

imposed a specific cost recovery requirement for number portability;<sup>126/</sup> Access to OSS, in contrast, is a UNE subject to the rules governing cost recovery for *all* UNEs. (See VZ-VA Ex. 122 at 223-24; Tr. at 3967-69.) UNE costs are to be recovered from the CLECs through cost-based rates, and there is no justification for departing from that statutory standard here. (See VZ-VA Ex. 117 at 39-40.) Indeed, one state commission has recently rejected this very argument and found that OSS costs should be recovered from the CLECs:

In response, we point out that Section 251(e)(2) of the Act gives state commissions explicit direction on how number portability transition costs should be recovered. No such explicit recognition is given to the treatment of OSS costs. We believe that if Congress had intended OSS costs to be treated in a fashion analogous to number portability, Congress would have included comparable statutory direction and would not have allowed OSS rates to be included in the same pricing category as other unbundled network elements.<sup>127/</sup>

Again, AT&T/WorldCom's argument simply fails to come to terms with the fact that Access to OSS is a UNE and, like other UNEs, incumbent LECs must be permitted to recover their "costs of unbundling" from those who order and use the UNE.<sup>128/</sup>

## **2. Verizon Provided Substantial Support for Its Assessment of Access to OSS Costs.**

Verizon VA offered extensive support for its Access to OSS costs. As explained in Verizon VA's testimony, the Access to OSS study identifies two types of costs: one-time

---

<sup>126/</sup> See 47 U.S.C. § 251(e)(2); Third Report and Order, *Telephone Number Portability*, 13 FCC Rcd 11701 ¶ 41 (1998).

<sup>127/</sup> See *Thirteenth Supplemental Order Costing and Pricing of Unbundled Network Elements, Transport, and Termination*, Docket No. UT-0030313, 2001 WL 391520 (Wash. U.T.C., Jan. 31, 2001).

<sup>128/</sup> *Local Competition Order* 15659-60 ¶ 314.

development costs and ongoing costs. (VZ-VA Ex. 107 at 273-93.) The one-time development costs, which were incurred between 1996 and 1999, include expenses associated with developing new system interfaces or gateways and modifying the underlying core systems. (VZ-VA Ex. 107 at 273-83.) The ongoing costs include Verizon's (1) annual capital and operating costs associated with the computer hardware necessary for providing Access to OSS and (2) software maintenance. (VZ-VA Ex. 107 at 283-93.)

**a) Verizon Appropriately Documented the Amount and Reasonableness of Its One-Time Development Costs for Access to OSS.**

In the Access to OSS study and the testimony, Verizon VA described the enormous changes required to provide Access to OSS and documented these one-time development costs. Verizon VA witness Lou Minion described the five OSS functionalities — pre-ordering, ordering, provisioning, maintenance and repair, and billing — and explained how Verizon had to modify the core OSS and the interfaces that allow CLECs to access Verizon's OSS. (VZ-VA Ex. 107 at 254-73.)

AT&T/WorldCom failed to provide any evidence demonstrating that Verizon did not incur the Access to OSS costs or that such costs were incurred inefficiently or improperly. Petitioners do nothing more than offer generalized allegations that Verizon failed to support the reasonableness of its Access to OSS costs (*see* AT&T/WCom Ex. 12 at 154-59); they point to no system change or functionality that was unnecessary or improper and identify no costs that were allegedly excessive. AT&T/WorldCom instead rely on their conclusory assertion that “Verizon's expectation that it would be able to pass along OSS development costs to competitors created an incentive for it to comply inefficiently.” (AT&T/WCom Ex. 12 at 146.) These proceedings should ably demonstrate that Verizon has never been able to proceed with any

confidence that it would be able to recover in a UNE cost proceeding the costs it incurs in connection with *any* UNE, much less the Access to OSS costs. Given this pervasive uncertainty, it simply would have made no sense whatsoever for Verizon to have incurred costs inefficiently; indeed, it would have been sheer fantasy for Verizon to believe that it could easily recover *inefficient* costs in the face of scrutiny by CLECs and regulatory agencies. (VZ-VA Ex. 117 at 38.)

AT&T/WorldCom also allege generally that Verizon failed to support its costs (*see* AT&T/WCom Ex. 12 at 153-59), but this is untrue. Mr. Minion described in detail how Verizon identified and tracked Access to OSS costs using expense reports created for the Partnership Initiative Profile and the Keep Cost Order process to identify one-time development costs. (VZ-VA Ex. 122 at 228-34.) By using Verizon's existing financial reporting processes and systems to track Access to OSS costs, Verizon was able to identify those costs incurred in providing Access to OSS and ensure that they did not include costs for projects that benefited Verizon's retail operations.

**b) Verizon Identified and Supported Its Reasonable Ongoing Access to OSS Costs.**

Verizon VA also provided substantial support for its ongoing Access to OSS costs. As Mr. Minion explained, Verizon VA documented the ongoing costs it incurs for computer investments for hardware and for software maintenance. (*See* VZ-VA Ex. 107 at 283-93; VZ-VA Ex. 122 at 237-42.) AT&T/WorldCom quibble with Verizon's methodology but provide no principled critique. For example, AT&T/WorldCom claim that Verizon should have used 2001 or 2002 prices for computer investments rather than 1999 prices. But Verizon sensibly used 1999 prices for the mainframe equipment because Verizon assumed that the initial deployment of Access to OSS was completed at that time. (VZ-VA Ex. 122 at 240-241.) Thus, the capacity

costing approach used by Verizon, which uses the investment associated with the actual installed equipment, is the appropriate long-run investment measure. (See VZ-VA Ex. 122 at 241.)

