

1 MR. EDWARDS: Q Mr. Graczyk, have you
2 seen this document before?

3 A No, I have not.

4 Q If you look at the first page, these appear to
5 be -- if I look at the first page, at the top it says
6 "Access and Egress Procedures, Access Vendor and CPA/LSA
7 Customer Emergency Situations."

8 Do you see that?

9 A Yes, I do.

10 Q And at the bottom it says "AT&T Proprietary,"
11 and it says Tab 10, page 1 of 3.

12 Do you see that?

13 A That's correct. Yes, I do.

14 Q Do you know what the acronyms CPA and LSA stand
15 for?

16 A I have not reviewed this document previously
17 and, no, I do not know what the acronyms mean.

18 Q At the bottom where it says Tab 10, page 1 of
19 3, it appears to me that this is a document taken out of a
20 larger notebook that has various tabs in it.

21 Do you know whether that to be true or not?

22 A No, I do not.

23 Q If you look at the next page, this is Access
24 and Egress Procedures for Customer Scheduled Maintenance
25 and Other Routine Activities.

26 Do you see that?

27 A Yes, I do.

28 Q And the first paragraph, would you agree with

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1 me that it appears that access vendors, to gain access to
2 their facilities on AT&T's -- in AT&T's facilities have to
3 give 7 days notice to do so?

4 A Reading directly from the document, I see that
5 it says,

6 ". . .shall contact the AT&T OSWF
7 supervisor seven calendar days prior
8 to the date access is required."

9 Q Now, OSWF is onsite workforce, is that
10 correct?

11 A Subject to check, it seems a reasonable
12 interpretation but I have no direct knowledge.

13 Q If you look on the first page, under numbered
14 paragraph 1, I think it's defined as onsite workforce.

15 A I can see on the same page on paragraph 2.1
16 the acronym is defined.

17 Q All right, sir.

18 A So I would accept that.

19 Q And then numbered paragraph 2.3.1, would you
20 agree with me that that requires that the onsite work
21 force escort remain with the vendor at all times while
22 they're on the AT&T facilities?

23 A Reading directly from the document,

24 "The OSWF escort will remain with
25 the access vendors for CPA/LSA

26 customers and/or their agents for the
27 duration of their time in the at the
28 AT&T location."

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1 Q So would you assume that that means that the
2 escort remains with the vendor while they're at the
3 facility?

4 A That would be a reasonable interpretation.

5 However, again not knowing the providence or
6 the remainder of the other tabs as you've identified them,
7 I have no idea whether this particular line is absolutely
8 definitive, whether in some other tab there might not be
9 other arrangements that could be agreed to.

10 So again, I'm simply agreeing with you that
11 that's what it says on this particular page of the
12 document produced, but it's clearly part of a larger
13 document and I don't have any knowledge of what may be
14 contained in the other provisions.

15 ALJ WALWYN: It does say on top "Customer Scheduled
16 Maintenance and Other Routine Activities."

17 Proceed.

18 MR. EDWARDS: Q Actually, let's go back to the
19 first page where it says this is access and egress for
20 customer emergency situations, and down in numbered
21 paragraph 1.3.1, you'd agree with me that that also has a
22 requirement that the onsite workforce escort remain with
23 the vendor, customer, or their agents, correct?

24 A Again, reading from the document,

25 "The onsite workforce will escort

26 and remain with access vendors, or
27 customers and/or their agents,"
28 it seems to be a reasonable interpretation.

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1 Q On the third page, it says Tab 10, page 3 of 3,
2 it says, "Customer Equipment Delivery and Installation."

3 And then the fourth page at the top says,"
4 About This Document."

5 Do you see that?

6 A I have the cite.

7 Q Do you know what "About This Document" means?

8 A I have not reviewed this document previously,
9 so I'm not certain why it's characterized in that fashion.

10 Q All right.

11 About midway down that page it says, "Physical
12 Security for Shared Premises." Do you see that?

13 A Yes, I do.

14 Q And under paragraph, numbered paragraph 23.1
15 would you agree with me that this says that AT&T's own
16 guards do not have keys, codes, or other means of access
17 to secure company space?

18 A Again, your reference was to 23.1?

19 Q Yes, sir?

20 A Reading directly from the document,
21 "Guards should not have keys,
22 codes, or other means of access to
23 secured company space. This includes
24 guards employed by, or under contract
25 either by the company, divested

26 partner, or lessor."

27 So it certainly appears that the guards do not

28 have keys, codes, or other means of access.

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1 Q To secure company space, correct?

2 A But again, I have no knowledge of whether or
3 not this is part of a larger document that might allow for
4 other provisions.

5 Q The last paragraph on this page, you'd agree
6 with me, sir, in fact prevents the use of guards as
7 escorts, doesn't it?

