**BEFORE THE ILLINOIS COMMERCE COMMISSION**

**Docket No. 11-0083**

**Direct Testimony of Carl C. Albright, Jr.**
**On Behalf of AT&T Illinois**

**AT&T Exhibit 2.0**

**February 10, 2011**

# DIRECT TESTIMONY OF CARL C. ALBRIGHT, JR.

# ON BEHALF OF AT&T ILLINOIS

## I. INTRODUCTION

**Q. PLEASE STATE YOUR NAME, TITLE AND BUSINESS ADDRESS.**

A. My name is Carl C. Albright, Jr. I am an Associate Director – Network Regulatory in AT&T's Network Planning and Engineering Department. My business address is 3413 Booth Calloway, Richland Hills, Texas 76118.

**Q. PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.**

A. I have a Bachelor of Business degree from Lamar University in Beaumont, Texas. I have been employed by AT&T for over 31 years, primarily in the network organization. My career has included 10 years as a field technician and special services technician in the Central Office. I also served as a technical instructor for 5 years in broadband transport and DACs and 3 years leading a team with our wireless affiliate developing a wireless network curriculum. In 2001, I joined the Network Regulatory team supporting Collocation and Interconnection. In 2006, I moved to the AT&T corporate staff to provide technical Methods and Procedure support to the AT&T U-verse initiative. I recently rejoined the Regulatory team.

**Q. HAVE YOU PREVIOUSLY TESTIFIED IN ANY REGULATORY PROCEEDINGS?**

A. Yes. I have filed testimony and/or appeared in regulatory proceedings on matters involving network design and network operations in numerous cases at state regulatory commissions including Arkansas Public Service Commission, Illinois Commerce Commission, Oklahoma Corporation Commission and the Texas Public Utility Commission.

**Q. ON WHOSE BEHALF ARE YOU TESTIFYING?**

A. AT&T Illinois. I will refer to AT&T Illinois as AT&T.

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

A. I will address certain aspects of the issue that has been identified as Issue 3 on the decision point list ("DPL") included in Exhibit B attached to Petition for Arbitration. That issue is stated as follows: "Should AT&T be required to provide transit traffic service under the ICA?" AT&T's position on this issue, which is that AT&T should not be required to provide transit traffic under the ICA, is addressed generally in the testimony of AT&T witness Scott McPhee. My testimony is focused on responding to certain assertions made by Big River in its position statement on this issue.

## II. DISCUSSION OF ISSUE

**Q. WHAT IS TRANSIT TRAFFIC SERVICE?**

A. Transit traffic is traffic that originates on the network of Big River (or a third party), transits AT&T's network, and is terminated on the network of a third party (or Big River). The service that AT&T provides with respect to such service--the routing and

transmission of the traffic from Big River to the third party or vice versa--is called transit service.

**Q. WHAT IS THE NATURE OF THE DISPUTE OVER ISSUE 3?**

**A.** Big River proposes to insert language in sections 2.31 and 6.14 of the Network Interconnection Attachment to the proposed ICA (Attachment 2) to govern transit traffic. It is AT&T's position that this is inappropriate. Because transit traffic is not originated or terminated on AT&T's network, transit traffic service is not a service that AT&T is required to provide under Section 251 of the Telecommunications Act of 1996 (the "1996 Act") and, therefore, AT&T cannot be lawfully required to provide transit service under rates, terms or conditions of an interconnection agreement governed by the 1996 Act or imposed in an arbitration conducted under Section 252 of the 1996 Act. AT&T's position in this regard is discussed more fully by Mr. McPhee.

**Q. HAS BIG RIVER PROVIDED ANY EXPLANATION IN SUPPORT OF ITS POSITION THAT TRANSIT TRAFFIC LANGUAGE SHOULD BE INCLUDED IN THE ICA?**

A. The only purported explanation that I am aware of is the following statement of Big River's position on Issue 3, as set forth in the DPL:

> In order to exchange local traffic, Big River was directed by AT&T to establish number resources in rate centers subtending AT&T's tandem. As a result, Big River's in-bound IXC and other third party traffic is delivered to AT&T's tandem requiring the traffic to transit AT&T's network. As such, Big River desires transit traffic arrangements to be incorporated in the ICA.

