

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

**PETITION FOR ARBITRATION OF §
INTERCONNECTION RATES, TERMS §
AND CONDITIONS AND RELATED §
ARRANGEMENTS WITH ILLINOIS § DOCKET NO. 04-0469
BELL TELEPHONE COMPANY §
PURSUANT TO SECTION 252(b) OF §
THE TELECOMMUNICATIONS ACT §
OF 1996 §**

**DIRECT TESTIMONY OF EDWARD J. CAPUTO
ON BEHALF OF
MCI metro Access Transmission Services LLC
MCI WorldCom Communications, Inc. and
Intermedia Communications LLC**

EXHIBIT 1.0

DATED: August 4, 2004

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1 **I. PROFESSIONAL INFORMATION**

2 **Q. Please state your name, title and business address.**

3 A. My name is Edward J. Caputo. I am Director of Operator and Directory
4 Services for MCI. (MCI is the parent company of MCImetro Access
5 Transmission Services LLC, MCI WorldCom Communications, Inc. and
6 Intermedia Communications LLC (MCI)). My business address is 22001
7 Loudoun County Parkway, Ashburn Virginia 20147.

8 **Q. What is your educational background?**

9 A. I attended the University of Maryland in College Park, Maryland and
10 earned a Bachelor of Science degree in Business Management.

11 **Q. Would you please provide a brief description of your professional
12 experience?**

13 A. I have held management positions in the telecommunications field
14 for the last 14 years. Prior to that, I held management positions in the
15 Information Technology and Finance field. I have had management
16 responsibilities at MCI since 1990 in the area of operator and directory
17 services.

18 **II. PURPOSE OF TESTIMONY**

19 **Q. What is the purpose of your testimony?**

20 A. The purpose of this testimony is to support MCI's position with regard to
21 the status of operator services and directory assistance (OS/DA) services
22 as unbundled network elements (UNEs) and customized routing of OS/DA
23 calls placed by MCI's customers.

24 **Q. How is your testimony organized?**

25 A. There are two topics that I address in my testimony. First, I address the
26 circumstances in which SBC-provided Operator Services (OS) and
27 Directory Assistance (DA) are considered unbundled network elements
28 (UNEs). This portion of my testimony involves issues OS 1 and DA 1.

29 In the next portion of my testimony I explain why it is important to
30 MCI to obtain from SBC customized routing so MCI can handle, using its
31 own facilities, the OS and DA calls placed by MCI's customers when they
32 are served by SBC-provided local switching. This discussion involves
33 UNE issues 55, 56, 57, 58, and 59.

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III. OPERATOR SERVICES AND DIRECTORY ASSISTANCE ("OS/DA")

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**A. OPERATOR SERVICES AND
DIRECTORY ASSISTANCE AS UNES
ISSUES OS 1 AND DA 1**

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**Q. IF SBC ILLINOIS DOES NOT PROVIDE MCI WITH CUSTOMIZED
ROUTING IS IT OBLIGATED TO PROVIDE OS/DA SERVICES AS
UNES?**

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A. Yes. If SBC Illinois does not provide MCI with customized routing, there is
no way for MCI's UNE customers to receive OS/DA services except
through SBC Illinois. The FCC decided early on, that in order to allow
carriers to self-provision their own customers or to allow other OS/DA
providers to serve a CLEC's UNE-P customers, ILECs were required to
provide customized routing. As an incentive, the FCC decided that OS/DA
services would remain UNEs unless and until third parties could provide
OS/DA services to a CLEC's captive UNE-P customers.

53 **Q. IF OS/DA ARE UNES, IS SBC ILLINOIS REQUIRED TO OFFER OS**
54 **AND DA SERVICES TO MCI'S UNE-P CUSTOMERS AT TELRIC**
55 **PRICES?**

56 A. Yes. The appropriate charges are forward looking, cost-based TELRIC
57 rates. The rates proposed by SBC in this ICA are not forward looking
58 cost-based TELRIC rates, nor are they even based on a Commission
59 approved cost study.

