs are
15 able to take advantage of Intrado Comm's 911 competitive alternative service,
16 Intrado Comm has asked the Commission to clarify that a county choosing a
17 competitive provider is no longer subject to unwarranted tariff charges from
18 its former incumbent 911 services provider or subject to new charges that are
19 unjustified. Intrado Comm's request is attached as Exhibit No. ____ (Spence-
20 Lenss, Direct Exhibit CSL-6).

21 **Q: PLEASE EXPLAIN THE BENEFITS OF THE SERVICES PROVIDED**
22 **BY INTRADO COMM AND INTRADO INC. TO THE PUBLIC AND**
23 **THE EMERGENCY SERVICES INDUSTRY.**

1 **A:** Each time a wired telephone line in the United States is installed, moved, or
2 removed, that information must be updated in the 911 system, typically within
3 24 hours. In some way, Intrado Comm and Intrado Inc. touch 95% of all
4 wireline changes daily to ensure the accuracy of 911 caller information.
5 Similarly, each time 911 is dialed from a wireless phone across the United
6 States, the location of that call must be determined in real time and
7 communicated to the appropriate PSAP. Intrado Comm and Intrado Inc.
8 touch 58% of these wireless calls daily to ensure accuracy for 911. Likewise,
9 each time a VoIP service customer dials 911 in the United States, the location
10 of the caller must be determined, the correct PSAP identified, and the call
11 routed in real time to the PSAP. Intrado Comm and Intrado Inc. touch almost
12 all of these VoIP calls daily to ensure 911 accuracy. The expansion of Intrado
13 Comm’s competitive offerings to include a comprehensive 911 telephone
14 exchange service provided directly to PSAPs will continue this trend.

15 **Q: DOES INTRADO COMM WORK WITH NENA AND OTHER**
16 **INDUSTRY STANDARDS BODIES?**

17 **A:** Yes. Intrado Comm actively participates at the forefront of industry standards
18 bodies to ensure that it stays at the cutting edge of 911 solutions in the
19 marketplace. Intrado Comm’s Intelligent Emergency Network® has been
20 designed to capture and comply with NENA guidelines for next generation
21 Internet Protocol (“IP”)-based solutions. Beginning in 2000, NENA’s
22 Technical Committee began identifying objectives for the migration to IP-
23 based networks, and in 2006 NENA announced its next generation “Transition

1 Planning Effort,” which is attached as Exhibit No. ____ (Spence-Lenss, Direct
2 Exhibit CSL-7). Intrado Comm is also an active participant in the Alliance for
3 Telecommunications Industry Solutions (“ATIS”). The Emergency Services
4 Interconnection Forum (“ESIF”) of ATIS released in 2006 its suite of IP-
5 based Emergency Services Network Interface (“ESNI”) standards that will
6 enable the expansion of E911 services and functionality with next generation
7 911 networks, which are attached as Exhibit No. ____ (Spence-Lenss, Direct
8 Exhibit CSL-8).

9 **Q: WHY IS COMPETITION FOR 911 SERVICES IN FLORIDA**
10 **IMPORTANT?**

11 **A:** Florida PSAPs play an active role in the development of 911 policy at both the
12 state and national levels. Florida PSAPs understand the effect of emerging
13 technologies on today’s obsolete 911 architectures. Competition in the 911
14 telephone exchange service marketplace ensures new and innovative next
15 generation 911 platforms will be more readily available to Florida PSAPs.

16 **Q: PLEASE EXPLAIN WHY NEXT GENERATION 911 SYSTEMS ARE**
17 **IMPORTANT TO FLORIDA CONSUMERS AND PUBLIC SAFETY**
18 **AGENCIES.**

19 **A:** The introduction of E911 in 1972 represented a significant improvement in
20 911 service. Today, consumer expectations, newer and less voice-centric
21 technologies, and major world events are necessitating further significant
22 changes in 911 service capabilities. The importance of public safety requires
23 looking beyond the existing legacy structure towards a more robust and secure

