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I N D E X

<u>Witnesses:</u>	<u>Dir.</u>	<u>Crx.</u>	<u>By</u> <u>Examiner</u>
Andrew Plocienniczak	4	7 15	13

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
1	17	18
2	18	20

1 JUDGE RILEY: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call
3 Docket 04-0403. This is PT Communications,
4 Incorporated, Application for a certificate of local
5 authority to operate as a reseller and
6 facilities-based UNE-P carrier of telecommunications
7 services throughout the State of Illinois.

8 Mr. Steinhart, would you enter an
9 appearance for the record, please.

10 MR. STEINHART: Yes. This is Lance Steinhart,
11 attorney for PT Communications, Incorporated;
12 address is 1720 Windward Concourse, Suite 250 in
13 Alpharetta, Georgia 30005; telephone number is
14 770-232-9200.

15 JUDGE RILEY: Thank you.

16 And Staff, would you enter an
17 appearance, please.

18 MR. HANSON: Yes. Mark Hanson, H-a-n-s-o-n, 527
19 East Capitol Avenue, Springfield, Illinois 62701.

20 JUDGE RILEY: Thank you. And at this time,
21 Mr. Steinhart, did you want to call your witness?

22 MR. STEINHART: Yes, I would, Mr. Plocienniczak.

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(Witness sworn.)

JUDGE RILEY: Please proceed, and remember to speak up for the benefit of the Court Reporter.

ANDREW PLOCIENNICZAK,

called as a witness herein, and after having been first duly sworn, was examined and testified as follows:

CROSS EXAMINATION

BY

MR. STEINHART:

Q Andrew, could you please state your name, title and business address for the record, please.

A Andrew Plocienniczak, I'm a COO of the company, and -- now, with the address, should I give the actual -- the address of the company or where I am at here in Chicago?

Q The address in the company that's in the Application.

A 13644 Neutron Road, Dallas, Texas 75244.

Q Thank you.

And, Andrew, are you familiar with the Application and the exhibits that were filed in this

1 docket?

2 A Yes, I am.

3 Q And is the information contained therein
4 true and correct in all material respects, to the
5 best of your knowledge?

6 A Yes.

7 Q Okay. Thank you.

8 I had a couple of other questions,
9 Judge Riley.

10 JUDGE RILEY: Go ahead.

11 MR. STEINHART: Q Mr. Plocienniczak, are you,
12 also, affiliated with another telecommunications
13 company?

14 A Yes.

15 Q And what is the name of that company?

16 A World Discount Telecommunications.

17 Q WDT, World Discount Telecommunications?

18 A Correct.

19 Q Okay. And is it true that company,
20 currently has resold interexchange authority in the
21 State of Illinois?

22 A That's true.

1 Q Okay. And is it, also, true that the
2 owners of WDT are the same as the owners of PT
3 Communications?

4 A Yes.

5 Q Okay. And the financial information that
6 was provided to the Commission, are the financial
7 statements of WDT, is that correct?

8 A Yes.

9 Q Okay. And is it true, PT Communications,
10 at this point, is a shell company, basically, with
11 the same ownership as WDT, which was created in
12 order to provide the local services --

13 A Yes.

14 Q -- to its customers of WDT, is that
15 correct?

16 A Yes.

17 Q And is it, also, correct to the extent that
18 PT Communications needs any funding or financial
19 wherewithal to provide the services, that such
20 financial wherewithal will be provided by WDT, is
21 that correct?

22 A Yes.

1 MR. STEINHART: Thank you, Andrew.

2 At this point, I have no further
3 questions and will turn Mr. Plocienniczak over for
4 cross-examination.

5 JUDGE RILEY: Thank you.

6 MR. STEINHART: You're welcome.

7 JUDGE RILEY: Mr. Hanson, I'll let you go first
8 for any questions you may have for the witness.

9 CROSS EXAMINATION

10 BY

11 MR. HANSON: .

12 Q Yes, Mr. Plocienniczak, just to follow up
13 on the questions of the relationship of WDT
14 Communications to PT Communications, well, then, I
15 see in the Application, are you the only employee of
16 PT Communications?