60 **Q. DID THE FCC'S TRIENNIAL REVIEW AND THE SUBSEQUENT USTA II**
61 **DECISION CHANGE SBC'S OBLIGATIONS?**

62 A. The FCC's Triennial Review did not change the ILEC obligation to provide
63 OS/DA as a UNE if customized routing is not provided. Similarly, the
64 Court of Appeals' decision in USTA II, did not directly address the FCC's
65 requirements regarding the provision of OS/DA as a UNE if customized
66 routing is not provided. MCI still has UNE-P customers in Illinois and still
67 wishes to provide OS/DA services to those customers. The only way it
68 can do so is via customized routing. If SBC refuses to provide customized
69 routing that MCI can use, MCI cannot access its own customers and MCI
70 has no further recourse.

71 **Q. WHEN PROCESSING 0-DIALED DA CALLS, SHOULD SBC BE**
72 **REQUIRED TO ROUTE CALLS FROM MCI CUSTOMERS TO MCI**
73 **WHEN MCI PROVIDES DA SERVICE?**

74
75 A. Yes. The phrase "0-Dialed DA Calls" refers to the situation where older
76 customers who are used to the way directory assistance used to be
77 provided, call the operator by dialing "0."

78 SBC's customers who happen to dial "0" for directory assistance
79 are routed by the SBC operator to SBC's DA platform. If MCI's UNE-P
80 customers dial "0", the SBC operator routes them to SBC's DA platform.

81 In a situation where MCI provides its own DA, however, routing the
82 call to SBC's DA platform is discriminatory since MCI's UNE-P customer
83 would rightly think he or she would be reaching an MCI operator. Since
84 SBC can route these calls to its own DA platform, it should route calls from
85 MCI customers to MCI's DA platform. MCI is merely seeking the same
86 opportunity as SBC has to handle 0-Dialed DA calls that its customers
87 place. SBC's failure to provide this opportunity to MCI is discriminatory
88 and should not be permitted.

89 **Q. IF FOR SOME REASON OS/DA ARE NOT UNEs — SAY SBC FINALLY**
90 **PROVIDES MCI CUSTOMIZED ROUTING -- CAN SBC CHARGE**
91 **MARKET-BASED RATES FOR OS/DA SERVICES?**

92 A. No, because there is no evidence that a market actually exists. The
93 nondiscriminatory access provisions of Section 251(b)(3) still apply to
94 OS/DA services and SBC could charge market-based rates only if such
95 rates were based on true nondiscriminatory market competition.

96 **Q. BASED ON THE FOREGOING, WHAT IS YOUR RECOMMENDATION**
97 **REGARDING ISSUES OS 1 AND DA 1?**

98 A. I recommend that the Commission accept MCI's proposals and reject
99 SBC's proposals with respect to Issues OS 1 and DA 1. I further
100 recommend that the Commission order the Parties to incorporate MCI's

101 proposed contract terms regarding these issues into their Interconnection
102 Agreement.

103 **B. CUSTOMIZED ROUTING**

104 **ISSUES UNE 55, 56, 57, 58, 59**

105

106 **Q. DOES SBC ILLINOIS CURRENTLY PROVIDE MCI CUSTOMIZED**
107 **ROUTING?**

108 A. No.

109 **Q. HAS THIS ISSUE BEEN CONSIDERED BEFORE IN ILLINOIS?**

110 A. Yes. The Illinois Commerce Commission considered customized routing
111 in the context of SBC's 271 Application. There, the Commission found
112 that there was no evidence that customized routing over Feature Group D,
113 as MCI requested, was technically feasible. Therefore, the Commission
114 did not require SBC Illinois to provide MCI with the customized routing it
115 requested.¹

116 **Q. HAS ANYTHING CHANGED SINCE THEN?**

117 A. Yes. As I describe in more detail below, customized routing over Feature
118 Group D is technically feasible. MCI is currently ordering customized
119 routing over Feature Group D trunks from Verizon. Verizon is currently
120 providing MCI customized routing over Feature Group D in Pennsylvania
121 and Virginia. Also, MCI is currently ordering customized routing from
122 Verizon in Maryland, New Jersey, and Delaware.