1 next generation 911 network that can manage both voice and data delivered
2 from multiple types of service providers. Next generation 911 systems
3 expand the degree to which new, contextually appropriate information can be
4 automatically provided to emergency service personnel. The result is
5 advanced collaboration and interoperability services available to PSAPs and
6 other government agencies. Florida consumers expect their 911 calls to go to
7 the right PSAP in the event of an emergency, and that the call-taker will know
8 who they are, where they are, and their telephone number in case the call is
9 interrupted and they need to be re-contacted. They also expect to receive help
10 from emergency first responders, even in cases where the caller cannot convey
11 his or her location or the nature of the problem due to the emergency
12 circumstances or disability. The legacy systems are unable today and will
13 continue to progressively decline in their ability to keep pace with the warp-
14 speed changes in communications technology and consumers' expectations
15 for timely and accurate public safety service responses. Intrado Comm is able
16 to respond to its public safety customers to address these limitations. The
17 incumbent monopoly 911 providers also recognize the limitations of their
18 existing emergency networks in accommodating more mobile and less voice-
19 centric communication technologies. Many ILEC providers have implied they
20 are planning to develop and deploy their own next generation network
21 technologies. Recognizing that the migration path for an incumbent's next
22 generation 911 network will not result in the immediate replacement of the
23 legacy infrastructure for all PSAPs simultaneously, it is extremely likely that

1 their migration plans will be inclusive of the same types of interconnection
2 and interoperability being sought by Intrado Comm in this proceeding.

3 **Q: DOES INTRADO COMM HAVE COMMERCIAL AGREEMENTS**
4 **WITH EMBARQ THAT GOVERN THE SERVICES INTRADO**
5 **COMM SEEKS FROM EMBARQ PURSUANT TO SECTION 251(C)?**

6 **A:** No. Intrado Comm is not a party to any commercial agreement with Embarq.
7 Any commercial agreement with Embarq is between various Embarq entities
8 and Intrado Inc., the parent of Intrado Comm. Intrado Comm is not a party to
9 the agreements Embarq has with Intrado Inc. and Intrado Comm and has no
10 contractual relationship with Embarq in connection with such agreements. In
11 addition, the agreements between Intrado Inc. and the Embarq ILEC entities
12 do not include the services Intrado Comm seeks from Embarq pursuant to
13 Section 251(c). The agreements between Intrado Inc. and Embarq are
14 commercial arrangements under which Embarq provides telephone exchange
15 service and other telecommunications services to Intrado Inc. just as Embarq
16 would provide to any other retail customer.

17 *Issue 1(a): What services does Intrado Comm currently provide or intend to*
18 *provide in Florida?*

19 **Q: WHAT SERVICES DOES INTRADO COMM CURRENTLY PROVIDE**
20 **OR INTENT TO PROVIDE IN FLORIDA?**

21 **A:** At this time, Intrado Comm intends to provide a telephone exchange service
22 to PSAPs and other public safety agencies in Florida. This competitive 911
23 service offering is similar to the “telephone exchange communication service”

1 (as classified by Embarq) currently offered by Embarq to PSAPs in Florida
2 via Embarq's retail tariff, which is attached as Exhibit No. ___ (Spence-Lenss,
3 Direct Exhibit CSL-9). In the future, Intrado Comm will likely provide other
4 types of local exchange services in Florida.

5 **Issue 1(b):** *Of the services identified in (a), for which, if any, is Embarq*
6 *required to offer interconnection under Section 251(c) of the Telecommunications*
7 *Act of 1996?*

8 **Q: ARE THE SERVICES TO BE OFFERED BY INTRADO COMM**
9 **LOCAL EXCHANGE SERVICES ENTITLED TO SECTION 251**
10 **INTERCONNECTION ARRANGEMENTS?**

11 **A:** 911 and E911 services are local exchange services whereby subscribers of real
12 time, two-way voice communication services can reach the nearest and/or
13 appropriate emergency response agency. Intrado Comm's
14 telecommunications services will accept, route, transmit, transport, and/or
15 aggregate 911 calls from its end user customers, and route those calls to the
16 appropriate PSAP without change in the form or content of the information as
17 sent or received. These services form the basis for Intrado Comm's Intelligent
18 Emergency Network®, which will enable the public safety community to
19 transcend the limitations of the nation's legacy 911 infrastructure, making
20 new applications and services available to PSAPs and other public safety
21 entities that will increase their effectiveness and efficiency in responding to
22 emergency calls. Intrado Comm's services have the same qualities as other
23 telephone exchange services recognized by the FCC. Telephone exchange

1 services are not limited to traditional voice telephony, but also include non-
2 traditional means of communicating information within a geographic area. In
3 an era of converging technologies and IP-based product offerings, limiting the
4 definition of telephone exchange service traditional, voice-based
5 communications would undermine a central goal of the federal
6 Communications Act of 1934, as amended (“Act”).