### **3. Verizon VA Does Not Double Recover Access to OSS Costs.**

Finally, AT&T/WorldCom contend that there is “probably some double counting with Verizon’s recurring costs” and the Access to OSS costs (AT&T/WCom Ex. 12 at 143), but this allegation is woefully short on specifics. As Verizon VA explained in its testimony, there simply is and has been no double recovery. (VZ-VA Ex. 122 at 243-44.) Petitioners’ general idea appears to be that because the information management systems expenses in the 1999 base year that Verizon used to calculate ACFs included OSS development expenses, Verizon’s use of the relevant ACF to establish its recurring UNE rates would recover these OSS expenses. This confuses the concept and purpose of using ACFs to determine forward-looking expenses. As previously explained, although ACFs are calculated by looking to the expense levels in a particular year, they are used solely as an estimate of what the typical relationship of expenses to investment has been and likely will continue to be in the forward-looking network. ACFs, accordingly, are not used to recover any past expenditures; rather they predict the correct percentage of common and other expenses going forward.

Thus, even if some Access to OSS costs were included in the year for which the expenses were examined to develop the ACFs, the ACF would not recover Access to OSS costs. Instead, they would recover the most likely amount of information services expenditures in the forward-looking market. And the fact that Access to OSS costs were included in the base year and will not be incurred again does not mean that 1999 information services expenses are skewed or overstated. The information services budget for 2000 was *higher* than for 1999 (see Tr. at 3912), demonstrating that other projects have now reclaimed the dollars once spent on OSS. Indeed,

this also suggests that the use of 1999 expenses for ACF development, even including Access to OSS expenditures, was conservative.

Verizon also specifically ensured that the ongoing portion of the Access to OSS charge would not recover costs that would be recovered through ACFs. Verizon VA removed nearly \$48 million in ongoing Access to OSS costs from the development of the Other Support ACF. Thus, the Other Support ACF does not recover the ongoing costs (*i.e.*, investment-related hardware costs and software maintenance costs) of providing Access to OSS.

#### **D. Daily Usage File**

Verizon VA provides CLECs with an optional daily usage file (DUF) service, under which, every time one of a CLEC's end users makes a call, Verizon sends a message to the carrier with information about the identity of the caller so that the carrier can bill its customers. Verizon VA's studies develop appropriate, forward-looking costs for this service and calculate a per-message DUF charge.

AT&T/WorldCom's primary criticism of Verizon VA's DUF costs is based on an outdated and invalid comparison. In particular, they assert that Verizon VA's costs are unreasonable because they are greater than the current rates in other Verizon-East states, which are based on an estimate of DUF expenses made by Verizon in 1996. But Verizon's 1996 estimate was made before Verizon actually provided the DUF service and when it accordingly had little information regarding what would be required to provide the service. Verizon now has more than four years of actual experience providing DUF service to CLECs, and its cost study in these proceedings reflects that greater experience and knowledge.

The most significant difference between Verizon's original DUF study and the one it has submitted here concerns estimated demand for this optional service. Since Verizon was not

actually providing the DUF service in 1996, its cost estimate was based entirely on an assumed demand without the benefit of any experience. The actual demand for DUF, however, has been much less than what Verizon estimated in 1996. Because many DUF expenses are fixed regardless of the amount of demand, Verizon VA's cost per message is necessarily higher than costs estimated based on the 1996 study. For example, as Mr. Minion testified, DUF requires a specific software maintenance agreement between Verizon VA and an outside vendor, and the price under this agreement does not vary based on customer volume. (Tr. at 3997-98.)

Similarly, the difference between the demand anticipated in 1996 and actual demand has not resulted in a corresponding reduction in the number of employees required to perform DUF tasks. Rather, as Verizon has demonstrated through detailed evidence such as the precise number of employees involved in providing DUF, their responsibilities, their job function codes, and the percentage of their time spent on DUF, experience has demonstrated that the amount of labor required is more than originally anticipated. (Tr. at 4002; VZ-VA Ex. 122 at 209.)

**V. THE UNSUBSTANTIATED COST ESTIMATES PRODUCED BY THE MODIFIED SYNTHESIS MODEL SHOULD NOT BE USED TO SET UNE RATES FOR VERIZON VA.**

The unsubstantiated cost estimates generated by AT&T/WorldCom's MSM do not accurately reflect the forward-looking, TELRIC costs of providing UNEs in Virginia. Instead, the MSM's cost estimates are derived from an idealized, fantasy network that assumes levels of efficiencies and technology deployment that could never be achieved by any real-world local exchange service provider. The MSM is incapable of producing cost estimates for more than a handful of UNEs, and its platform is riddled with errors and omissions even with respect to the UNEs for which it can produce cost estimates. The MSM's input assumptions bear little or no relation to the cost of providing service in Virginia, are inconsistent with reasonable and widely-

accepted network design practices, and have never been verified against any real-world data. In short, the MSM not only models the cost of a network that is completely divorced from reality — it models the cost of a network that simply will not work.

The MSM is nothing more than a convenient adaptation of the Commission’s universal service Synthesis Model, purposefully modified to produce even lower cost estimates than the Synthesis Model itself. The Synthesis Model was developed to allocate federal universal service funds among states based on *relative* cost differences, not state specific or company-specific UNE cost estimates. AT&T/WorldCom’s self-serving modifications to make the Synthesis Model “UNE-compliant” (AT&T/WCom Ex. 14 at 3) only increase the significant distortions in the resulting UNE costs.

Even if the MSM’s algorithms were not fatally flawed, the inputs and assumptions used in the MSM with respect to the design, operation, technology, investments, and expenses of the network are not grounded in reality and dramatically understate UNE costs. Petitioners use almost no data drawn from Verizon VA’s extensive experience operating a network in Virginia or any other carrier’s experience operating a real functioning network of any type. Their inputs are selected solely because they lower the MSM’s cost estimates, with no evident concern for whether such inputs could possibly produce a functioning network capable of providing all necessary services at the requisite service quality levels.

