

Williams Communications Exhibit 1.0

**WILLIAMS LOCAL NETWORK, INC.
WILLIAMS COMMUNICATIONS, INC.**

DIRECT TESTIMONY OF

CHRIS MOORE

Docket 01-0203

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4 **CHRIS MOORE**
5 **Docket No. 01-0203**

6
7 **Q. Please state your name and business address.**

8 A. My name is Chris Moore. My business address is Williams Communications, One
9 Technology Center, Tulsa, OK 74103.

10
11 **Q. By whom are you employed and in what capacity?**

12 A. I am employed by Williams Communications, LLC. My title is Manager, Regulatory
13 Affairs.

14
15 **Q. Please state your educational, professional and business background and experience
16 leading up to your current position.**

17 A. I have been with Williams Communications and working in the telecommunications
18 industry for over 3 years. Prior to joining Williams Communications, I was employed
19 outside of the telecommunications industry for about 2.5 years.

20
21 I graduated from the University of Tulsa in May 1992 with an undergraduate degree in
22 Finance. I subsequently obtained a Masters in Business Administration degree (also from
23 The Univ. of Tulsa) in December 1993.

24

25 In addition, I have a Juris Doctorate degree from the University of Oklahoma College of
26 Law (received in May 1998) and I am licensed to practice law in the state of Oklahoma.

27

28 **Q. What are your responsibilities as Manager, Regulatory Affairs?**

29 A. I am responsible for helping to obtain operating certifications from appropriate federal
30 and state regulatory authorities and for ensuring regulatory compliance by Williams
31 Communications and Williams Local Network.

32

33 **Q: Have you previously testified in regulatory matters?**

34 A: Yes. I have testified before a number of state regulatory bodies as well as a district court
35 proceeding pertaining to regulatory matters.

36

37 **Q: What is the purpose of your testimony?**

38 A: The purpose of my testimony is to discuss the request of Williams Local Network, LLC
39 and Williams Communications, LLC (jointly, the “Applicants”) for approval of
40 Emergency Certificates of Service Authority to allow the Applicants to continue to
41 provide service in the State of Illinois during the interim period until permanent
42 Certificates are granted.

43

44 **Q: What types of service do the Applicants provide?**

45 A: Williams Communications, LLC (“WCLLC”) provides and/or resells interexchange
46 services. Williams Local Network, LLC (“WLN”) was formed in order to provide local
47 transport and access services for other telecommunications carriers.

48

49 **Q: What types of customers do the Applicants serve?**

50 A: Williams Communications, LLC and Williams Local Network, LLC are wholesale
51 providers of telecommunications services in Illinois, provisioning intrastate services to
52 other telecommunications carriers for resale to their customers. Neither Applicant retails
53 its services to residential or commercial customers in the state.

54

55 **Q: Have the Applicants provided service in the State of Illinois under any other names?**

56 A: Yes. In 1999, Williams Communications, Inc. (“WCI”) was authorized in Docket No.
57 99-0079 to provide facilities-based and resold interexchange telecommunications service
58 in Illinois. Williams Local Network, Inc. (“WLNI”) was granted a Certificate of Service
59 Authority in Docket No. 00-0011 to provide resold telecommunications service in
60 Illinois.

61

62 **Q: When did the Applicants request authority to operate in Illinois?**

63 A: On March 2, 2001, Applicants filed a Petition with the Illinois Commerce Commission
64 (“Commission”) requesting that the Certificates of Authority held by WCI and WLNI be
65 transferred to WCLLC and WLN. The Petition explained that WCI and WLNI were
66 converted to limited liability companies, to be succeeded by the Applicants. The Petition

67 stated that the Applicants would continue to operate as wholly-owned subsidiaries of
68 Williams Communications Group, Inc. ("WCG") and would have the same managerial,
69 technical and financial ability to provide facilities-based and resold telecommunications
70 service in Illinois as WCI and WLNI.

71

72 **Q: Have the services or operations of the Applicants changed in any way from the**
73 **services and operations of Williams Communications, Inc. and Williams Local**
74 **Network, Inc.?**

75 A: No. WCLLC and WLN provide the same service and are operated in the same manner as
76 WCI and WLNI. In essence, the conversion from corporations to limited liability
77 companies was a change in name only. The conversion has been completely transparent
78 from the customers' perspective.

