

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Implementation of the Local Competition	)	
Provisions of the Telecommunications	)	CC Docket No. 96-98
Act of 1996	)	

**OPPOSITION**

BellSouth Telecommunications Inc., (“BellSouth”) hereby submits its opposition to NuVox, Inc’s. (“NuVox”) Petition for Declaratory Ruling.

**I. INTRODUCTION**

1. As justification for its Petition, NuVox claims that the Commission’s *Supplemental Order Clarification*<sup>1</sup> is insufficiently explicit and, in NuVox’s view, requires that the Commission enumerate additional criteria regarding an incumbent LEC’s (“ILEC”) right to audit competitive local exchange carriers’ (“CLECs”) conversions of special access circuits to combinations of unbundled network element (“UNE”) loops and transport, otherwise referred to as enhanced extended links (“EELs”). NuVox’s Petition is without merit. As discussed further below, it is just another tactic that NuVox is employing to delay an audit.

2. BellSouth has been attempting to exercise its right to audit NuVox since March 15, 2002. Every step of the way, NuVox has sought to avoid its obligation to permit the audit. Not only is the ongoing delay inconsistent with the Commission’s *Supplemental Order Clarification* but also with NuVox’s obligations under its interconnection agreement with BellSouth. In its

---

<sup>1</sup> *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Supplemental Order Clarification*, 15 FCC Red 9587 (2000).

Petition, NuVox conveniently omits the fact that BellSouth has sought to conduct the audit in conformance with an approved interconnection agreement.<sup>2</sup> Given NuVox's refusal to allow the audit, BellSouth filed a complaint on May 13, 2002 with the Georgia Public Service Commission ("PSC") requesting that the Georgia PSC direct NuVox to allow the audit to commence immediately. There is no reason for the Commission to interfere with the Georgia PSC's resolution of the dispute that is properly before it.

## II. DISCUSSION

3. The essence of NuVox's Petition is that it requests the Commission to create a new set of conditions to limit an ILEC's right to audit a CLEC's conversion of special access circuits to EELs. If NuVox's Petition is granted, it would effectively render the ILECs right to conduct an audit meaningless. NuVox ignores the fundamental balance that the *Supplemental Order Clarification* struck between the CLEC and ILEC interests. The Commission afforded CLECs the right to self-certify "that they are provisioning a significant amount of local exchange service over combinations of unbundled network elements."<sup>3</sup> The counterweight to the CLECs' right of self-certification was the ILECs' right to "conduct limited audits only to the extent reasonably necessary to determine a carrier's compliance with the local usage options."<sup>4</sup>

4. In availing itself of its audit rights as clarified in the *Supplemental Order Clarification*, the ILEC must hire and pay for an independent auditor to perform the audit;<sup>5</sup> the

---

<sup>2</sup> A copy of the relevant audit provisions of the agreement is set forth in Attachment 1. It should be noted that NuVox was formerly known as TCI.

<sup>3</sup> *Supplemental Order Clarification* at 9602, ¶ 29.

<sup>4</sup> *Id.* at 9603.

<sup>5</sup> The CLEC is required to reimburse the incumbent if the audit uncovers non-compliance with the local usage options. *Id.* at 9604, ¶ 31.

ILEC must provide 30 days written notice to the CLEC; the ILEC must send a copy of the notice to the Commission; and the ILEC may not audit a carrier more than once a year unless the carrier finds noncompliance.<sup>6</sup> In a footnote the Commission noted and agreed with a statement in a letter filed jointly by several ILECs and CLECs that the audits would not be routine and would be undertaken only when an ILEC has a concern that a CLEC has not met the criteria for converting special access to an EEL.<sup>7</sup>

5. Following the requirements set forth in the *Supplemental Order Clarification*, BellSouth has attempted to initiate an audit of NuVox's conversions. NuVox's position has been to prevaricate the audit by assuming the authority to decline the audit if it does not believe BellSouth has a reason to conduct an audit or it does not approve of the auditor. In other words, NuVox has transformed BellSouth's right to audit under the *Supplemental Order Clarification* to a right to ask NuVox for permission to conduct an audit.