17 A No.

18 Q Okay. The Application said there was only
19 one employee. Are there more employees for
20 PT Communications, then?

21 A Yeah, I mean, Roman Talis, he's the CEO --

22 JUDGE RILEY: I'm sorry, what was the name?

1 THE WITNESS: Roman Talis. He's listed on the
2 Application.

3 JUDGE RILEY: Roman Talis. How do you spell his
4 last name?

5 THE WITNESS: T-a-l-i-s.

6 JUDGE RILEY: Thank you.

7 MR. STEINHART: Mr. Hanson?

8 MR. HANSON: Yes.

9 MR. STEINHART: Can I clarify something, please?

10 MR. HANSON: Right. Yes.

11 MR. STEINHART: As far as PT Communications,
12 Andrew was listed as the only employee and that's,
13 technically, probably, the case until they move
14 forward to start providing some services and
15 operate. The employees of WDT are, essentially,
16 available to PT Communications, though. And I'm
17 sure WDT has several employees. I'm not sure what
18 the number is, Mr. Plocienniczak, probably, could
19 provide that information.

20 But, at this point, PT is not
21 operational and won't be until the certification is
22 granted, and then they'll go forward with

1 interconnection and then whatever else is needed to
2 provide the local services.

3 MR. HANSON: So, essentially, then, the
4 resources that WDT Communications has will be used
5 to provide services to PT Communications' customers.

6 MR. STEINHART: That's correct. Not only the
7 financial resources that we went over a bit earlier,
8 but, also, the technical and managerial resources,
9 that's correct.

10 MR. HANSON: Now, what is the reason, then, if
11 WDT Communications is already operating in Illinois
12 as an interexchange carrier, the rationale for
13 forming a separate corporation, PT Communications,
14 to provide local?

15 MR. STEINHART: The Company just decided to
16 provide the local services, maybe, because they see
17 this as a new venture --

18 JUDGE RILEY: Okay. I'm going to interrupt
19 here. That question should go to Mr. Plocienniczak.

20 MR. STEINHART: Okay. I'm sorry.

21 JUDGE RILEY: Let's see if he can answer that.

22 MR. STEINHART: Okay.

1 THE WITNESS: WT (sic) has been around for,
2 about, seven years providing services, and we've
3 been concentrating on our long distance services.
4 We are wholesaler, as well. And since we started,
5 we came up with idea of providing an additional
6 services. As a CLEC here, we decided we'll just
7 open up a separate entity.

8 MR. HANSON: I guess I need to look at the
9 Application here, real quickly.

10 Q Are you seeking, then, interexchange
11 authority for PT Communications, as well as local
12 authority?

13 A No.

14 Q So, you just, strictly, want local
15 authority for PT Communications?

16 A Correct.

17 Q All right. And, then, the company -- will
18 the marketing for PT Communications be separate from
19 WDT Communications?

20 A I'm sorry, could you repeat that?

21 Q Would the marketing -- I guess, my question
22 is, would the marketing for PT Communications be

1 separate from the marketing for PT Communications
2 (sic) or will you be marketing the services of the
3 two companies together?

4 A The intention was to market it under the
5 two companies together.

6 Q So, when you're approaching a customer you,
7 essentially -- are you intending to offer an
8 unbundled service to a customer?

9 A That's correct.

10 Q Both local and interexchanged authority?

11 A That's correct.

12 Q And, however -- so, the customer -- your
13 intention is for the customer not to know that there
14 will be two separate companies offering the service,
15 then?

16 A Not, necessarily. No. The WT (sic) will
17 be providing the long distance services and
18 international connections.

19 Q Right.

20 A PT would be, like, the local exchange.

21 Q Okay. Okay. So, essentially,
22 PT Communications is being formed strictly to offer

1 local exchange authority and will be marketed in
2 conjunction with the existing services of
3 WDT Communications.