¹ Illinois Commerce Commission On Its Own Motion: Investigation Concerning Illinois Bell Telephone Company's Compliance with Section 271 of the Telecommunications Act of 1996, Docket No. 01-0662, Order dated May 13, 2003. 271 Order at ¶ 1985 –1986.

123 Significantly, under Illinois law, these facts seem dispositive.
124 Although I am not a lawyer, I understand that Section 13-801(b)(2) of the
125 Illinois Public Utilities Act provides, in part:

126 An incumbent local exchange carrier shall also make
127 available to any requesting telecommunications carrier, to
128 the extent technically feasible, and subject to the unbundling
129 provisions of Section 251(d)(2) of the federal
130 Telecommunications Act of 1996, those unbundled network
131 element or interconnection agreements or arrangements that
132 a local exchange carrier obtains in another state from the
133 incumbent local exchange carrier in that state . . . obtained
134 through negotiation, or through an arbitration initiated by the
135 affiliate, pursuant to Section 252 of the Telecommunications
136 Act of 1996.

137 MCI has obtained an arrangement with Verizon for customized
138 routing over Feature Group D via AIN in Pennsylvania and Virginia.
139 Accordingly, I see no reason MCI should reasonably expect to obtain the
140 same arrangement from SBC in Illinois.

141 **Q. ARE YOU AWARE OF ANY RECENT FCC RULING THAT MIGHT**
142 **RELIEVE SBC OF ITS OBLIGATION TO PROVIDE OS/DA AS UNES IF**
143 **IT DOES NOT PROVIDE CUSTOMIZED ROUTING?**

144 A. No. The FCC's recent *Triennial Review* did not change MCI's ability to
145 designate the particular trunks over which SBC should send MCI's OS/DA
146 calls. In fact, the Triennial Review reaffirmed the ILEC's obligations to
147 provide OS/DA as a UNE, if the ILEC cannot provide customized routing.

148 The FCC said in paragraph 560:

149 Furthermore, for the same reasons in the *UNE Remand*
150 *Order*, we find that in order to ensure that competitive
151 carriers have access to OS/DA, in those circumstances
152 where switching is unbundled, we require incumbent LECs
153 to provide unbundled access to competitive carriers
154 purchasing the switching UNE, if the incumbent LEC does

155 not provide customized routing necessary to use alternative
156 providers.²

157 Moreover, the FCC's footnote to this sentence (footnote 1735)
158 recognized that MCI's interpretation of its customized routing rules is
159 correct:

160 *Moreover, we grant in part the Petitions for Clarification of*
161 *MCI and AT&T to the extent they request the Commission to*
162 *clarify that such customized routing must be provided in a*
163 *manner that allows competitive LECs to efficiently access*
164 *either a third party's OS/DA platform or their own OS/DA*
165 *Platform. See AT&T Feb. 17, 2000 Petition for*
166 *Reconsideration at 20-24; MCI Feb. 17, 2000 Petition for*
167 *Clarification at 16-20; see also LSSI Reply at 5 (arguing that*
168 *incumbent LECs have not yet made sufficient customized*
169 *routing available).* (Emphasis added.)

170 **Q. WHAT DOES "EFFICIENTLY ACCESS" MEAN?**

171 A. In the context of MCI's Petition for Clarification, MCI requested clarification
172 that customized routing would not require building an overlay network of
173 separate trunks, but that it could contemplate the use of shared access
174 Feature Group D trunks currently in place and in use between SBC and
175 MCI. The FCC agreed with MCI and such clarification would suggest that
176 SBC's requirement that MCI buy separate dedicated trunks for the OS/DA
177 traffic from each end office is not customized routing since an overlay
178 network would be inefficient in light of the existing capacity already in
179 place between the two carriers.