8 A I notice that the paragraph above also says,

9 "Alternatives to unescorted access
10 by guards should be reviewed with
11 Corporate Security before such access
12 is permitted."

13 Again, I'm not entirely certain, again
14 because I have no knowledge of this document.

15 It would seem reasonable to me that there are
16 alternatives that might be made available.

17 Q Alternatives that might be made available to do
18 what?

19 A Subject to review with corporate security
20 whether or not the guards should be used or not.

21 Q But you agree with me, the last paragraph says
22 guards should not be used to escort, correct?

23 A In reading from the document,

24 "Based on the CSI, guards should
25 not be used to escort into network

26 sensitive areas, areas leased to other
27 vendors, or areas owned by divested
28 partners."

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1 Q All right. Would you look at the next page?

2 Under "Who Should Perform Escort Duties" --

3 A I have the cite.

4 Q Do you have that?

5 A Yes, I do.

6 Q In the first paragraph, do you agree with me
7 that it's your company's policy, at least as reflected in
8 this document, that contract employees cannot be used to
9 perform escort services except in extreme cases?

10 A I'm sorry. Where are you citing?

11 Q The page that says, "Who Should Perform Escort
12 Duties" at the top?

13 A Yes. And on that page?

14 Q The first paragraph, second sentence.

15 A In reading from the document,
16 "This precludes the use of
17 management, clerical, contracted
18 employees, and contracted guard
19 services from performing escort duties
20 except in extreme cases."

21 However, I also note that in AT&T's response
22 we have noted that AT&T district managers have discretion
23 to implement local practices to facilitate collocators
24 accessing AT&T central offices.

25 I think a reasonable interpretation of that is,

26 as I had suggested earlier. that although this document
27 appears to be provided in good faith by AT&T to describe
28 those practices, there are alternatives available.

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1 Q Are they in policies?

2 A I'm reading from AT&T's response.

3 As I said, I have not had an opportunity to
4 review this document, nor did I prepare it.

5 Q You also agree the response says these are
6 AT&T's general procedures for providing collocators with
7 access to their equipment, correct?

8 A They are.

9 But in addition to these procedures,
10 AT&T district managers have discretion to implement local
11 practices, and I have no direct knowledge as to whether or
12 not that discretion for local practices materially affects
13 any of these as being absolutely definitive in a given
14 situation.

15 Q If you look farther down the same page we've
16 been looking at, "Who Should Be Escorted," fourth bullet
17 there, you'd agree with me that that says that,

18 "Any vendor performing work
19 activities above or adjacent to
20 working network equipment or equipment
21 critical to the performance of the
22 network,"
23 should be escorted.

24 A That's a correct reading that you cite, but
25 again I would point you to the first paragraph under "Who

26 Should Be Escorted" that says,
27 "These guidelines are not all
28 inclusive and common sense should

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1 prevail."

2 Q Do you believe that the procedures that are
3 outlined in this document, this AT&T document, do not
4 reflect common sense?

5 A After 23 years with the company that's a very
6 dangerous question to ask, but, yes, I would think that
7 these do represent common sense.

8 Q All right.

9 However, again, they are not all inclusive, and
10 I think common sense provides, as I had said, local
11 discretion, which is described in AT&T's response.

12 MR. EDWARDS: Your Honor, this record request is
13 for the Addison, Texas office.

14 We made a request in discovery for policies and
15 procedures that would be similar to this for AT&T's
16 facilities in California, to which an objection was filed,
17 and given the course of what has occurred in the hearings
18 and the fact that this has become of such major interest,
19 I make a record request that AT&T produce its access and
20 egress procedures for collocation in its California
21 facilities.

22 ALJ WALWYN: Mr. Hurst?

23 Which number is this record request?

24 MR. HURST: Actual, your Honor, this is the
25 response to that question.

26 I mean, if you read the response here it says,
27 "AT&T is attaching a copy of its
28 general procedures providing

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1 collocators with access to their
2 equipment collocated in AT&T central
3 offices."

4 It's not restricted to Addison, Texas.

5 So in response to that record request, we would
6 give them the same document this we've given them here.

7 ALJ WALWYN: So for all California facilities?

8 MR. HURST: This is for all AT&T central offices.

9 ALJ WALWYN: Does that meet your request,
10 Mr. Edwards?

11 MR. EDWARDS: Well, I'm not sure.

12 The record request in the deposition was in
13 response to some questions -- response to some testimony
14 from Mr. Turner regarding specific -- his specific
15 experience in a Texas AT&T central office.

16 So there was a record request, and this is what
17 was produced.

18 I had not understood this document to be
19 document to be AT&T's procedures for access and ingress --
20 for egress and ingress in all of their California
21 collocation facilities.

22 Now, if that's what it is, then -- if
23 everybody's got that understanding, then I'll accept that.

24 MR. HURST: That's what the answer says it is,
25 your Honor.

26 MR. EDWARDS: Well, but Mr. Hurst is not testifying

27 under oath. That's the issue.