6. There is nothing in the *Supplemental Order Clarification* that establishes as a condition precedent, the CLEC's assent to the audit or the auditor. Indeed, to require an ILEC to obtain such agreement leads to precisely the situation that BellSouth has experienced with NuVox—delay. NuVox effectively has reserved to itself the right to veto the audit.

7. BellSouth has concerns with regard to NuVox's compliance with the local usage options and notified NuVox of its intent to initiate an audit. BellSouth does not need to explain its concerns to NuVox, although it did; nor does BellSouth require NuVox's affirmation regarding the validity of these concerns. Likewise, BellSouth does not require NuVox's

---

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 9603, n. 86.

approval of its selection of an independent auditor. BellSouth's obligation was to provide NuVox with thirty days notice of its intent to commence an audit. BellSouth met its obligation.

8. Moreover, the *Supplemental Order Clarification* is unambiguous in that BellSouth has the obligation to hire and pay for an independent auditor. The *Supplemental Order Clarification* does not require consultation with NuVox or NuVox's approval. BellSouth selected a qualified independent auditor who has experience in auditing compliance with the local usage requirements for EEL conversions.<sup>8</sup> In so doing, BellSouth has minimized the cost and time that are associated with the audit.<sup>9</sup>

9. In filing its Petition, NuVox for all intents and purposes concedes that its response to BellSouth's audit notice is not consistent with the *Supplemental Order Clarification*. NuVox wants the Commission to create an entirely new set of conditions in order to constrain, if not entirely nullify, the ILEC's right to audit. For example, NuVox wants the Commission to establish as a condition precedent to audit that the ILEC notify the CLEC of a "bona fide" and "legitimately" related concern to a CLEC's non-compliance. In the first instance, such a precondition represents a regulatory version of Catch-22. An ILEC cannot audit unless it has a "legitimate" concern that there is non-compliance; but the ILEC will never be able to obtain information demonstrating a "legitimate" concern unless it conducts an audit. The precondition amounts nothing more than an invitation to a CLEC to refuse to cooperate in an audit. Simply by disputing the "legitimacy" of the ILEC's concern, the CLEC can stop an audit. If the Commission were to now reverse course and severely constrain an ILEC's right to audit, then the

---

<sup>8</sup> Attachment 2 sets forth a brief statement of the auditor's qualifications.

<sup>9</sup> Because the auditor has experience, the time and cost that would otherwise be associated with an auditor becoming familiar with the subject of the audit is avoided. Further, the experience of the auditor will likely result in a more efficient and expedited audit.

Commission would likewise have to revisit the self-certification that CLECs are permitted to use to obtain conversions. To maintain the balance originally struck in the *Supplemental Order Clarification*, CLECs would have to offer documentation to show compliance with local usage options for all existing EELs and any new requests for conversion.

10. None of NuVox's other requests are valid. With regard to an independent auditor, the *Supplemental Order Clarification* already requires the ILEC to hire and pay for an independent auditor. The fact that an auditor has been engaged by ILECs to perform similar audits does not compromise his independence. Indeed, virtually all audits relating to UNEs and interconnection are initiated by ILECs. If an auditor was disqualified simply by previously being hired by an ILEC to conduct an audit, the pool of qualified auditors would quickly be diminished.