² *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, and Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket Nos. 01- 338, 96-98 & 98-147, Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, FCC 03-36 (rel. Aug. 21, 2003) ("Triennial Order" or "TRO").

180 **Q. HAS MCI REQUESTED CUSTOMIZED ROUTING FROM SBC**
181 **ILLINOIS?**

182 A. Yes. MCI has communicated its requirements for customized routing to
183 SBC numerous times both in previous proceedings before this
184 Commission and others. MCI has even formally requested customized
185 routing through a letter request from myself to Jeff Ulm, Vice President,
186 SBC Telecommunications, Inc., dated June 27, 2002³, and has provided
187 SBC voluminous documentation on the matter.

188 MCI has requested customized routing utilizing either line class
189 codes ("LCC") via switch table routing or via SBC's Advanced Intelligent
190 Network ("AIN"). I note from the price list that SBC already claims to offer
191 such routing techniques for customized routing. So far, however, SBC
192 has refused to discuss with MCI whether it would accommodate MCI's
193 request without submitting to the BFR process which MCI opposes.
194 Moreover, SBC continues to insist that MCI accommodate Feature Group
195 C trunking, which is contrary to the FCC requirement that the CLEC be
196 allowed to designate the trunks (i.e., MCI's Feature Group D trunks).

197 **Q. SBC's LANGUAGE REQUIRES MCI TO SUBMIT TO THE BFR**
198 **PROCESS TO GET THE KIND OF CUSTOMIZED ROUTING IT**
199 **REQUESTS OF SBC. IS THIS APPROPRIATE?**

200 A. No. I am not aware of any specific FCC rule or requirement that would
201 necessitate the BFR process for ordering customized routing. Further,
202 requiring MCI to submit a BFR proposal (a process reserved for the
203 determination of new UNEs), is inappropriate under these circumstances

³ See Attachment 1.1 to this testimony.

204 since it shifts the burden of proof requirement for technical feasibility from
205 SBC to MCI.

206 Aside from all that, the fact that Verizon is already providing MCI
207 with the customized routing it requires over Feature Group D trunks
208 makes any discussion of technical feasibility moot. Although Verizon is
209 using AIN to achieve customized routing, the same Feature Group D
210 customized routing can be accomplished via LCC as MCI has already
211 demonstrated to SBC in the past.

212 **Q. HOW WOULD MCI DEFINE CUSTOMIZED ROUTING?**

213 A. The same way the FCC defined customized routing. The FCC defined
214 customized routing in Footnote 867 of the *UNE Remand Order* as follows:

215 Customized routing permits requesting carriers to designate
216 the particular outgoing trunks associated with unbundled
217 switching provided by the incumbent, which will carry certain
218 classes of traffic originating from the requesting provider's
219 customers. This feature would allow the requesting carrier
220 to specify that OS/DA traffic from its customers be routed
221 over designated trunks which terminate at the requesting
222 carrier's OS/DA platform or a third party's OS/DA platform.⁴

223 Thus, the CLEC (in this case MCI) is entitled to designate the
224 particular trunks over which its OS/DA calls will be sent by SBC. As SBC
225 is aware, MCI has designated its shared access, Feature Group D trunks

⁴ *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, FCC 99-238, 15 FCC Rcd 3696, 3699, note 867 (1999) ("*UNE Remand Order*"), *reversed and remanded in part sub. nom. United States Telecom Ass'n v. FCC*, 290 F.3d 415 (D.C. Cir. 2002) (*USTA*), *cert. denied sub nom. WorldCom, Inc. v. United States Telecom Ass'n*, 123 S.Ct 1571 (2003 Mem.)