For example, as noted above, and addressed more fully below, Petitioners use values for critical factors such as line counts, structure sharing, utilization, plant mix, and investments that are created out of whole cloth and have the expected, collective effect of reducing costs in the MSM dramatically. Ultimately, as noted above, the resulting \$6.48 statewide average loop rate is \$8.00 to 9.00 *less* than the rates the Commission approved as TELRIC-compliant in several

Section 271 proceedings, and is approximately \$7 less than the rate set in Virginia just two years ago. That alone should raise significant questions about the MSM's underlying assumptions.

In fact, using the MSM, AT&T/WorldCom make the patently unreasonable claim that Verizon VA's entire Virginia network could be rebuilt for only 40% of Verizon VA's existing investment (VZ-VA Ex. 154 (Table 3A); VZ-VA Ex. 108 at 36 (Table 3A)) and operated at nearly 30% of Verizon VA's costs (VZ-VA Ex. 154 (Table 3B); VZ-VA Ex. 108 at 37 (Table 3B)), yet provision services that *exceed* current levels by over 10% for lines and 20% for usage. (See AT&T/WCom Ex. 14, Accompanying Workpapers at Attachment D-Demand Estimate.<sup>129/</sup>) The discrepancies between the MSM's cost estimates and the current costs of building an actual network are even more startling:

- The MSM hypothesizes that a brand new network could be deployed throughout Virginia with the minimal investment of approximately \$505 per-line, even though CLECs invested approximately \$3,000 per-line to develop their very real — but relatively new — networks across the country between 1997 and 2000. (VZ-VA Ex. 154; VZ-VA Ex. 108 at 6.)
- The MSM estimates that the total investment required to rebuild Verizon VA's entire network (assuming a 10% increase in demand) is only \$2.9 billion. This is only \$600 million more than Verizon VA spent on upgrades and expansions *over the past four years* (year-end 1996 to year-end 2000). (VZ-VA Ex. 154; VZ-VA Ex. 108 at 6.)
- The MSM produces expenses that are *less than one-third* of Verizon VA's current levels. For example, the MSM's estimates account for only 12% of Verizon VA's land and support asset expenses, 30% of Verizon VA's cable and wire expenses, 54% of its digital switching expenses, and 69% of its circuit equipment expenses. (VZ-VA Ex. 154; VZ-VA Ex. 108 at 6.)

---

<sup>129/</sup> According to these workpapers, the MSM submitted by AT&T/WorldCom assume a 21% increase from the year 2000 to the year 2002 for business, residence and special access ARMIS lines and a 19% usage increase from the year 2000 to the year 2002 for local, IntraLATA, and InterLATA NECA DEMs. As explained below, although Mr. Pitkin's line forecast is 6.2 million lines, the MSM ends up using only 5.7 million of these lines, which reduces the increase from year-2000 lines to about 10%.

Even assuming the technological advancements and efficiencies potentially associated with a forward-looking environment, there is absolutely no basis upon which to conclude that Verizon VA could rebuild its entire Virginia network for only a small fraction of its current cost. Nor is it plausible that the efficiencies achieved through competition will allow Verizon VA to operate its network by investing only 40% of the capital. In short, there is absolutely no evidence on the record to suggest that the costs associated with the MSM's hypothetical network accurately and reliably estimate the forward-looking, TELRIC costs of providing UNEs in Virginia. The MSM is so unreliable, so unsubstantiated, and so fundamentally flawed that this Commission should conclude that it may not properly be used to set rates for the provision of UNEs in Virginia.

**A. The Synthesis Model from Which the Modified Synthesis Model Was Derived Cannot Produce Accurate and Reliable State- and Company-Specific UNE Cost Estimates.**

The Synthesis Model, from which the Modified Synthesis Model is derived, was not designed, let alone approved, by the Commission to estimate state- and company-specific UNE cost estimates.<sup>130/</sup> In developing the Synthesis Model, the Commission specifically determined that it was not necessary for the federal universal service cost model to estimate the costs of a particular carrier.<sup>131/</sup> Indeed, as the Commission explained, by adopting the Synthesis Model, it was “not attempting to identify any particular company’s cost of providing the supported

---

<sup>130/</sup> This is discussed throughout Verizon VA’s written testimony, including VZ-VA Ex. 109 at 6-15.

<sup>131/</sup> Tenth Report and Order, *In re Federal-State Joint Board on Universal Service, In re Forward-Looking Cost Mechanism for High Cost Support for Non-Rural LECs*, 14 FCC Rcd 20156, 20229 ¶ 162 (1999) (“*Tenth Report and Order*”).

services.”<sup>132/</sup> Rather than engage in this time-consuming and burdensome, company, and jurisdiction-specific analysis in a nationwide proceeding, the Commission adopted a national proxy model, populated with nationwide input values, as an expedient. In doing so, the Commission acknowledged the obvious — that its model could not accurately estimate the costs (forward-looking, TELRIC-based, or otherwise) of a particular carrier in a particular state, and thus was not appropriate for estimating UNE costs.<sup>133/</sup> Even AT&T/WorldCom witness Murray conceded that the universal service goals of the Synthesis Model require a different approach and a different level of accuracy than UNE costing: “[f]or purposes of universal service, it is not important to have as precise an attribution to specific cost-causing components of the network as is necessary in UNE pricing.” (Tr. at 3204.)

As explained below, no amount of tinkering, or even wholesale modification, can remedy this fundamental model shortcoming; the Synthesis Model simply is not designed to produce accurate, company-specific, TELRIC cost estimates for all the UNEs that are the subject of this proceeding.

**1. The MSM Is Incapable of Estimating the Cost of All the Network Elements That Verizon VA Must Provide.**

One of the primary problems with using the Synthesis Model or the MSM to estimate UNE rates is that these models are unable to develop costs for all of the required network elements, including special access and high capacity services.<sup>134/</sup> This inability reflects the

---

<sup>132/</sup> *Id.*

<sup>133/</sup> *Id.* at 20172, 20229 ¶¶ 32, 162.