79

80 **Q: Would you please discuss what occurred after the Petition was filed?**

81 A: Yes. A hearing in the matter was set for June 1, 2001. The Applicants engaged in
82 discussions with Commission Staff regarding the request to transfer the Certificates from
83 WCI and WLNI to the Applicants. Staff requested that the Applicants provide additional
84 information to the Commission. Staff also stated that the Certificates held by WCI and
85 WLNI could not be transferred to the Applicants and that they would instead have to file
86 a complete Application for a Certificate to become a Telecommunications Carrier.
87 Applicants however experienced several delays in gathering the information and were not
88 able to immediately provide the requested documentation. The Applicants filed a

89 complete Application for Certification to become a Telecommunications Carrier on
90 February 19, 2002. A hearing was set for May 16, 2002.

91 Staff subsequently requested additional information about the financial
92 capabilities of the Applicants, particularly as regards WCG, the ultimate parent of
93 WCLLC and WLN. During the pendency of this docket, WCG filed for relief under
94 Chapter 11 of the US Bankruptcy Code in the Southern District of New York. The
95 Applicants submitted information to the Administrative Law Judge and Staff detailing the
96 reorganization of WCG and explaining the effect (if any) that the reorganization of WCG
97 would have on the Applicants' operations. That document is attached hereto as
98 Attachment "A." Staff opined that consideration of the Certificates should be delayed
99 until reorganization of WCG was complete in order to review fully the financial situation
100 of the Applicants. Given the length of time the docket had been open, the Applicants
101 asked that Staff consider some form of interim relief.

102

103 **Q: What are the Applicants now requesting?**

104 A: Pursuant to Section 13-401(b) of the Public Utility Act (220 ILCS 5/13-401(b)),
105 Applicants now request that the Commission grant WCLLC and WLN Emergency
106 Certificates of Service Authority to allow the Applicants to continue to operate until
107 permanent Certificates of Authority are granted. When the companies converted to
108 limited liability companies, they first petitioned the Commission to transfer those
109 Certificates to the names of the limited liability companies, and then filed an Application
110 for the issuance of new Certificates for the Applicants. Staff has stated that it cannot
111 consider the financial qualifications of the Applicants until WCG emerges from

112 bankruptcy. WCG anticipates that it will emerge from the reorganization proceedings by
113 October 15, 2002. Rather than terminating all service to Illinois customers until the
114 application for permanent Certificates is approved, Applicants request that the
115 Commission grant interim relief in the form of Emergency Certificates. Staff has agreed
116 that granting Emergency Certificates is an appropriate form of relief if certain conditions
117 are attached to the grant of the Emergency Certificates.

118

119 **Q: Would you please discuss the conditions that Staff has proposed?**

120 A: Yes. The first condition is that the Emergency Certificates expire on December 31, 2002,
121 rather than being in effect for one year as provided in the statute. This should provide
122 Staff and the Commission with sufficient time to review the financial situation of WCG
123 and the Applicants following WCG's emergence from the reorganization and to consider
124 the Applicants' request for permanent Certificates. Staff has informed the Applicants
125 that, the Applicants may request that the Emergency Certificates be extended if the
126 emergence from bankruptcy is delayed or if additional time is needed to provide
127 additional information to Staff.

128 The second condition is that Applicants agree to abstain from proactively
129 marketing its intrastate services in Illinois to new customers. Applicants are free to sign
130 new customers if those customers seek out the Applicants.

131

132 **Q: Do Williams Communications, LLC and Williams Local Network, LLC agree to**
133 **these conditions?**

134 A: Yes. The Applicants believe that the time restriction provides sufficient time for the
135 Commission to consider the Applicants' request for permanent Certificates once WCG
136 emerges from bankruptcy and ensures that resolution of the docket proceeds as
137 expeditiously as possible. The Applicants will provide the post-reorganization pro forma
138 statement of cash flows, including all cash and cash equivalents available to WCG, to
139 Staff as soon as it become available. The Applicants also agree that they will not actively
140 solicit new customers but retain the right to provide information and/or service to those
141 customers who independently approach Applicants.

142

143 **Q: Does this conclude your testimony?**

144 A: Yes.