226 to the MCI Long Distance Network. SBC has yet to provide this routing to
227 MCI.

228 **Q. WOULD MCI RATHER HAVE CUSTOMIZED ROUTING?**

229 A. Yes. Customized routing would enable MCI to offer OS/DA to its own
230 customers in a more efficient and cost-effective manner rather than
231 depending on SBC to deliver these services to MCI's customers. This of
232 course assumes that MCI could get true customized routing from SBC
233 rather than what SBC calls "customized routing."

234 The recent labor disputes SBC has endured underscores the
235 importance of customized routing for a CLEC like MCI. When SBC
236 experiences service degradation or technical difficulty due to a labor
237 strike, or any type of outage, MCI's customers will likewise suffer a lower
238 grade of service. MCI seeks SBC-provided customized routing to MCI
239 precisely so it can control its own destiny, so to speak, by handling its own
240 OS and DA calls using its own platform rather than being dependent on
241 SBC's platform.

242 **Q. SBC HAS TRIED TO DEFINE CUSTOMIZED ROUTING IN ITS**
243 **APPENDICES. DO YOU AGREE WITH THESE DEFINITIONS?**

244 A. No. In fact, it exemplifies everything that is wrong with how SBC goes
245 about offering customized routing to CLECs. What SBC proposes as
246 customized routing is not "customized" as the FCC intended, but rather it
247 is a product designed to meet SBC's needs rather than the needs of its
248 CLEC customers.

249 SBC's version of customized routing, though recognizing AIN as an
250 important method in achieving customized routing, nevertheless prohibits
251 any other method of routing including utilizing the existing features and
252 functions of the switch (i.e., line class codes). SBC has imposed AIN as
253 the only method of customized routing yet failed to recognize another
254 method of routing in those parts of SBC's network that are not yet AIN
255 capable.

256 Moreover, SBC's proposed language is unclear. For example, in
257 Section 14.1.4.3 of the UNE Appendix, SBC includes the phrase "to a
258 specific trunk group associated with an Lawful ULS Trunk Port." It is
259 not at all clear to MCI what is described by this language. The remainder
260 of its proposed language could also be read as continuing to require the
261 use of dedicated trunks for customized routing instead of allowing MCI to
262 utilize existing shared trunking. If by the term "dedicated," SBC is simply
263 referring to a trunk group used exclusively by MCI, we do not take issue
264 with the use of the term. Conversely, if the term "dedicated" is used to
265 denote a trunk group that is set up solely for the purpose of handling the
266 custom routed traffic, MCI continues to object that such trunking is
267 inefficient and contrary to what MCI has clearly requested of SBC. To
268 the extent SBC has proposed any option other than dedicated trunks, its
269 proposal is unclear. What is clear is that the ICA should expressly permit
270 the use of shared transport.

271 Also, SBC's language twists the requirements of customized
272 routing when it claims to allow MCI to designate the dedicated trunks. The
273 costs associated with purchasing dedicated trunks for each of SBC's end
274 offices solely for the purpose of MCI's custom routed traffic is not only
275 prohibitive but a waste of resources since MCI's shared access FGD
276 trunks are already in place. Purchasing dedicated trunking would amount
277 to an overlay network already deemed inefficient by the FCC.

278 Rather, as MCI has clearly demonstrated with Verizon in
279 Pennsylvania and Virginia, 3000 and 100,000 MCI UNE-P customers
280 respectively are currently being routed over MCI's existing Feature Group
281 D trunks to MCI's OS/DA operators using AIN capabilities. MCI and
282 Verizon are using the same AIN capabilities which currently exist in SBC's
283 network. Moreover, MCI did not have to submit to an arduous and
284 expensive BFR process, nor was MCI required to pay the exorbitant
285 development costs as SBC requires in Illinois. MCI is in the initial stages
286 of ordering customized routing in Maryland, New Jersey and Delaware in
287 the Verizon region at the time this testimony is being filed.