<sup>134/</sup> As discussed below, this same flaw renders the MSM’s Switching and Transport Module incapable of modeling transport costs for all but a few transport elements.

Synthesis Model's genesis as a universal service model: in the universal service context, where the range of service costs to be estimated is limited to plain old telephone service ("POTS") (Tr. at 4411 (Murphy)), there is simply no need to model network elements used to provide special access and high capacity services. With respect to UNE cost estimates, however, the ability to model these network elements is essential and, indeed, required by the Commission's rules.<sup>135/</sup> (See VZ-VA Ex. 109 at 6, 10-15; Tr. at 4133-34 (Murphy).)

In developing the Synthesis Model, the Commission narrowly defined the network and services to be encompassed in federal universal service cost calculations, deliberately excluding non-supported services and, consequently, network elements not used to provide the supported services. As a result, the Synthesis Model is capable of producing cost estimates only for narrowly-defined loops that provide a limited range of services. In the UNE context, however, carriers must be able to provide a broad range of network elements, including, for example, DS1 and DS3 loops, dark fiber, and ISDN loops. The Synthesis Model and the MSM, by design, cannot account for all of the required facilities and equipment used to provide these network elements. Importantly, however, these are the very network elements for which cost estimates consistent with TELRIC must be estimated under the Commission's rules. As Mr. Murphy pointed out at the hearing:

[W]e live in a digital world . . . . If we are going to build a forward-looking network via the TELRIC standard . . . the digital standard is the appropriate one to apply. . . . [However,] the model is simply not capable, not sophisticated enough, to handle the special access digital services that are being modeled.

(Tr. at 4133-34.)

---

<sup>135/</sup> See 47 C.F.R. § 51.505 (requiring prices that are based on TELRIC costs to be "calculated taking as a given the incumbent LEC's provision of other elements").

Because the goals of universal service differ significantly from those of the UNE costing process, and because the capabilities of the MSM are so limited, the MSM can only produce cost estimates for a small percentage of the UNEs for which prices are being set in this proceeding. (See Tr. at 5186-5200, 5555-62.) Accordingly, even Petitioners do not rely on the MSM for the vast majority of UNE costs they advocate. (AT&T/WCom Ex. 14 at 32.) Instead, AT&T/WorldCom base their cost proposals for most UNEs on a restatement of *Verizon VA's* cost studies or a non-TELRIC compliant method applied outside the MSM (e.g., 4-wire, DS1 and DS3 loops). As discussed below, the changes made by AT&T/WorldCom in the MSM, though purportedly intended to enable the MSM to model some of these network elements, exacerbate this problem and substantially distort *all* of the MSM's UNE cost estimates.

**2. The Synthesis Model Was Designed To Estimate The Relative Cost Differences Among Different States, Not the Forward-Looking Costs of Providing Network Elements in a Particular Jurisdiction.**

Even with respect to the service costs that it was designed to model, the Synthesis Model was created with one purpose in mind — to estimate the *relative* cost differences for these services among different states. The Synthesis Model was never intended to estimate any carrier's costs (forward-looking or embedded) of operating a network in the real world or in Virginia in particular. In light of the Synthesis Model's limited design parameters, the Commission cautioned parties against using the Synthesis Model and its nationwide input values for any purpose other than federal universal service support.<sup>136/</sup> Specifically, the Commission stated:

The federal cost model was developed for the purpose of determining federal universal service support, and *it may not be appropriate to use nationwide values*

---

<sup>136/</sup> *Tenth Report and Order* at 20172 ¶¶ 31-32.

*for other purposes, such as determining prices for unbundled network elements.* We caution parties from making any claims in other proceedings based upon the input values we adopt in this Order.<sup>137/</sup>

In fact, the Commission has repeatedly and unequivocally stated that the Synthesis Model should not be used for purposes other than determining *the relative cost differences among states*. Just recently, in rejecting CLEC arguments that the output of the Synthesis Model should be used to test whether UNE rates are TELRIC compliant, the Commission reiterated that:

*The Commission has never used the USF cost model to determine rates for a particular element, nor was it designed to perform such a task.* The [Synthesis M]odel was designed to determine relative cost differences among different states, *not actual costs*. That is the purpose for which the Commission has used the [Synthesis M]odel in the universal service proceeding.<sup>138/</sup>

While the rough cost estimates of the Synthesis Model may be reasonable when the goal is approximating relative needs among the states for universal service funding, the Synthesis Model's cost estimates are wholly inappropriate for use in a UNE proceeding, where assessing the TELRIC costs of a specific company's forward-looking network is the ultimate goal.<sup>139/</sup> Indeed, generic, standardized inputs are a poor substitute for state- and carrier-specific data — especially where, as here, the incumbent has provided extensive, detailed data concerning the characteristics of its network and its own forward-looking costs of obtaining and installing the various components of that network. In short, there is no fathomable reason to substitute the

---

<sup>137/</sup> *Id.* at 20172, ¶ 32 (emphasis added).

<sup>138/</sup> *Massachusetts § 271 Order* at 9003-04 ¶ 32 (emphasis added).

<sup>139/</sup> The Commission has repeatedly recognized that the ability to estimate accurately the forward-looking costs of a particular carrier, in a particular state, is the crux of the UNE costing process under section 251. *Local Competition Order* at 15848-49 ¶ 685; *see also* FCC Reply Brief at 6.

MSM's generalized assumptions for the detailed, Verizon VA-specific data on the record in these proceedings.