11. NuVox's desire for the Commission to promulgate a rule that would preclude converting a non-qualified EEL back to special access until a state commission reviews the audit at the request of the CLEC is inappropriate. Once an audit has been conducted and a circuit is found to be non-qualified, then the appropriate special access rate should apply. The fact that a CLEC challenges the audit should not operate as an automatic stay. Indeed, to do so will only encourage frivolous audit challenges. If the CLEC can meet the four-pronged test for a stay, the CLEC would be free to make its case before the appropriate state commission.<sup>10</sup>

12. Equally unreasonable is NuVox's argument that when a non-qualified circuit is converted back to special access, the CLEC should not have to pay the special access

---

<sup>10</sup> Under the four-prong test, a stay is warranted if the movant can demonstrate that: (1) it is likely to prevail on the merits; (2) it will suffer irreparable harm, absent a stay; (3) other interested parties will not be harmed if the stay is granted; and (4) the public interest would favor a grant of the stay. *In the Matter of Motion of Ranger Cellular and Miller Communications, Inc. for a Stay of the Cellular Rural Service Areas Auction No. 45, Order*, DA 02-1135, ¶ 5 (rel. May 24, 2002). See *Virginia Petroleum Jobbers Ass'n v. FPC*, 259 F.2d 921 (D. C. Cir. 1958).

nonrecurring charge. To change a non-qualified circuit back to special access, BellSouth has to perform the same activities associated with establishing circuit records for the CLEC's circuit as it would for any new special access. BellSouth's nonrecurring charge recovers the cost of those activities and is set forth in its tariff. Section 203 requires BellSouth to charge the rates set forth in its tariff. To do otherwise not only violates Section 203, but would result in an unreasonable and unlawful preference toward CLECs.<sup>11</sup>

13. Nor is there any reason for the Commission to modify the reimbursement requirement of the *Supplemental Order Clarification*. NuVox advocates that the cost of the audit be pro-rated between the CLEC and ILEC based on the proportion of circuits found to be non-compliant. Self-certification that is permitted under the *Supplemental Order Clarification* imposes on the certifying carrier the responsibility to be accurate when it requests a circuit be converted from special access to an EEL. The only incentive for a requesting carrier to be accurate is the requirement to reimburse the ILEC for the cost of the audit if the audit uncovers non-compliance. To diminish this requirement, as NuVox urges, and to leave self-certification intact would be unreasonable.

14. As shown above, there is no reason for the Commission to modify the *Supplemental Order Clarification*. More importantly, the Commission must recognize that BellSouth has the right to audit NuVox under an interconnection agreement approved by the Georgia PSC. Pursuant to the dispute resolution provisions of that agreement, BellSouth has filed a complaint with the Georgia PSC requesting the commission to require NuVox to cooperate in the audit. It was only after the complaint was filed with the Georgia PSC that NuVox filed its instant

---

<sup>11</sup> See 47 U.S.C. § 202.

Petition. The Commission should do nothing here to interfere with the operation of an approved interconnection agreement and its associated remedies. Indeed, the *Supplemental Order Clarification* recognized that interconnection agreements contained audit provisions, and the Commission stated that it did “not believe that we should restrict parties from relying on these agreements.”<sup>12</sup>

15. Accordingly, the Commission should deny NuVox’s Petition.

Respectfully submitted,

**BELLSOUTH TELECOMMUNICATIONS, INC.**

By: /s/ Richard M. Sbaratta  
Richard M. Sbaratta

Its Attorney

Suite 4300  
675 West Peachtree Street, N. E.  
Atlanta, Georgia 30375-0001  
(404) 335-0756

Date: June 3, 2002

---

<sup>12</sup> *Supplemental Order Clarification* at 9604, ¶ 32.