288 SBC's so-called customized routing offering conflicts not only with
289 the way the FCC has defined customized routing, but also with the
290 underlying purpose of the Act itself. The concept of unbundled network
291 elements was to allow CLECs with limited resources and infrastructure to
292 enter the local telecommunications market. A requirement by SBC that a
293 CLEC must purchase individual dedicated trunks from every end office

294 separate from other facilities is tantamount to requiring that CLECs build
295 their own networks.

296 **Q. CAN YOU EXPLAIN BRIEFLY, HOW MCI'S REQUESTED**
297 **CUSTOMIZED ROUTING WORKS WITHOUT DEDICATED TRUNKING?**

298
299 A. In the customized routing that MCI has with Verizon (and what MCI has
300 requested of other ILECs) the routing decision is made at the originating
301 end office switch. Calls are translated from 411 dialed to an MCI Toll Free
302 number, or from 0 dialed to a unique, special MCI owned CIC, and as a
303 result, are NATURALLY ROUTED to the MCI long distance network over
304 either end office interconnected FGD trunks, or via shared transport trunks
305 to the ILEC tandem onto MCI long distance interconnected FGD trunks,
306 wherever they may be in the ILEC network. Interconnection trunks at
307 every end office or tandem are not required for customized routing
308 because these calls will take the same path as any other Dial 1 long
309 distance call.

310 **Q. SO IT APPEARS SBC MAY BE WILLING OR ABLE TO OFFER**
311 **CUSTOMIZED ROUTING VIA AIN, WHAT ABOUT THOSE SWITCHES**
312 **WHERE SBC DOES NOT HAVE AIN CAPABILITIES?**

313 A. Utilizing AIN is only one way of achieving the same result. MCI has
314 already proposed a method utilizing LCC resident in the switch that would
315 effectively route OS/DA calls from MCI customers in a manner similar to
316 the way calls would be routed via AIN. MCI has thoroughly tested this
317 method and has found it is technically feasible. Moreover, MCI has
318 shared its results with SBC in other proceedings in other states. MCI
319 wants to be sure that it can serve ALL its UNE-P customers. While MCI

320 would prefer to use AIN to obtain customized routing, either AIN or LCC
321 methods can be used to obtain customized routing over MCI's designated
322 Feature Group D trunks.

323 **Q. DOES THE FACT THAT SBC OFFERS A CUSTOMIZED ROUTING**
324 **PRODUCT RELIEVE SBC OF ITS OBLIGATION TO PROVIDE OS/DA**
325 **SERVICE AS A UNE?**

326 A. While SBC might *offer* some type of customized routing, the FCC requires
327 SBC to *provide* customized routing to MCI and other CLECs before it is
328 relieved of its UNE obligation. For instance, 47 C.F.R. §51.319(d)(4)(ii) of
329 the FCC Rules provides that:

330 *if the incumbent LEC does not provide that requesting*
331 *telecommunications carrier with customized routing, or a*
332 *compatible signaling protocol, necessary to use either a*
333 *competing providers operator services and directory*
334 *assistance platform or the requesting telecommunications*
335 *carrier's own platform then the incumbent LEC is required to*
336 *provide operator services and directory assistance on an*
337 *unbundled basis. (Emphasis added.)*

338 The requirement mirrors the *Triennial Review*, as well as paragraph
339 441 of the *UNE Remand Order*, which requires SBC to actually *provide*
340 customized routing.