**B. AT&T/WorldCom's Modifications to the Synthesis Model Do Not Allow Their Model To Estimate Many UNE Costs Properly.**

Even after Petitioners' extensive modifications and purported corrections to the Synthesis Model, their MSM still fails to produce reliable, forward-looking UNE cost estimates.<sup>140/</sup> To the contrary, AT&T/WorldCom's misguided attempt to compensate for the Synthesis Model's inability to model special access and high capacity services creates non-existent economies of scale and results in unjustifiably low UNE cost estimates. Their suggestion that the Synthesis Model can be readily converted into a UNE cost model with just a few input and algorithm changes is sheer folly — and is rendered even more suspect by the fact that the Commission already has rejected some of those changes as producing unreliable costs. Equally significant is the fact that, under the rate structure proposed by AT&T/WorldCom, Verizon VA would never be able to recover the full costs of the loops modeled by the MSM.<sup>141/</sup>

---

<sup>140/</sup> This is discussed throughout Verizon VA's written testimony, including VZ-VA Ex. 109 at 15-70 and VZ-VA Ex. 163 at 4.

<sup>141/</sup> Moreover, it makes little sense for this Commission to adopt or rely on a model written in a source code that the Commission has effectively abandoned. The source code for the "vast majority of the loop calculations" (Tr. at 4285) is written in Turbo Pascal, a software program that has been discontinued by Borland Software Company and is no longer commercially available in the United States. (Tr. at 4285.) This fact has restricted Verizon VA's ability to review and evaluate the MSM. Tellingly, the Commission's updated version of the Synthesis Model no longer uses the Turbo Pascal source code. (See <http://www.fcc.gov/ccb/apd/hcpm/history.doc>; Design History of HCPM, June 13, 2001 updates to new programming language, Delphi V.6.0.) "[I]n an effort to use a computer language that works best for the Commission and all interested parties," the Commission converted the Synthesis Model to the Delphi computer language. FCC Public Notice, DA-01-1458 (June 20, 2001).

Ultimately, the MSM is fundamentally, and incurably, unable to model a fully-functioning network. It is based upon faulty engineering standards and questionable design principles, and, as a result, omits critical network components. Paramount among the Model's shortcomings is its inability to model special access and high capacity services correctly. The MSM's failure even to provide for the basic equipment necessary for such services effectively guarantees that none of the DS3s or higher-speed special access services will function. (Tr. at 4398.) The MSM failings do not stop there. Even the drop wires modeled by the MSM are so "ridiculously short" that they would never be able to reach the customers' premises. (Tr. at 4398.)<sup>142/</sup>

Given the fundamental defects of the MSM, it should come as no surprise that AT&T/WorldCom have chosen not to sponsor the MSM in other ongoing UNE proceedings. Curiously, however, AT&T/WorldCom claim that the MSM is the "best available tool for estimating the TELRIC of providing UNEs for Verizon VA" (AT&T/WCom Ex. 14 at 14; Tr. at 4279), while simultaneously sponsoring a version of the HAI Model in an ongoing Massachusetts UNE proceeding and a reconstituted run of Verizon VA's cost model in the Washington, D.C. UNE proceeding. (Tr. at 4281-82.) The merits of each of these approaches aside, the ease with which AT&T/WorldCom switch from one cost model to another begs the question whether their proclamations here that the MSM is ideally suited to measuring TELRIC UNE costs have any value whatsoever.

---

<sup>142/</sup> As Mr. Murphy explained at the hearing, the MSM's incredibly short drop length of 23 feet per line is a mere fraction of the 73 feet per working line recommended by the Telcordia (Bellcore) study. (AT&T/WCom Ex. 122 at 12-8; Tr. at 4398.)

**1. AT&T/WorldCom's Efforts to Account for Special Access and High Capacity Service Demand in the MSM Fail to Model Operational Services and Produce Artificial Economies of Scale That Understate Costs for All Loop UNEs.**

AT&T/WorldCom improperly attempt to compensate for the MSM's inability to model special access and high-capacity services by using the MSM's simulated narrowband network to serve special access and high-capacity demand. In a real network, high-capacity services (*i.e.*, DS1 and DS3 services) must be provisioned over fiber optic cable or other high-speed facilities that extend all the way to the customer premises.<sup>143/</sup> The MSM, however, does not model any of the necessary, specialized types of facilities. Instead, AT&T/WorldCom converted special access and high capacity demand into DS0 equivalents to be served at existing business customer locations through the narrowband (*i.e.*, POTS) network simulated by the MSM. This has the effect of dramatically increasing the demand purportedly served by the narrowband network.<sup>144/</sup> (See VZ-VA Ex. 109 at 31.) Specifically, AT&T/WorldCom's unrealistic assumptions cause the MSM to build a separate loop for every access line and every special access DS0 equivalent. (Tr. at 4395 (Murphy); 4488 (Tardiff).) Thus, a DS1 special access line (which the MSM equates to 24 DS0 equivalents) is treated as 24 ordinary loops, even though it requires only two physical copper pairs or is provisioned on fiber (VZ-VA Ex. 109 at 31-32), and a DS3 special access line (which the MSM equates to 672 DS0 equivalents) is treated as 672 ordinary loops.<sup>145/</sup> (Tr. at 4395 (Murphy).)

---

<sup>143/</sup> Although DS1 service may be provisioned over two copper cable pairs, it is often provisioned over fiber within higher speed DS3 signals.