7 **Q. PLEASE EXPLAIN WHY INTRADO COMM SERVICES ARE**
8 **TELECOMMUNICATIONS SERVICES RATHER THAN**
9 **INFORMATION SERVICES?**

10 **A.** While E911 services may contain an information service component (such as
11 the Automatic Location Information (“ALI”) function) when provided as a
12 stand-alone function to end users, there is a distinction between a separately-
13 stated, separately-priced storage and retrieval functions being offered on a
14 stand-alone basis to an end user, and ALI database functions used for the
15 management, control, or operation of telecommunication systems or
16 telecommunications services by a carrier like Intrado Comm to provide an
17 integrated, comprehensive 911 service. It is my understanding that the FCC
18 has stated that 911 and E911 databases (*i.e.*, ALI databases) are
19 telecommunications services.

20 **Q: HOW DO EMBARQ’S TARIFFS DESCRIBE ITS 911 SERVICES**
21 **OFFERED TO ITS PSAP CUSTOMERS?**

22 **A:** Embarq’s Florida 911 tariff states that basic 911 is provisioned using
23 “exchange lines” (Spence-Lenss, Direct Exhibit CSL-9), and that E911

1 service “is a telephone exchange communication service.” E911 is a more
2 sophisticated emergency calling service in that it has features that allow a call
3 to be routed to an appropriate PSAP in instances where a local exchange is
4 served by more than one PSAP as well as providing a call back number and
5 location information for the caller. These enhancements are “bundled” as a
6 service offering and priced on a per thousand local access lines served.
7 Carriers are required to file tariffs for regulated telecommunications services
8 in Florida, and Embarq has appropriately tariffed the 911 services it offers to
9 PSAPs.

10 **Q: PLEASE EXPLAIN WHY INTRADO COMM IS ENTITLED TO**
11 **SECTION 251(C) INTERCONNECTION.**

12 **A:** In addition to other local exchange services, Intrado Comm intends to provide
13 a competitive alternative to the ILEC local 911 services provided to PSAPs.
14 The most suitable vehicle for interconnection is the framework established by
15 Sections 251 and 252 of the Act, which was designed to promote competition
16 in the local exchange market by facilitating the interconnection and
17 interoperability of competing local networks. In addition to the Public
18 Utilities Commission of Ohio decision previously referenced, two other state
19 commissions (in response to similar objections by AT&T) determined that
20 Intrado Comm was entitled to interconnection under Section 251(c) and
21 arbitration under Section 252 because it is acting as a telecommunications
22 carrier and providing telephone exchange service, exchange access, and
23 telecommunications services. These decisions are attached as Exhibit No. ____

1 (Spence-Lenss, Direct Exhibit CSL-10) and Exhibit No. ____ (Spence-Lenss,
2 Direct Exhibit CSL-11). It is my understanding that the FCC has also
3 recognized that local exchange carriers are required to provide interconnection
4 to 911 facilities and access to 911 databases to all telecommunications carriers
5 pursuant to Section 251(c) of the Act.

6 *Issue 1(c): Of the services identified in (a), for which, if any, should rates*
7 *appear in the interconnection agreement?*

8 *Issue 1(d): For those services identified in 1(c), what are the appropriate rates?*

9 **Q: WHAT RATES FOR EMBARQ SERVICES SHOULD APPEAR IN**
10 **THE AGREEMENT AND WHAT ARE THE APPROPRIATE RATES?**

11 **A:** As a telecommunications carrier offering telephone exchange services, Intrado
12 Comm is entitled to interconnection facilities and unbundled network
13 elements (“UNEs”) at cost-based rates established pursuant to the process set
14 forth in Sections 251 and 252 of the Act. Intrado Comm’s interconnection
15 agreement with Embarq should include a pricing appendix that sets forth the
16 prices to be charged by Embarq for services, functions and facilities to be
17 purchased in connection with the Parties’ interconnection arrangements in
18 Florida.

19 **Q: WHAT RATES FOR INTRADO COMM SERVICES SHOULD**
20 **APPEAR IN THE ICA AND WHAT ARE THE APPROPRIATE**
21 **RATES?**

22 **A:** Intrado Comm has proposed rates to govern Embarq’s interconnection to
23 Intrado Comm’s Intelligent Emergency Network®, such as port termination

1 charges. The charges proposed by Intrado Comm are similar to the entrance
2 facility and port charges imposed by Embarq on competitors for
3 interconnection to Embarq's network.

4 **Q: DOES THIS COMPLETE YOUR DIRECT TESTIMONY?**

5 **A:** Yes.