341 *Thus we find that where incumbent LEC's provide*
342 *customized routing, lack of access to the incumbents'*
343 *OS/DA service on an unbundled basis does not materially*
344 *diminish a requesting carrier's ability to offer*
345 *telecommunications service. (Emphasis added.)*

346 Notwithstanding this requirement, SBC has not proven that it can
347 *provide* MCI with a workable version of customized routing to enable MCI
348 to handle its own OS/DA traffic.
349

350 **Q. WHAT ARE THE CONSEQUENCES OF SBC'S FAILURE OR**
351 **INABILITY TO PROVIDE CUSTOMIZED ROUTING OVER THE TRUNKS**
352 **DESIGNATED BY MCI?**

353 A. Because SBC will not or cannot provide customized routing to MCI in a
354 manner consistent with MCI's requirements and as prescribed by the
355 FCC, SBC must provide MCI OS/DA as a UNE under Section 251(c)(3) of
356 the Act at TELRIC rates.

357 The idea behind customized routing in the UNE Remand Order (as
358 affirmed in the Triennial Review) is to make other competitive sources of
359 OS and DA available to CLECs who are otherwise bound to use the ILEC
360 for such services.⁵ If the CLEC is unable to use other sources of OS/DA,
361 including self-provisioning such services, then the underlying purpose of
362 the Act is frustrated unless the CLEC can at least get OS/DA as a UNE
363 under 251(c)(3).

364 If MCI cannot use the technical configuration of "customized"
365 routing SBC has chosen to offer, MCI is placed in a "lose, lose" situation.
366 SBC's version of "customized" routing would require that either MCI
367 change out its trunks to the same pre-divestiture Feature Group C trunk
368 technology SBC uses, or buy separate, unique trunk groups from SBC
369 from/to each of SBC's end offices. Either approach would require MCI to
370 incur significant costs and make it uneconomic for MCI to provision OS/DA
371 services.

⁵ *UNE Remand Order* at ¶¶441-442; see also, *TRO* at ¶ 560.

372 **Q. UNDER WHAT RATES, TERMS AND CONDITIONS SHOULD SBC**
373 **ILLINOIS BE REQUIRED TO PROVIDE CUSTOMIZED ROUTING TO**
374 **MCI?**

375 A. SBC must provide customized routing under rates consistent with its
376 obligations for ULS. The same issue was decided by the FCC in MCI's
377 Arbitration with Verizon in Virginia. The FCC held that Verizon's AIN
378 based customized routing solution must be provided at a cost based rate.⁶
379 Moreover, such determination did not include recovery of development
380 costs of the type SBC is seeking in this case.

381 The rates the FCC approved included the capabilities for MCI to
382 place orders for customized routing via a line service record ("LSR")
383 process, to receive AIN-based routing on a per line basis and to receive
384 per line call records as part of the DUF for OS/DA calls. Verizon Virginia
385 was required to provide cost study information to support its proposed
386 charges.⁷ As a result of this cost study, the elements for the AIN-based
387 customized routing which satisfied MCI's request to route calls to MCI's
388 FDG trunks had a Recurring charge of \$0.00084 per line per month.

389 **Q. BASED ON THE FOREGOING, WHAT IS YOUR RECOMMENDATION**
390 **REGARDING ISSUES UNE 55, 56, 57, 58 AND 59?**

⁶ *Petition of WorldCom, Inc. Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia Inc., and for Expedited Arbitration, Memorandum Order and Opinion, CC Docket No. 00-218, DA 04-181, Appendix A, p. 23 (Wireline Competition Bureau, 2004).*

⁷ *Petition of WorldCom, Inc. Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia Inc., and for Expedited Arbitration, CC Docket Nos. 00-218, 00-251, DA 03-2738, Memorandum Opinion and Order, 18 FCC Rcd 17722, paras. 4, 694-98, 701-02 (Wireless Competition Bureau 2003).*

391 A. I recommend that the Commission accept MCI's proposals and reject
392 SBC's proposals with respect to Issues UNE 55, 56, 57, 58 and 59. I
393 further recommend that the Commission order the Parties to incorporate
394 MCI's proposed contract terms regarding these issues into their
395 Interconnection Agreement.

396
397

IV. CONCLUSION

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

399 A. Yes, it does.
400