# Attachment 1

## Attachment 2

### 10.5 Special Access Service Conversions

- 10.5.1 TCI may not convert special access services to combinations of loop and transport network elements, whether or not TCI self-provides its entrance facilities (or obtains entrance facilities from a third party), unless TCI uses the combination to provide a "significant amount of local exchange service" (as described in Section 10.5.2 below), in addition to exchange access service, to a particular customer.
- 10.5.2 For the purpose of special access conversions, a "significant amount of local exchange service" is as defined in the FCC's Supplemental Order Clarification, released June 2, 2000, in CC Docket No. 96-98 ("June 2, 2000 Order"). The Parties agree to incorporate by reference paragraph 22 of the June 2, 2000 Order. When TCI requests conversion of special access circuits, TCI will self-certify to BellSouth in the manner specified in paragraph 29 of the June 2, 2000 Order that the circuits to be converted qualify for conversion. In addition there may be extraordinary circumstances where TCI is providing a significant amount of local exchange service, but does not qualify under any of the three options set forth in paragraph 22 of June 2, 2000 Order. In such case, TCI may petition the FCC for a waiver of the local usage options set forth in the June 2, 2000 Order. If a waiver is granted, then upon TCI's request the Parties shall amend this Agreement to the extent necessary to incorporate the terms of such waiver for such extraordinary circumstance.
- 10.5.3 Upon request for conversions of up to 15 circuits from special access to EELs, BellSouth shall perform such conversions within seven (7) days from BellSouth's receipt of a valid, error free service order from TCI. Requests for conversions of fifteen (15) or more circuits from special access to EELs will be provisioned on a project basis. Conversions should not require the special access circuit to be disconnected and reconnected because only the billing information or other administrative information associated with the circuit will change when TCI requests a conversion. The Access Service Request process will be used for conversion requests.
- 10.5.4 BellSouth may, at its sole expense, and upon thirty (30) days notice to TCI, audit TCIs records not more than one in any twelve month period, unless an audit finds non-compliance with the local usage options referenced in the June 2, 2000 Order, in order to verify the type of traffic being transmitted over combinations of loop and transport network elements. If, based on its audits, BellSouth concludes that TCI is not providing a significant amount of local exchange traffic over the

combinations of loop and transport network elements, BellSouth may file a complaint with the appropriate Commission, pursuant to the dispute resolution process as set forth in this Agreement. In the event that BellSouth prevails, BellSouth may convert such combinations of loop and transport network elements to special access services and may seek appropriate retroactive reimbursement from TCI.

## Attachment 2

May 24, 2002

Pat,

The attached provides information concerning our qualifications for conducting audits to determine compliance of carriers' circuits with the FCC Supplemental Order Clarification, Docket No. 96-98.

American Consultants Alliance has demonstrated the expertise required to conduct these audits through: our history, description of services, typical engagements, and Larry Fowler's resume.

The carriers' circuits are either in compliance with the Supplemental Order or they are not. It is beneficial to both the carriers and BellSouth to have American Consultants Alliance with our vast expertise to conduct this audit and outline the reasons for compliance or noncompliance. Our documentation will provide the carriers and BellSouth with a firm foundation to come to an agreement.

Larry Fowler  
American Consultants Alliance

## **HISTORY OF AMERICAN CONSULTANTS ALLIANCE**

Larry Fowler (President) and Stuedle Spears Inc. (Certified Public Accounting Firm, Incorporated 1976), establish American Consultants Alliance, Inc. (ACA) in May 1989. In March, 1997 Hal Oldridge (Chief Operating Officer) and Ron Wichman (Chief Financial Officer) joined ACA from US West.

Since 1989 we have provided management consulting services to 10 large independent telephone companies, 5 Bell telephone companies, more than 50 small independent telephone companies, and 4 telephone associations on a nationwide basis. Specific references will be provided upon request. We offer superior expertise at reasonable rates. We are justifiably proud of our management consulting services. We are a firm with a lot at stake. We will not jeopardize our reputation through inferior service to your company.

Our vast management consulting experience makes us aware of our clients telecommunications needs and provides us with insight, which greatly benefits established telecommunications companies and those companies entering telecommunications for the first time.

We assist telecommunications companies in start up by providing: rate making, rate packages, agent contracts, business customer contracts, letters of authorization, tariffs, public service commission filings, forecast of resale and UNE costs, advertising, ordering telephone service, selecting billing systems, customer billing, selecting media, development of business plans, hiring and training sales personnel and customer care representatives, and all other telephone company operations.