4 A That's correct.

5 Q Now, is PT Communications intending -- I
6 know WDT operates in several different states. Is
7 PT Communications, at this point, strictly seeking
8 certification in Illinois, or is it seeking
9 certification in other states, as well?

10 A As of today, Illinois.

11 Q Okay. And is the intention of WDT -- are
12 you an officer of WDT Communications?

13 A Yes, I am.

14 Q So, are you, on the record, stating that
15 WDT Communications will be guaranteeing any of the
16 obligations of PT Communications?

17 A Yes, I am.

18 MR. HANSON: Judge Riley, I don't have anything
19 to -- do you have some questions, Judge Riley?

20 JUDGE RILEY: Just a couple of mine own.

21 Does that, pretty much, conclude your
22 questioning, Mr. Hanson?

1 MR. HANSON: Yeah. Why don't you ask yours and
2 let me think a little bit here, and I'll see if I
3 have any further, Judge Riley.

4 JUDGE RILEY: Okay.

5 MR. HANSON: Is that okay?

6 JUDGE RILEY: Sure.

7 EXAMINATION

8 BY

9 JUDGE RILEY:

10 Q Mr. Plocienniczak, I'm a little bit
11 concerned about one aspect of this matter. When you
12 market the services together, will the customers
13 know that the local service will be provided by
14 PT and that the long distance service will be
15 provided by WDT?

16 A Correct.

17 Q They will understand that distinction at
18 the time that the services are marketed to them, is
19 that correct?

20 A That's correct.

21 Q Okay. Then, is it correct to say that PT
22 does not intend to do business as WDT, and WDT does

1 not intend to do business as PT?

2 A Correct.

3 Q Thank you.

4 And there are no other doing business
5 or assumed names for PT, is that correct?

6 A No.

7 Q Will WDT be doing the technical support for
8 PT, until PT gets up and running?

9 A Yes.

10 Q And is PT going to be offering just
11 traditional voice services?

12 A As of today, that's what the intention is.
13 Yes.

14 Q Will PT be offering operator assisted
15 services or will that be provided by WDT, or some
16 other underlying carrier?

17 A That would be provided by WT, as well.

18 JUDGE RILEY: Okay. Mr. Hanson, for now that is
19 all the questions that I have. Did you want to
20 resume any questioning?

21 MR. HANSON: Just a couple, Judge Riley.

22 JUDGE RILEY: Go ahead.

1 FURTHER CROSS EXAMINATION

2 BY

3 MR. HANSON:

4 Q To your knowledge, sir, has WDT
5 Telecommunications had any complaints lodged against
6 it for slamming or cramming activities?

7 A No.

8 Q And so, the company intends --
9 PT Communications will follow all the rules with
10 respect to slamming and cramming?

11 A Yes.

12 Q Again, I'm still a little bit unclear why,
13 exactly, the company has chosen -- there seems
14 to be this very close relationship between WDT
15 Communications and this new company,
16 PT Communications, the rationale for forming
17 PT Communications to offer local exchange service.
18 I know I've asked this before, but, maybe, you can
19 explain it a little bit more?

20 A I would say one of the other reasons we
21 decided to form separate entity is, the CLEC
22 regulatory things are kind of unclear, as of today,

1 you know, with all the changes happening. We just
2 didn't want to put WT (sic) in a position where we'd
3 have to kind of back paddle and stop offering that
4 service, for example at anytime in the future,
5 because with all the UNE-Ps being kind of with the
6 big question mark, nobody really knows where it's
7 going to end up. So, we decided for that reason,
8 also, be better to start a separate company.

9 MR. HANSON: Okay. All right. That, actually,
10 makes some sense to me. I just, you know, having a
11 little trouble understanding the rationale for this.

12 I think that concludes my questions,
13 Judge Riley.

14 JUDGE RILEY: Thank you.

15 Mr. Steinhart, did you have anything
16 you wanted to follow up with?

17 MR. STEINHART: No, I do not. Thank you.

18 JUDGE RILEY: All right, then. The only issues
19 that are left are -- let's deal with the matter of
20 the exhibits.

21 The Applicant filed, what I term,
22 management profiles on the Commission's e-docket

1 system.

