

12:29:56 1 Q. And so there's no technological reason why a
30:01 2 CO is designated the secondary CO; another CO could do
12:30:06 3 just as well?

12:30:07 4 MR. HARTLEY: Object to form.

12:30:09 5 Q. Other than for proximity reasons or something
12:30:10 6 like that?

12:30:13 7 A. Construction budget had a lot to do with it.

12:30:15 8 Q. Right, which is a proximity issue for the most
12:30:18 9 part, right?

12:30:19 10 A. That's why we didn't choose them.

12:30:22 11 Q. Okay. Sir, are you familiar with the 25
12:30:38 12 percent rule?

12:30:41 13 A. I remember it, but I didn't apply it. That
12:30:44 14 was the outside plant planners.

12:30:48 15 Q. The OSP planners do it, not NSS?

12:30:51 16 A. Not NSS.

12:30:52 17 Q. Okay. What about IFCPC?

12:30:54 18 A. They do theirs for their inner office
12:30:58 19 facility.

12:30:58 20 Q. So they do it, not --

12:31:00 21 A. The people that's responding back to NSS,
12:31:03 22 gives us -- we are a funnel.

12:31:05 23 Q. What is your understanding of the 25 percent
12:31:11 24 rule?

31:13 25 A. I quote, based on what I remember of it, is

12:31:17 1 that it's 25 percent of the facilities that are spare.

12:31:19 2 Q. What does spare mean?

12:31:22 3 A. That they're spliced and available.

12:31:25 4 Q. Okay.

12:31:28 5 A. That you could readily put equipment on it

12:31:30 6 without any construction work involved.

12:31:32 7 Q. Uh-huh.

12:31:36 8 A. Somebody could be able to basically -- outside

12:31:41 9 plant people could look at their records and see that

12:31:43 10 they were spliced through and they can count those

12:31:46 11 fibers that way. IFCPC --

12 12 THE REPORTER: I'm sorry, I didn't

13 understand.

12:31:50 14 A. Okay, the outside plant planners would have to

12:31:54 15 look at their records to determine that rule and the

12:31:58 16 IFCPC people would use whatever databases they have

12:32:03 17 access to to determine how many spares are available,

12:32:08 18 plus the number -- any other things coming through that

12:32:11 19 might use it.

12:32:12 20 Q. Did you ever hear that EPN or Waller Creek or

12:32:19 21 Pontio had different rules that applied to them?

12:32:22 22 A. Not that I know of.

12:32:27 23 Q. Okay. Have you ever filled out a 25 percent

12:32:30 24 rule spreadsheet?

12:30 25 A. No.

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12:32:37 1 Q. To your knowledge, in your 20-some-odd years
12:32:43 2 for Southwestern Bell, has a six fiber cable ever been
12:32:47 3 deployed in SWBT's network?

12:32:50 4 A. It's been removed, too.

12:32:54 5 Q. It's what?

12:32:56 6 A. It's been removed, too.

12:32:58 7 Q. A six fiber cable?

12:33:00 8 A. Yes, that was before standards were made and
12:33:03 9 we don't deploy anything smaller than a 12 fiber.

12:33:07 10 Q. Is there anything in the field now that is
12:33:11 11 less than 12 count fiber?

12:33:14 12 A. Could be. For -- most of those small ones
12:33:19 13 that I know of have probably been removed.

12:33:22 14 Q. So there were some that were less than 12?

12:33:27 15 A. One of them I know of, yes.

12:33:29 16 Q. There was one fiber?

12:33:31 17 A. Huh?

12:33:32 18 Q. One fiber?

12:33:34 19 A. No, it was a six-fiber cable.

12:33:36 20 Q. You don't know how much of that got deployed,
12:33:39 21 though?

12:33:40 22 A. Very rarely.

12:33:42 23 Q. And that was a long time ago?

12:33:47 24 A. That was probably back in about 1990.

12:33:49 25 Q. Right. Did -- once the standards came around,

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12:34:01 1 were those six-fiber cables rectified, the handful that
34:04 2 were out there?

12:34:05 3 MR. HARTLEY: Object to form.

12:34:07 4 Q. Were they replaced with cables that met the
12:34:12 5 standards?

12:34:12 6 A. Only if a request came through there that
12:34:13 7 needed it.

12:34:22 8 Q. When you worked in NSS, you got 25 percent
12:34:25 9 rule spreadsheets, right?

12:34:35 10 A. Only one time that I worked with that
12:34:38 11 particular -- I mean -- no, I did not get -- no, I did
12:34:43 12 not get the spreadsheets. I just got the end reply.

12:34:47 13 Q. Who filled out the spreadsheets?