28 MR. HURST: Well, if I am --

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1 ALJ WALWYN: Mr. Hurst, would you check with the
2 company and indicate on the record when you have done so
3 and if this represents the policies and procedures in
4 place for all California collocation facilities.

5 MR. HURST: Your Honor, I have already checked.

6 I'm giving the answer here. I mean, I wrote
7 this answer.

8 This is the general procedures for providing
9 collocators with access to their equipment collocated in
10 AT&T's central offices.

11 So if I was asked -- that is what this document
12 is. I have checked that.

13 ALJ WALWYN: Okay.

14 MR. EDWARDS: All right.

15 ALJ WALWYN: That seems clear, Mr. Edwards.

16 MR. EDWARDS: I agree with that.

17 ALJ WALWYN: Proceed.

18 MR. EDWARDS: Our second request, Mr. Graczyk has
19 talked about this document as being part of a larger
20 document that may be affected by other portions of that
21 document, and the record request would be for the entire
22 document to which this goes.

23 MR. HURST: Well, we're going to object to that,
24 your Honor.

25 First of all, this is the product of a series

26 of questions of Mr. Turner during the deposition of

27 Mr. Turner.

28 Mr. Graczyk didn't testify to that in any way

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1 whatsoever, either in his direct testimony or his reply or
2 surrebuttal.

3 Mr. Graczyk doesn't know whether there are
4 other documents that affect this, is his testimony.

5 I have stipulated that this is the document
6 that covers all the general -- let me make sure of this --
7 general procedures for providing collocators with access.

8 Mr. Graczyk has correctly read the answer that
9 we gave.

10 So I think that just because Mr. Graczyk was
11 uncertain what this document was a part of isn't a basis
12 for simply having us going out and pulling in all kinds of
13 other documents.

14 ALJ WALWYN: Well, let's go off the record for a
15 minute.

16 (Off the record)

17 ALJ WALWYN: On the record.

18 Mr. Edwards, your record request?

19 MR. EDWARDS: My record request is for all AT&T
20 policies or procedures governing collocation in general in
21 its facilities located in California, which would include
22 policies or procedures directed at the forms of
23 collocation that it offers, security, access to and from
24 those collocation locations.

25 ALJ WALWYN: And do you know what the number of

26 your record request is?

27 MR. EDWARDS: I don't, your Honor.

28 ALJ WALWYN: It seems like we're up to 15 or 16.

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1 Could you maybe check with counsel and when you
2 find out, note that for the record?

3 And, Mr. Hurst, when will you be able to
4 provide this?

5 MR. HURST: Well, all right.

6 As to the access to and security associated
7 with collocation, I can do that today or tomorrow.

8 As to the forms of collocation that AT&T
9 offers, that is a broader request. That is not what this
10 document was addressing, that is not what this record
11 request -- this one that's been marked as Exhibit 64 was
12 trying to answer.

13 So if you want me to answer that question,
14 that's going to take more work because that is done on a
15 contract basis and that would involve searching through
16 lots of files to find out what kinds of arrangements we've
17 made with lots of different vendors.

18 ALJ WALWYN: I understood Mr. Edwards' request did
19 not go to searching your contracts. It went to your
20 policies and guidelines.

21 Correct, Mr. Edwards?

22 MR. EDWARDS: That's correct.

23 MR. HURST: I just want to be sure on this.

24 He asked for the forms -- all documents that
25 relate to the forms of collocation we provide.

26 That is -- that's what I'm driving at, is that
27 if I have to produce something that tells you every form
28 of collocation we actually provide in the State of

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1 California, that is not a simple task.

2 ALJ WALWYN: No. And I don't think that's what's
3 meant.

4 Could you clarify, Mr. Edwards?

5 MR. EDWARDS: I don't think I said all documents
6 related to any point.

7 My request is for policies -- AT&T's policies
8 or procedures governing collocation in its facilities in
9 California.

10 Now, to be fair, that would include all aspects
11 of collocation, such as security, but I'm talking about
12 policies and procedures; getting to and from the
13 collocation site.

14 To the extent that there are any policies or
15 procedures governing how those are costed, that's fine.

16 But it's all AT&T's policies and procedures,
17 which would include any policies and procedures it may
18 have with respect to the forms of collocation it offers.

19 MR. HURST: That's what I'm talking about,
20 your Honor.

21 ALJ WALWYN: We're not into -- I think, Mr. Hurst,
22 you could start -- this is indicating Tab 10.

23 MR. HURST: Yes.

24 ALJ WALWYN: I think all other tabs that go with
25 this book.

26 MR. HURST: Yes. That I can produce immediately.

27 ALJ WALWYN: Okay.

28 If there's a book of a policy and guidelines.

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