We are a firm that keeps abreast of evolving telecommunications services and new telecommunications and computer software. Coping with the complexity of new technologies, new services, new business, and rising costs is the business of American Consultants Alliance, Inc. where challenges change to opportunities. Our slogan is "ACA makes your job easier. " Our business is based on quality service, proven expertise, business value, planning, a willingness to work, sensitivity to your needs, commitment, state-of-the-art software, and current information.

### **AMERICAN CONSULTANTS ALLIANCE TELECOMMUNICATIONS MANAGEMENT CONSULTING SERVICES**

#### Audits and Reviews

PIU factor audits and reviews

Audits of local usage and Certification of special access circuits

Access reviews

Software systems and models reviews

Financial reviews

Pre-management reviews

**AMERICAN CONSULTANTS ALLIANCE  
TELECOMMUNICATIONS MANAGEMENT  
CONSULTING SERVICES**

Marketing and Advertising

Develop marketing strategies

Sales

Develop advertisements

Recommend media

Establish goals

Ratemaking

Residential and Business local and long distance packages

Contracts

Agent contracts

Business customer contracts

Letters of authorization

Interconnection agreements

Filings

Write and file tariffs

Public service commission filings

Planning

Business plans

Planning and budgeting for starting up CLEC businesses

Operations

Ordering telephone service

Selecting billing systems

Customer billing

CLEC billing and service ordering

Forecast of resale and UNE costs

Costing and pricing using Long Run Incremental Cost

Special Access and Message Circuits

Verification and update of Special Access Circuit and Message Circuit records

Entering records into an engineering database

Provisioning of Circuits

Writing of operating procedures for Access Service Centers

Training of Access Service Center, CABS, and Engineering personnel on provisioning

Assist with designing an engineering database and provisioning system

## **AMERICAN CONSULTANTS ALLIANCE ENGINEERING SERVICES**

Outside Plant  
Central Office  
Coordinate wireless propagation studies  
Acquire licenses for wireless  
Coordinate construction  
Coordinate equipment maintenance  
Coordinate installation  
Lease tower and base station sites  
Establish operator services  
Negotiate Cellular agreements  
Customer Service  
Access Services  
Write Procedures

### **Officers**

Larry Fowler, President

Professional background encompasses more than 30 years in telecommunications and management consulting.

Employment history: American Consultants Alliance, Inc., Coopers & Lybrand, National Exchange Carriers Association, Sprint, and Verizon.

Education: B.S. Engineering Management from the University of Missouri at Rolla

Hal Oldridge, Vice President and Chief Operating Officer

Professional background encompasses more than 35 years in telecommunications and management consulting.

Employment history: American Consultants Alliance, Inc., US West

Ron Wichman, Vice President and Chief Financial Officer

Professional background encompasses more than 35 years in telecommunications and management consulting.