<sup>144/</sup> As Verizon VA witnesses Dr. Tardiff and Mr. Murphy demonstrated, AT&T/WorldCom's initial forecast of line counts was not only conceptually flawed, but was also the product of a misapplication of ARMIS reporting conventions. (VZ-VA Ex. 108 at 30-33; VZ-VA Ex. 109 at 30-31.) While AT&T/WorldCom attempted to remedy the latter error on surrebuttal (by reducing the number of special access lines by 700,000), they did nothing to

As an initial matter, Petitioners' attempt to concoct a means for modeling special access services does not result in functional services. Paramount among the MSM's shortcomings is the lack of SONET electronics to serve special access lines served out of remote wire centers (VZ-VA Ex. 162 at 9-10) and inadequate investment in digital loop carrier ("DLC") for 4-wire, DS1 and DS3 services. (Tr. at 4397 (Murphy); VZ-VA Ex. 109 at 8.) Specifically, by modeling these special access services as individual POTS lines, the MSM fails to account for the specialized channel units and the extra amount of shelf space and common equipment required by these high-speed services. (VZ-VA Ex. 109 at 27, 41-42.) The MSM also omits the investments for the electronic multiplexing equipment that enables special access DS1 services to function over copper cable and DS3 services to function over coaxial or fiber optic cable. (VZ-VA Ex. 109 at 37.) Absent this equipment, the modeled loop lacks the necessary functionality to deliver DS1 or higher speed services. (VZ-VA Ex. 109 at 37.) Moreover, the MSM fails to account for the requisite fiber optic cables, or coaxial cables, that link customer premises to the network.<sup>146/</sup> (Tr. at 4398 (Murphy).) Without all of these necessary electronics and facilities, the "modeled" special access services simply cannot be functional.

Even if Petitioners' attempted solution could work as an operational matter, the resulting unrealistically inflated line counts used to size the narrowband network create artificial economies of scale, particularly for the *copper* distribution and feeder portion of the loop (Tr. at

---

remedy the underlying flaw associated with the use of DS0 equivalents when sizing the narrowband network. (VZ-VA Ex. 162 at 3-4.)

<sup>145/</sup> These incorrect engineering assumptions are discussed in more detail below.

<sup>146/</sup> The MSM also produces virtually no additional drop investment as a result of the artificially inflated number of lines, demonstrating yet again that the MSM's assumptions are even internally inconsistent and invalid. (Tr. at 4355 (Tardiff).)

4488-89 (Tardiff)), and are one of the biggest contributors to AT&T/WorldCom's impossibly low loop cost estimates. (VZ-VA Ex. 108 at 28.) The artificial economies of scale in the narrowband network result from the MSM's use of larger capacity cables, remote terminals, and similar equipment to accommodate the special access and high capacity DS0 equivalents. These larger sized facilities have significantly lower per unit costs, producing the artificial economies of scale. (VZ-VA Ex. 109 at 32.) For example, the MSM treats a DS1 special access line as 24 DS0 equivalents and provides for 24 pairs to serve those equivalents, even though a DS1 in a real network would be provisioned using either fiber cable to the customer premises or two dedicated copper pairs. (VZ-VA Ex. 109 at 44.) Because AT&T/WorldCom treat the special access and high capacity DS0 equivalents as though they were demand for ordinary narrowband business lines, AT&T/WorldCom spread these artificial economies of scale across *all* business customer locations and all network elements.

One of the primary results of AT&T/WorldCom's effort to model special access and high capacity demand through the narrowband network is a significant understatement of the cost of the 2-wire copper loop. In particular, by overstating the number of loops, the MSM overbuilds distribution plant — the single largest component of loop cost (Tr. at 4488 (Tardiff)) — by approximately 1.4 million cable pairs, which wrongly increases the number of distribution facilities over which the total loop costs are spread. (Tr. at 4395 (Murphy).) In the case of high-capacity loops, this fundamental error is compounded by rate calculations that, as explained below, prevent Verizon VA from recovering the full costs of the distorted narrowband network

modeled by the MSM. As a result, the MSM's artificial scale economies improperly reduce the costs of *all* loops.<sup>147/</sup>

**2. Most of AT&T/WorldCom's Other Proposed Changes Have Been Considered and Rejected by the Commission.**

Under the guise of making the Synthesis Model relevant for use in assessing UNE costs, AT&T/WorldCom make various input and algorithmic changes, which collectively operate to produce lower cost estimates. The Commission has already considered and explicitly rejected most of these changes as inappropriate.

For example, the Commission has rejected the so-called "unmodified PRIM algorithm" that AT&T/WorldCom use in the MSM to connect nodes to the central office.<sup>148/</sup> The

---

<sup>147/</sup> AT&T/WorldCom's faulty approach to modeling special access and high capacity services has other unfortunate consequences. For example, the MSM as modified by AT&T/WorldCom in surrebuttal excludes two Verizon VA wire centers (corresponding to the CLLI codes MCLNVALV and CNVIVACT) from its UNE cost calculations. (Tr. at 4303-08; VZ-VA Ex. 163 at 20.) As a result, the MSM fails to account for over 400,000 of Mr. Pitkin's forecasted lines. AT&T/WCom Ex. 14; Supporting Workpapers at file: Line\_Count\_Surrebuttal.) Compounding this model error is the fact that the MSM drops an additional 164,000 of Mr. Pitkin's forecasted access lines, which are spread in varying amounts across numerous Verizon VA wire centers. (VZ-VA Ex. 163, file: Sum\_missinglines.xls, Row 15, Comparison of HMWK work file to HCPM.mdb input file.) Mr. Pitkin, AT&T/WorldCom's principal cost model witness, was unaware that the purportedly corrected version of his cost model eliminated two wire centers from its calculations. (Tr. at 4308-09.) He speculated that the two wire centers were omitted "[b]ecause line counts were too high" (Tr. at 4429-4430), which is not surprising given AT&T/WorldCom's attempts to convert special access and high capacity demand into DS0 equivalents within the MSM. Although Mr. Pitkin's alleged "quick fix" to this significant model flaw (consisting of a manual override to the MSM's algorithms) resulted in only a \$0.01 difference in the loop cost estimate, Mr. Pitkin has not remedied the underlying error, which causes the MSM to design a wholly different network and produce cost estimates for switching and transport UNEs that are completely divorced from reality by excluding the interoffice facility routes and electronics for the missing wire centers, thereby modeling all of the interoffice transport traffic on fewer rings. (VZ-VA Ex. 163 at 20-24.)