**Q. WHAT IS YOUR OVERALL RESPONSE TO BIG RIVER'S POSITION STATEMENT?**

A. As I will discuss in more detail below, Big River's statement reflects a number of misconceptions, including the erroneous belief that the transit traffic service at issue here has anything to do with "in-bound IXC" traffic. In fact, it does not. More fundamentally, however, Big River's position statement appears to erroneously assume that the only way in which Big River will be able to deliver traffic for transiting AT&T's network is through the inclusion of transit traffic service rates, terms and conditions in an ICA governed by Section 252 of the 1996 Act. That is not the case. In fact, transit service is available to Big River pursuant to the terms of AT&T's tariff. Furthermore, as discussed by Mr. McPhee, AT&T has offered to enter into a negotiated commercial agreement, not subject to regulation under the 1996 Act, for the provision of transit traffic service to Big River. Thus, the question here is not whether AT&T will or won't provide Big River with transit traffic service. Rather, the question is whether Big River is entitled to ask this Commission to require the inclusion of transit traffic service in a Section 252 ICA and to arbitrate disputes over the rates, terms and conditions of that service. AT&T's DPL position statement explains why the answer to this question must be "no". Big River's position statement does not address this issue at all.

**Q. IN ITS POSITION STATEMENT, BIG RIVER ASSERTS THAT AT&T HAS DIRECTED BIG RIVER TO ESTABLISH NUMBERING RESOURCES IN RATE CENTERS SUBTENDING AT&T TANDEMS. IS THAT ASSERTION CORRECT?**

A. No. AT&T would never direct any carrier to open codes, or provide any other advice or direction on how that carrier should conduct its business.

**Q. HAS BIG RIVER PROVIDED ANY SUPPORT FOR THIS ASSERTION?**

A. No. AT&T submitted a data request with the filing of the Petition for Arbitration in this case asking Big River to provide support for this assertion. Big River's response to that request provided no substantive support:

> Big River relied on no Documents to support its assertion that it was directed to establish number resources in rate centers subtending AT&T's tandem. AT&T's directives were presented to Big River verbally.[1]

The response does not identify who allegedly "presented" the alleged "directives" to Big River or how or when they were "presented". In the absence of any other explanation, I can only surmise that Big River may have misinterpreted agreed-to language in the ICA that requires Big River to establish trunks where it has homed its NXX code(s) or is the code holder of a pooled code block. That language, which has been agreed to by both parties, states as follows:

> 4.3.5.3 When **AT&T-13STATE** has more than one Access or Local/Access Tandem Switch in a local exchange area or LATA, CLEC shall establish a Meet Point Trunk Group to every **AT&T-13STATE** Access or Local/Access Tandem Switch where CLEC has homed its NXX code(s) or is the code holder of a pooled code block.

**Q. WHAT IS THE PURPOSE OF THE AGREED-TO LANGUAGE PROVIDED ABOVE?**

[1] AT&T's First Set of Data Requests to Big River Telephone Company, LLC – Data Request No. 1.2.

A. The agreed-to language above provides for the routing and exchange of traffic in accordance with the Local Exchange Routing Guide (LERG). The LERG is an industry standard for the proper routing and delivery of traffic between carriers. The LERG provides for routing/delivery instructions to all carriers based on where they home or open NXX codes in order to ensure all calls are completed in a manner that provides for the most efficient use of the PSTN. This language does not, however, require Big River to establish numbering resources in any particular end office. It only provides for how traffic is to be routed when/where Big River chooses to open its codes. The agreed-to language above complies with LERG routing guidelines, assuring efficient successful completion of calls between the Parties end users, which is of benefit to both Big River and AT&T.

**Q. IN ITS POSITION STATEMENT, BIG RIVER REFERENCES IN-BOUND IXC TRAFFIC. DOES THAT REFERENCE MAKE ANY SENSE IN THE CONTEXT OF THE ISSUE REGARDING TRANSIT TRAFFIC?**

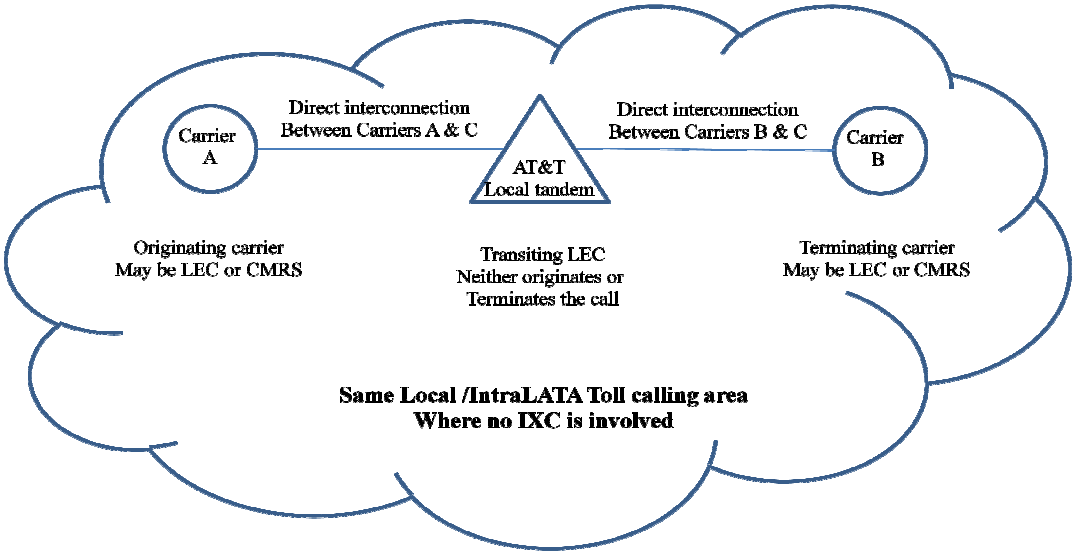
A. No, it does not. In its Position statement, Big River states that "***Big River's in-bound IXC*** and other third party traffic ***is delivered to AT&T's tandem requiring the traffic to transit AT&T's network.***"[2] IXC bound traffic, however, is not "transit traffic" and it has nothing whatsoever to do with the question of whether rates, terms and conditions of transit traffic service should be included in a section 252 ICA**.**