Employment history: American Consultants Alliance, Inc., US West

## **AMERICAN CONSULTANTS ALLIANCE TYPICAL ENGAGEMENTS**

**Our firm is known for leadership  
Some of our typical engagements are:**

- Audits of Interexchange Carriers' Percent Interstate Use (PIU) factors on behalf of Sprint.
- Audits of local usage certification for carriers converting from Special Access Tariffs to UNE rates in accordance with the FCC Supplemental Order Clarification, Docket No. 96-98 on behalf of BellSouth and Sprint
- Audits of PIU factors for Centel in all seven of their operating companies.
- T/O factor reviews for Ameritech in all of their operating companies.
- Access reviews each year from 1987 to 2000 Access year for the 35 Independent telephone companies in the Michigan Exchange Carriers Association.
- Assisted Great Lakes Comnet, an association of 35 telephone companies in Michigan, in planning and budgeting for starting up CLEC businesses for their members.
- Review of the Ameritech Loop Facilities Analysis Model (LFAM) on behalf of the Illinois Commerce Commission.
- Develop a competitive local telephone exchange (CLEC) business plan for Westphalia Telephone Company, Lennon Telephone Company, and Winn Telephone Company.
- Price-out the jointly provided Intralata toll private line services for the North Carolina Revenue Distribution Fund (all Telephone companies in North Carolina).
- Financial review for Illinois Consolidated Telephone Company.
- Comprehensive verification and update of Special Access Circuit and Message Circuit records and entering the records into the TBS system for: CT Communications in Concord, North Carolina.
- Comprehensive verification and update of CenturyTel Special Access Circuit and Message Circuit records and entering the records into the Circuit Order Provisioning System (COPS) for: Ameritech-Wisconsin, PTI Midwest-Wisconsin, PTI Colorado, CenturyTel Wisconsin, Ohio, Texas, Arkansas, and Louisiana Regions.
- Comprehensive verification and update of Special Access Circuit and Message Circuit records and entering the records into the ASAP system for: Alltel Southern Region and Arkansas.
- Comprehensive verification and update of Special Access Circuit and Message Circuit records and entering the records into the ASAP system for: Illinois Consolidated Telephone Company.

- Verification and update of 7,000 special access circuit records for Central Telephone Company of Illinois.
- Conduct an access circuit records and provisioning systems review for Puerto Rico Telephone Company.
- Assist in implementing a special access service handling system for Alltel Southern Region.
- Wrote detailed operating procedures for Access Service Centers for: CenturyTel, Alltel, Centel, and Illinois Consolidated Telephone Company.
- Trained Access Service Center, CABS, and Engineering personnel on COPS and ASAP for: CenturyTel, Alltel, Centel, and Illinois Consolidated Telephone Company.
- Costing and Pricing of new COE and Private Line services using Long Run Incremental methods for CenturyTel Telephone Company.
- Provided cost estimates for engineering and construction of a fiber loop and development of a business plan for a fiber network for ComNet (a consortium of 17 independent companies in Ohio).
- COE and Transmission Engineering for CenturyTel Telephone Company and Illinois Consolidated Telephone Company.
- Outside plant engineering for: Benton Ridge Telephone Company, Alltel Telephone Company, Southwestern Bell, US West, and CenturyTel Telephone Company's Metro Access.
- Assistance with a SONET Ring for CenturyTel Telephone Company of Ohio.
- Sale and installation of Separations Network Access Processing System (SNAPS) at Mantanuska Telephone Association and Illinois Consolidated Telephone Company.
- Planning for the upgrade of the billing system for Puerto Rico Telephone Company.
- Development and implementation of a mainframe mechanized traffic separations factor system for Centel.
- Implement a cross charging system (Access Charges) for the Telephone Company and BEC Electronics Company in Jakarta, Indonesia.
- Lead/lag study and training for Alltel Telephone Company.
- Pre-management reviews of Guadalupe Valley and Kerrville Telephone Companies.
- Development of a workable model for establishing an investment corporation for Gaudalupe Valley Telephone Cooperative.
- Place engineering personnel at CenturyTel Telephone Company and Illinois Consolidated Telephone Company.
- Provide assignment clerks for GTE.
- Pole inspection and inventory for Southwestern Electric Power Company.
- Recruiting and placing personnel for Pigeon Telephone Company.

## **RESUME OF LARRY FOWLER**

1989 to Present - American Consultants Alliance, Inc. Louisville, Kentucky - President

Conducted Access Reviews for separations cost Telephone Companies and average schedule Telephone Companies. Developed the Separations Network and Access Processing System (SNAPS) and installed this system at various Telephone Companies. Assisted Telephone Companies with planning and budgeting for entering Competitive Local Exchange Carrier business. Developed business plans for Telephone Companies entering the Competitive Local Exchange Carrier business. Assisted Telephone Companies with recruiting and placing personnel. Assisted clients with Costing and Pricing of new COE and Private Line services using Long Run Incremental methods. Provided cost estimates for engineering and construction of a fiber loop and development of a business plan for a fiber network. Priced-out the jointly provided Intralata toll private line services. Provided financial reviews. Assisted a Telephone Company with a SONET Ring. Planned for the upgrade of the billing system for a Telephone Company. Developed and implemented a mainframe mechanized traffic separations factor system. Implemented a cross charging system (Access Charges) for a telephone company. Developed a Lead/lag study for a Telephone Company. Conducted pre-management reviews. Developed a workable model for establishing an investment corporation. Placed engineering personnel.