<sup>148/</sup> The node selection criteria are used by the MSM to find the least-cost solution to attach the reconstructed distribution areas to the central office.

Commission concluded that only a *modified* version of the PRIM algorithm — one based on lowest cost rather than least distance — “provides a good approximation to the way in which real world engineers are likely to design the feeder network, since the network grows naturally from the central office, by adding new nodes on the basis of minimum cost as new communities are established.” (AT&T/WCom Ex. 32, Attachment B at 13.) AT&T/WorldCom, however, revert to the *unmodified* PRIM algorithm in the MSM. This is not surprising, given that the unmodified PRIM algorithm significantly underestimates loop costs by failing to account for all of the outside plant input values and code changes relevant to the connection of nodes to the network. (VZ-VA Ex. 109 at 67-68.)

Other coding changes proposed by AT&T/WorldCom that the Commission has already rejected relate to drop terminal orientation, lot size/configuration, residual line allocation, and overlapping microgrids. (AT&T/WCom Ex. 1 at Ex. D.) Only two of AT&T/WorldCom’s proposed algorithm changes — both rather innocuous modifications — have been incorporated by the Commission into the recently-released versions of the Synthesis Model.<sup>149/</sup> (VZ-VA Ex. 108 at 33.)

Similarly, AT&T/WorldCom incorporate into the MSM several additional input values and coding changes that the Commission either rejected or intended to deal with in future model proceedings. The rejected input values AT&T/WorldCom hope to resurrect are, among other things, untenable structure sharing inputs,<sup>150/</sup> erroneous plant mix assumptions,<sup>151/</sup> and

---

<sup>149/</sup> The two changes that have been incorporated into the recently-released versions of the Synthesis Model are the modifications to the drop dispersion and the input/variables. (See VZ-VA Ex. 146 and 147.)

<sup>150/</sup> *Tenth Report and Order* at 20261-62 ¶¶ 244 and 247.

<sup>151/</sup> *Id.* at 20258-59 ¶¶ 236-38.

understated DLC input values.<sup>152/</sup> In many cases, the Commission explicitly rejected the inputs that Petitioners propose because they were based solely on the opinion of their consultants with no supporting data.<sup>153/</sup> Undeterred, AT&T/WorldCom again propose many of the same inputs in this proceeding and base them solely on the opinion of their consultants. As explained in more detail below, AT&T/WorldCom's proposed input changes are entirely unrealistic and substantially understate UNE costs.

**3. AT&T/WorldCom Have Not Properly Substituted Verifiable, Virginia-Specific Data for the Generalized National Data Used in the Synthesis Model.**

Despite the Commission's warnings concerning the use of nationwide values for purposes of calculating UNE prices, Petitioners use almost no Verizon VA-specific data in the MSM. Instead, in most cases, AT&T/WorldCom continue to rely on the Commission's nationwide average inputs created for federal universal service purposes or, worse yet, on unsupported adjustments to those nationwide averages (which are designed invariably to produce even lower UNE cost estimates within the MSM). Moreover, none of the MSM's inputs and UNE cost estimates have ever been validated against any network's real-world results.

For example, the original Synthesis Model used nationwide average default values for structure sharing with other utilities. AT&T/WorldCom chose to ignore Verizon VA's extensive experience identifying available structure sharing opportunities in Virginia and instead adjusted the Commission's nationwide values to reflect entirely unrealistic amounts of structure sharing. AT&T/WorldCom's changes to the Commission's default values reduce the total plant

---

<sup>152/</sup> *Id.* at 20275 ¶¶ 278-79.

<sup>153/</sup> *Id.* at 20208, 20229-30, 20232-33, 20276, ¶¶ 115, 165, 171-172, 281.

investment by \$292 million and the statewide average loop cost by \$0.92. (VZ-VA Ex. 109 at 95; VZ-VA Ex. 142.)<sup>154/</sup> Moreover, had Petitioners used the actual values for Verizon VA's conduit sharing and pole investment, while keeping the remaining FCC default values (even along with Mr. Pitkin's 40% adjustment for feeder-distribution sharing), their statewide average loop rate would have increased by \$1.43. (VZ-VA Ex. 204.)

It is hard to fathom how Petitioners can advocate that such generic, proxy inputs are superior to Verizon VA-specific data. As noted above, AT&T/WorldCom's approach simply ignores the Commission's repeated warnings against the use of its nationwide averages for state or company-specific purposes. Indeed, there is no evidence that the inputs and assumptions reflect the characteristics of *any* functioning network that is capable of providing all services required under the UNE rules while meeting the service quality requirements imposed by the Virginia Commission. (VZ-VA Ex. 109 at 25.)

**4. AT&T/WorldCom's Proposed Rate Structure Does Not Allow Verizon VA to Recover the Full Costs of the Network Modeled By The Modified Synthesis Model.**

AT&T/WorldCom's proposed rate design is fundamentally flawed and inconsistent with the manner in which the MSM calculates UNE costs. The MSM uses one set of multipliers to calculate DS0 equivalents for high-capacity special access demand to be included in the narrowband network. These DS0 equivalents are then used to calculate the per-DS0 cost of that network. Mr. Pitkin then uses a different, and dramatically smaller, set of multipliers to derive

---

<sup>154/</sup> AT&T/WorldCom's modification of the Synthesis Model's default plant mix value and their significant reduction to the Commission's default DLC hardware inputs are based on nothing more than Mr. Riolo's unsubstantiated opinion — not a single shred of supporting documentation is provided. Just as the Commission previously rejected these values in the universal service docket, it should reject them here.

the rates for high capacity loops from the MSM's per-DS0 costs.<sup>155/</sup> (AT&T/WCom Ex. 1 at 25-26.) As a matter of simple arithmetic, this approach effectively ensures that Verizon VA will never be able to recover the full costs of even the hypothetical network modeled by the MSM. (Tr. 4522-25 (Murphy).)