12:34:50 14 A. The outside plant design engineer.

12:34:52 15 Q. So they sent that to you?

12:34:54 16 A. I never did see them, because we weren't doing
12:34:57 17 it that way back then.

12:34:58 18 Q. How were you doing it?

12:35:01 19 A. They would just tell me if it met the 25
12:35:03 20 percent rule or not and tell me facilities were
12:35:08 21 available.

12:35:08 22 Q. So they just gave you a yes or no?

12:35:10 23 A. Yes. That's all they gave me.

12:35:10 24 Q. And if the answer was no, what did you do?

35:13 25 A. Facility is not available.

12:35:14 1 Q. So you weren't -- back then you weren't
35:16 2 providing the spreadsheets back to the sales people?

12:35:18 3 A. I didn't think they were providing them at
12:35:20 4 all.

12:35:22 5 Q. Oh, yeah, they've been providing them for
12:35:24 6 years.

12:35:24 7 A. Okay, if --

12:35:29 8 Q. So -- but back then you weren't doing it?

12:35:31 9 A. No, I was not.

12:35:33 10 Q. Okay. How do you determine at SWBT if a fiber
12:35:46 11 is defective? When you hear that term defective, what
12:35:51 12 does that mean to you?

12:35:52 13 A. Construction cannot repair it or the repair --
12:35:55 14 the fiber crew cannot repair it.

12:35:58 15 Q. So it's -- it's considered defective if the
12:36:02 16 fiber crew cannot repair it?

12:36:04 17 MR. HARTLEY: Object to form.

12:36:08 18 Q. That's your understanding?

12:36:12 19 A. If they tell us it's -- when they measure it
12:36:15 20 and they say it's defective, it's --

12:36:21 21 Q. Well, if a fiber -- if someone takes some
12:36:26 22 substandard readings off a fiber, what efforts are made
12:36:29 23 to bring it back up to standard?

12:36:33 24 A. If they take the readings that are
36:36 25 substandard?

12:36:36 1 Q. If they have indication that a fiber is
12:36:39 2 somehow substandard for whatever reason, what good faith
12:36:44 3 efforts do they do to try to bring it back up to
12:36:47 4 standard?

12:36:48 5 A. Clean up the splices.

12:36:50 6 Q. Okay.

12:36:50 7 A. That may be causing the problem. That's the
12:36:52 8 only thing they can do. We won't accept -- the people
12:36:55 9 that accept the test results won't accept it until it
12:37:00 10 meets within whatever that standard they have set up to
12:37:03 11 be, and they know -- they know that before they turn it
12:37:06 12 in. They go -- it's -- that's part of their work
12:37:10 13 operations.

12:37:11 14 Q. Right. What about jumpers?

12:37:14 15 A. That's CO responsibility.

12:37:17 16 Q. Well, does somebody try and check the jumpers
12:37:20 17 before?

12:37:21 18 A. No, there's no check before that I know of.
12:37:24 19 If it -- they may clean the jumpers, if they don't look
12:37:29 20 like they're working correctly.

12:37:31 21 Q. That's what I mean, will they try and clean
12:37:34 22 the jumpers?

12:37:35 23 A. Yeah.

12:37:36 24 Q. They don't just throw up their hands and say,
12:37:39 25 well, let's throw this fiber away because it's

12:37:41 1 defective; they try and figure out what's wrong with it,
2 right?

12:37:44 3 A. Within limits, within economic limits. If
12:37:47 4 it's beyond -- if it doesn't cost justify to try to go
12:37:51 5 out there and try to open splices or try to do
12:37:53 6 something. I mean, the first thing -- the cheap way,
12:37:56 7 just clean the ends. If it still doesn't look good,
12:37:59 8 then it's a matter of does engineering need to be
12:38:01 9 involved in it to --

12:38:02 10 Q. Right. So you try the cheap stuff first,
12:38:05 11 which would be checking the jumpers and the splices?

12:38:08 12 A. No, that's not -- the cheap is just to put
12:38:10 13 light back on it and retest it to make sure it's -- see
12:38:14 14 what they're misreading.

12:38:16 15 Q. Do you know what an OTDR is?

12:38:18 16 A. Yes.

12:38:19 17 Q. So you know they can test it and determine
12:38:22 18 splice problems and --

12:38:23 19 A. Yes.

12:38:24 20 Q. So if they test for splice problems and
12:38:27 21 they -- with light and they clean the jumpers, that
12:38:30 22 would -- those would be low budget items, right?

12:38:33 23 A. That's the first thing they're supposed to do
12:38:36 24 anyway, I think.

12:38:37 25 Q. Okay.