1988-1989 Coopers & Lybrand Manager Telecommunications Regulatory and Advisory Services Group

Provided telecommunications management consulting to all C&L telecommunications clients in the Central United States. Assisted in the Value of Service Study for Contel of Missouri and Contel of Illinois. Conducted an audit of the annual Interstate Access Tariff Filing for Southwestern Bell. Project manager for audits of the FCC Part 36/69 Separations and Access Cost Allocation Systems for Southwestern Bell, United and Illinois Consolidated. Conducted an evaluation of the New York Intrastate Toll Settlement Pool Review Procedures.

1984-1988 National Exchange Carrier Association Southwestern Region Group Manager Cost Study Reviews

Directed access reviews of access studies and CABS for all exchange carriers in the five state southwestern region. Assisted NECA with the development of an FCC Part 67 computer software program. Supervised a diverse group of managers on loan from large and small exchange carriers.

1981-1984 Cottrell & House, Inc., a telecommunications engineering firm Vice President - Revenue Planning

**RESUME OF  
LARRY FOWLER - Continued**

Directed the following activities: access charges; local measured service, development of booking and budgeting systems; Federal/State strategies; FCC orders, contracts, marketing and sales; and systems development. Development and sales of computer programs for, separations and access cost studies, toll booking, toll budgets, and local measured service tariffs.

1978-1981 United Telephone System (Sprint) Assistance Staff Director

Participated in the following activities: review of the United Operating Companies; AT&T/United negotiations; ENFIA; access charges; CMDS, time share computer programs; database programs, and carrier originating and terminating services. Developed costs by rate element for the first access charges applied by United Telephone System.

1970-1978 General Telephone Company of Illinois Network Administrator Traffic Separations

Participated in the following activities; traffic separations, GTI/Illinois Bell negotiations, U-25/EAS settlements, points of measurement in switching systems, operator work time studies, reviews of Illinois Bell and small independent telephone companies, CMDS; time share programs, and the development of a separations database. Assisted GTE in the development of a mechanized separations database. Reviewed GTI Customer Billing System to insure all types of messages were properly rated and billed.

**EDUCATION:**

BS Engineering Management, University of Missouri, 1970  
Training on many types of switching equipment.

**TESTIMONY:**

Appeared as an expert witness on toll access charges in the State of Florida.

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this 3<sup>rd</sup> day of June 2002 served the following parties to this action with a copy of the foregoing **OPPOSITION** by electronic filing and/or by placing a copy of the same in the United States Mail, addressed to the parties listed below.

+Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Room 5-B540  
Washington, D. C. 20554

Jodie Donovan-May  
Wireline Competition Bureau  
Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Washington, D. C. 20554

+Qualex International  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Room CY-B402  
Washington, D. C. 20554

Dorothy Attwood, Chief  
Wireline Competition Bureau  
Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Washington, D. C. 20554

Brad E. Mutschelknaus  
John J. Heitmann  
Heather M. Wilson  
NuVox, Inc.  
Kelley Drye & Warren LLP  
1200 19<sup>th</sup> Street, N. W., Fifth Floor  
Washington, D. C. 20036

Michelle Carey, Chief  
Competition Policy Division  
Wireline Competition Bureau  
Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Washington, D. C. 20554

/s/ Juanita H. Lee  
Juanita H. Lee

**+ VIA ELECTRONIC FILING**