Mr. Pitkin spreads the \$36.8 million monthly total loop *costs* over the 5.7 million DS0 equivalents he forecasts and uses to size the simulated network.<sup>156/</sup> Of these 5.7 million DS0 equivalents, 1.63 million are for DS1 special access services,<sup>157/</sup> a number that reflects a ratio of 24 DS0s per DS1. However, when it comes to the *price* of DS1s, Mr. Pitkin assumes only 4.3 DS0s per DS1. As a result, rather than the \$155.52 price (*i.e.*, 24 x \$6.48) for a DS1 loop that he would have computed had he used the same 24-to-1 ratio that he applied in spreading costs, Mr. Pitkin arrives at a UNE price of only \$27.85 (*i.e.*, 4.3 x \$6.48) per DS1 loop. When projected over all the loops in the MSM's simulated network, Mr. Pitkin's inexplicable inconsistency means that Verizon VA will fail to recover on average \$8.7 million, or 24%, of the total monthly loop costs that the MSM itself projects.<sup>158/</sup>

---

<sup>155/</sup> Dr. Tardiff's supplemental rebuttal testimony explains how Mr. Pitkin's multiples for deriving the costs of high capacity loops are mathematically illogical. Correct multiples would be considerably higher than what Mr. Pitkin has proposed. (See VZ-VA Ex. 162 at 5-6.)

<sup>156/</sup> The \$36.8 million per month represents the MSM's annual total loop cost of \$441 million divided by 12. (VZ-VA Ex. 150.) Mr. Pitkin derived his 5.7 million DS0 equivalents (including the DS1 special access equivalents) from data provided by Verizon VA in response to a data request.

<sup>157/</sup> The difference between the total DS0 equivalents and switched lines shown on VZ-VA Ex. 150 is 1.85 million. Data contained in Mr. Pitkin's revised Attachment D to his surrebuttal filing indicate that approximately 12% of these are DS0 special access lines, with the remaining 88%, or 1.63 million, consisting of DS1 special access lines. (Tr. at 4297.)

<sup>158/</sup> The MSM assumes 68,000 DS1s (1.63 million DS0 equivalents divided by 24). When this number is multiplied by the \$127.67 shortfall in the DS1 price Mr. Pitkin proposes (*i.e.*, \$155.52 minus \$27.85), the result is an \$8.7 million total monthly deficit.

**C. AT&T/WorldCom Use Incorrect and Internally Inconsistent Inputs and Engineering Assumptions in the Loop Module To Produce Unrealistically Low UNE Loop Costs.**

To achieve their implausible statewide average monthly loop rate of \$6.48, Petitioners rely on network inputs and engineering and cost assumptions that have no basis in reality.<sup>159/</sup> As a result, while their model produces incredibly low cost estimates, those cost estimates relate to a network that could never be built, could never provision all the services that Verizon VA's network must provide, and certainly could not do so cost effectively or within the service quality limitations imposed by the Virginia Commission. The costs therefore have no economic significance for a TELRIC proceeding.

This outcome is not surprising: although Verizon VA's robust, functional network in Virginia should, at minimum, be a starting place for determining a forward-looking network design to serve the demand in the state, AT&T/WorldCom all but ignore it in proposing the outside plant-related inputs used in the MSM's loop module. Indeed, they seem to operate from the erroneous assumption that, if something already exists, it cannot be included in the forward-looking TELRIC network. AT&T/WorldCom thus effectively redraw a hypothetical network using as their sole guiding principle the reduction of individual cost components, viewing each such reduction in complete isolation and without consideration of any operational realities. The resulting network and associated cost estimates are not just hypothetical, but unsupported and unsound.

Petitioners similarly make price and cost assumptions that are drawn out of thin air. For example, while AT&T admits that its national central office construction cost per square foot is

---

<sup>159/</sup> These issues are discussed throughout in Verizon VA's written testimony, including VZ-VA Ex. 109 at 15-113.

**[BEGIN AT&T PROPRIETARY]**      **[END AT&T PROPRIETARY]** (VZ-VA Ex. 109

at 92-93), AT&T/WorldCom inexplicably select values of \$75 to \$150 per square foot for the MSM. (VZ-VA Ex. 109 at 92.) Petitioners also ignore Verizon VA's costs for virtually all inputs, even though Verizon VA certainly enjoys efficient pricing today given its economies of scale and scope and price cap incentives.

**1. The Modified Synthesis Model Uses Inappropriately Inflated Line Counts That Overstate Efficiencies and Understate UNE Loop Costs.**

AT&T/WorldCom's inappropriately inflated line counts are one of the biggest causes of the MSM's unrealistically low loop cost estimates. (VZ-VA Ex. 108 at 28.) In fact, reducing Mr. Pitkin's inflated line count from 5.7 million to the 3.7 million narrowband lines existing in Verizon VA's network today<sup>160/</sup> increases the MSM's loop cost estimate by \$2.75. (VZ-VA Ex. 204.) As explained above, the use of AT&T/WorldCom's inflated line count numbers produces efficiencies that no real-world carrier responsible for the provision of narrowband and high capacity, broadband services would or could ever enjoy. The cost efficiencies that Petitioners assume into existence turn on their implausible assertion that the costs of broadband services can be modeled simply by pretending that those services (measured in narrowband equivalents) are delivered through a narrowband network. As explained above, all that this faulty assumption produces is an overgrown narrowband network with too many lines for providing narrowband service and *none* of the specialized facilities and equipment necessary to provision the broadband services whose costs are supposedly being modeled.

---

<sup>160/</sup> “[T]he 3.7 [million lines] includes the actual counts by central office of switched and special access lines that are on the narrowband facilities that actually appear in the copper cable plant. But it does [not] include any DS3s or DS1s that are on fiber [because] they are not on the copper plant.” (Tr. at 4517 (Gansert).)