[2] Big River Position statement to DPL Issue 3.

In particular, transit traffic is traffic that originates on the network of a LEC or CMRS carrier and terminates to another LEC or CMRS carrier where neither carrier is directly interconnected, but utilizes a common LEC such as AT&T with which they are both interconnected to transit the call from the originating carrier to the terminating carrier. Transit traffic is exchanged according to the LERG through the appropriate tandem. IXC-bound traffic is carried separately over Meet Point trunk groups to the appropriate AT&T Access Tandem for delivery to/from an IXC.

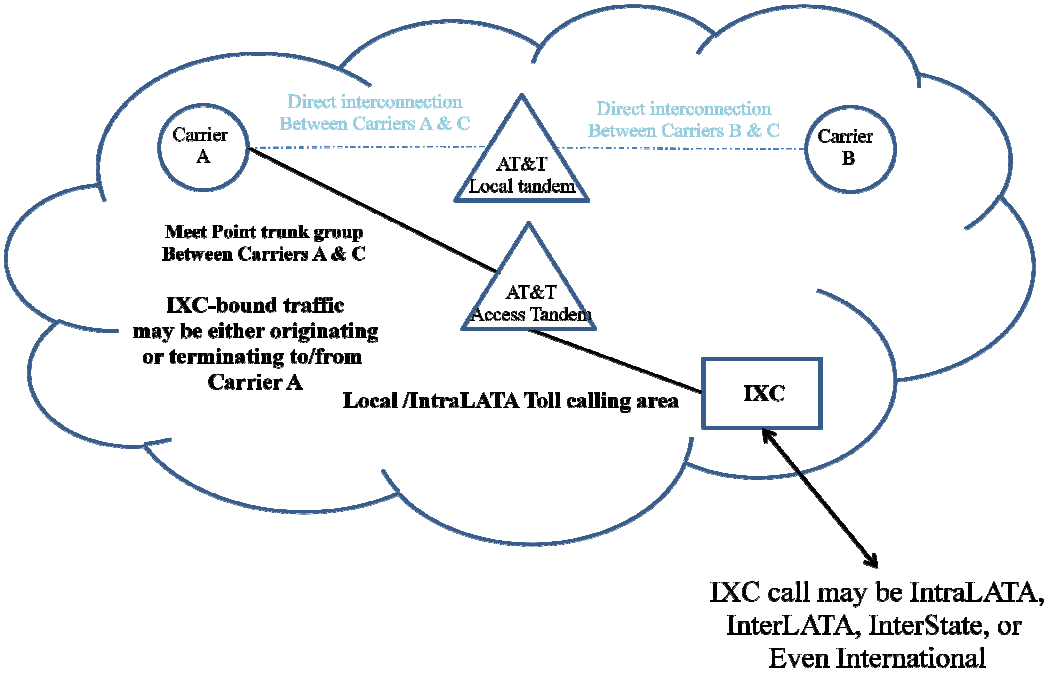
**Q. CAN YOU PROVIDE A DRAWING THAT SHOWS THE DIFFERENCE IN IXC-BOUND TRAFFIC AND TRANSIT TRAFFIC?**

A. Yes. The drawings below provide a simple example of transit traffic and IXC-bound traffic.




As stated above, transit traffic originates on the network of a LEC or CMRS carrier and terminates to another LEC or CMRS carrier where neither carrier is directly interconnected, but utilizes a common LEC such as AT&T with which they are both

interconnected to transit the call. These calls are local, or IntraLATA Toll (where no IXC or intermediary is involved).




As illustrated above, IXC-bound traffic is carried over a separate Meet Point trunk group to the AT&T Access Tandem for delivery to/from the IXC. These IXC-bound calls may be IntraLATA, InterLATA, Interstate, or even International in nature.