2 Mr. Plocienniczak, are there any
3 changes to those management profiles, as they were
4 filed on the Commission's e-docket system?

5 THE WITNESS: No.

6 JUDGE RILEY: All right. Then, I will mark
7 those as Applicant's Exhibit 1.

8 (Whereupon, Applicant's
9 Exhibit 1 was marked
10 for identification.)

11 JUDGE RILEY: And Mr. Steinhart, I trust that
12 you're moving for the admission of Applicant's
13 Exhibit 1 into evidence?

14 MR. STEINHART: Yes, I am.

15 JUDGE RILEY: And, Mr. Hanson, is there any
16 objection from Staff to the admission?

17 MR. HANSON: No, sir.

18 JUDGE RILEY: Then, Applicant's Exhibit 1, the
19 management profiles, as filed on the Commission's
20 e-docket system without change, is admitted into
21 evidence.

22

1 (Whereupon, Applicant's
2 Exhibit 1 was admitted
3 into evidence.)

4 JUDGE RILEY: Exhibit 2 is the financial
5 information that was submitted in hard copy form,
6 and is labeled, WDT World Discount Communications
7 balance sheet. It's my understanding that these
8 documents, these financial documents, supercede the
9 information that was filed on the Commission's
10 e-docket system, is that correct, Mr. Plocienniczak?

11 THE WITNESS: Yes.

12 JUDGE RILEY: Mr. Hanson, have you had a chance
13 to look at these?

14 MR. HANSON: Yes, sir.

15 JUDGE RILEY: I want to mark these as
16 Applicant's Exhibit 2.

17 (Whereupon, Applicant's
18 Exhibit 2 was marked
19 for identification.)

20 JUDGE RILEY: And, again, Mr. Steinhart, I trust
21 you're moving for the admission of these documents
22 into evidence?

1 MR. STEINHART: Yes, your Honor.

2 JUDGE RILEY: And, Mr. Hanson, does the Staff
3 have any objection?

4 MR. HANSON: No.

5 JUDGE RILEY: Just to make absolutely certain
6 that I understand.

7 Mr. Plocienniczak, are the resources,
8 the financial resources of WDT, World Discount
9 Communications, as shown on these financial
10 documents, available to the Application --

11 THE WITNESS: Yes.

12 JUDGE RILEY: -- to sustain its services in
13 Illinois?

14 THE WITNESS: Yes, that's correct.

15 JUDGE RILEY: Thank you.

16 We've marked these as Applicant's 2.

17 And, again, Mr. Hanson, I'm sorry, did
18 I ask you if you had any objections to their
19 admission?

20 MR. HANSON: Yes, you did, sir.

21 JUDGE RILEY: Okay. And, I take it, there was
22 no objection?

1 MR. HANSON: No.

2 JUDGE RILEY: Then, Applicant's Exhibit 2 is
3 admitted into evidence.

4 (Whereupon, Applicant's
5 Exhibit 2 was admitted
6 into evidence.)

7 JUDGE RILEY: The last order of business that I
8 have is, Staff, do you have any recommendation with
9 regard to this matter?

10 MR. HANSON: It appears -- I mean, the company
11 has the managerial and technical resources
12 available, and given Mr. Plocienniczak's guarantee,
13 as an officer, WDT Communications, the financial
14 guarantee, and the fact that the company, based on
15 the exhibits, is financially healthy, I have -- I
16 believe the company has resources necessary to offer
17 services in the State of Illinois.

18 JUDGE RILEY: All right. Thank you very much.

19 Mr. Steinhart, did you have anything
20 in closing?

21 MR. STEINHART: No. Thank you.

22 JUDGE RILEY: All right, then, I will direct the

1 Court Reporter to mark this matter heard and taken,
2 and I'll have an order prepared for the Commission
3 as soon as possible.

4 Gentlemen, thank you very much.

5 MR. STEINHART: Thank you very much, too. Have
6 a good day.

7 MR. HANSON: Thanks.

8 HEARD AND TAKEN

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