**Q. DO BIG RIVER AND AT&T CURRENTLY EXCHANGE IXC-BOUND TRAFFIC IN A MANNER CONSISTENT WITH THE SECOND DRAWING ABOVE?**

A. Yes. In fact, under the current ICA, IXC-bound traffic is to be exchanged over Meet Point trunk groups, as described in Section 9 of the Network Interconnection Appendix of the existing ICA between Big River and AT&T Illinois:

**9.** MEET POINT TRUNKING ARRANGEMENTS

9.1.1 IXC-carried intraLATA and interLATA toll traffic shall be transported between MCIm's Central Office and SBC ILLINOIS' Access Tandem over a "Meet Point" Trunk Group separate from Section 251 (b)(5)/IntraLATA Traffic Except for any embedded based of one-way trunks existing as of the Effective Date, InterLATA trunk groups will be set up as two-way and will utilize SS7 signaling, except Multi-Frequency ("MF") signaling will be used on a separate "Meet Point" trunk group to complete originating calls to switched access customers that use MF FGD signaling protocol.

9.1.2 Meet Point Interconnection Trunk Groups will be established between MCIm's Switch and SBC ILLINOIS Access or combined Local Access Tandem to transport InterLATA traffic separate from Section 251 (b)(5)/IntraLATA Traffic. The Parties will establish separate trunk groups to each SBC ILLINOIS Access Tandem under which MCIm's NXXs home.[3]

Further, the Network Interconnection Attachment of the new ICA at issue in this case contains similar agreed-to language regarding Meet Point trunk groups for IXC-bound traffic, as follows:

1.1.2 This Attachment describes the trunking requirements of CLEC and AT&T-22STATE. Any references to incoming and outgoing trunk groups are from the perspective of CLEC. Described herein are the required and optional trunk groups for Section 251(b)(5) Traffic, ISP-Bound Traffic, IntraLATA Toll Traffic, ***IXC carried Meet Point Traffic***, Third Party Traffic, Mass Calling, E911, Operator Services and Directory Assistance Traffic. Requirements associated with Out of Exchange Traffic are also included.

2.18 "Meet Point Trunk Group" (AT&T-13STATE only) is a trunk group which carries traffic between the CLEC's End Users and IXCs via AT&T-13STATE Access or Local/Access Tandem Switches.

**4.3.5 MEET POINT TRUNK GROUP - <u>AT&T-13STATE</u>:**
4.3.5.1 IXC carried traffic shall be transported between CLEC's switch and the **<u>AT&T-13STATE</u>** Access Tandem Switch or Local/Access Tandem Switch over a Meet Point Trunk Group separate from Section 251(b)(5)/IntraLATA Toll Traffic.

[3] Big River's existing ICA with AT&T Illinois was formed when Big River opted into an ICA between AT&T Illinois and MCI. That explains the references in this language to "MCI". For purposes of the ICA between Big River and AT&T Illinois, the references to "MCI" are read to be references to Big River.

> The Meet Point Trunk Group will be established for the transmission and routing of exchange access traffic between CLEC's End Users and IXCs via an **AT&T-13STATE** Access Tandem Switch or Local/Access Tandem Switch.

In short, the terms and conditions for the exchange of IXC-bound traffic are subject to agreed-upon Meet Point Trunk Group provisions that are not at issue in this case. Accordingly, Big River's reference to in-bound IXC traffic does not support its position with respect to the inclusion of transit traffic service provisions in the new ICA.

**Q. IS ALL OF THE PROPOSED LANGUAGE YOU IDENTIFY IN YOUR TESTIMONY AGREED-TO LANGUAGE?**

A. Yes. Both Parties have agreed to the language that I have cited in my testimony.

**Q. HOW SHOULD THE COMMISSION RULE ON DPL ISSUE 3?**

A. The Commission should recognize that the arguments made by Big River in its statement of position on issue 3 do not support the inclusion in the ICA of rates, terms and conditions for the provision of transit traffic service. The Commission should find that the agreed-upon language in the proposed ICA adequately addresses any concerns that Big River may have with respect to IXC-bound traffic.

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

A. Yes.

**VERIFICATION**

I, Carl C. Albright, Jr., on oath, state that I am Associate Director – Network Regulatory for AT&T's Network Planning and Engineering Department, that I have prepared and reviewed the foregoing **DIRECT TESTIMONY OF CARL C. ALBRIGHT, JR. ON BEHALF OF AT&T ILLINOIS**, and that, to the best of my knowledge, information and belief, the statements of fact contained therein are true and correct.

Carl C. Albright, Jr.

Subscribed and sworn to before
me this 10 day of February 2011

Molly Morrison
Notary Public, State of Texas

MOLLY MORRISON
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
01-06-2015