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12:38:37 1 A. That would be my first thing to check.

38:42 2 Q. So in terms of how they -- okay. And if they
12:38:46 3 do that and there's still substandard readings on it?

12:38:49 4 A. Then they have to find the problem and fix it
12:38:52 5 themselves. It's incumbent on them to do that before
12:38:55 6 they turn the fiber over.

12:38:57 7 Q. But what are the standards for whether or not
12:38:59 8 a fiber is defective or not? That's what I don't
12:39:02 9 understand.

12:39:02 10 A. Well, light won't go through it.

12:39:04 11 Q. Well, light can go through it and it can still
12:39:07 12 not be good enough, right? You've got an OC-192, the
12:39:12 13 fact that light gets through is not quite good enough,
12:39:16 14 is it?

12:39:16 15 A. If light doesn't go through it, it's not
12:39:22 16 accepted.

12:39:22 17 Q. Right. But if light goes through it, that's
12:39:25 18 sort of necessary but not sufficient, right?

19 A. It depends on what --

12:39:27 20 Q. It still doesn't mean it's quality light going
12:39:29 21 through it.

12:39:29 22 A. Somebody else makes that determination, if the
12:39:32 23 DB loss is right or not.

12:39:33 24 Q. You don't know what those standards are, do
39:36 25 you?

12:39:36 1 A. I don't know what those are.

39:41 2 Q. Do they keep a list of defective fiber
12:39:41 3 somewhere so that people don't go and try to use them
12:39:43 4 again?

12:39:44 5 A. They're marked in TIRKS.

12:39:46 6 Q. Okay.

12:39:46 7 A. If it's spliced from end-to-end, if they're
12:39:50 8 spliced. If they're not spliced, then they don't --
12:39:52 9 that's the only way we can test them.

12:39:55 10 Q. So no one keeps track of the defective fiber
12:39:59 11 in the ground? If it's missing a splice, people -- you
12:40:05 12 just leave it there for people to keep rediscovering it
12:40:08 13 over and over again?

12:40:10 14 A. Could, until it's spliced from end-to-end.

12:40:12 15 Q. But if it's defective, no one is going to
12:40:16 16 splice it, they're just going to keep going out there --

12:40:18 17 A. Let me back up. If it's defective, then
12:40:21 18 they -- they have marked it in TIRKS, but we -- and if
12:40:24 19 it's defective for some other reason, then that notice
12:40:28 20 would come back to that engineer and say that he could
12:40:30 21 mark it in his records, that he would -- it would be,
12:40:33 22 again, incumbent upon him not to go back and see it.

12:40:37 23 Q. It would be crazy for the engineer, the local
12:40:40 24 engineer not to mark that in his records, wouldn't it?

40:43 25 A. If he can't use the fiber for some reason,

1 yeah.

40:46 2 Q. He catalogs that somehow, right, in some

12:40:48 3 record?

12:40:48 4 A. Probably writing it on the record or his notes
12:40:52 5 or whatever he might have.

12:40:53 6 Q. Okay.

12:40:53 7 A. It's not a science.

12:40:56 8 Q. Your point is it wouldn't be in the TIRKS, it
12:41:00 9 would be with the local engineer?

12:41:01 10 A. It's only in TIRKS if it's available for TIRKS
12:41:04 11 to use it, then it would be restricted and marked
12:41:08 12 defective.

12:41:10 13 Q. Did you ever receive any training on the 25
12:41:12 14 percent rule?

12:41:13 15 A. No.

12:41:14 16 Q. Okay. Did you ever received any training on
12:41:18 17 reviewing El Paso's or Waller Creek or Pontio's requests
12:41:24 18 for fiber?

12:41:25 19 A. We saw them, but it was really up to the
12:41:28 20 outside plant engineer to give us that reply.

12:41:30 21 Q. What did you see?

12:41:31 22 A. Just a response back from them.

12:41:33 23 Q. And what would that response look like?

12:41:36 24 A. It would be yes or no, it would be their

41:40 25 telling me that fiber is available or not available..

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12:41:43 1 Q. Do you know if the outside planners were
41:45 2 trained on the 25 percent rule?

12:41:46 3 A. I have no idea -- they would be.

12:41:47 4 Q. Do you know if they were trained on how to
12:41:50 5 respond to El Paso or Waller Creek's requests?

12:41:53 6 A. The same as they would do with anybody else
12:41:56 7 that requested that.

12:41:57 8 Q. Okay. Now, when you were in network planning,
12:42:20 9 what forecast did you take into consideration to know
12:42:24 10 what -- how much to build?

12:42:28 11 A. The forecast that I got from the forecast
12:42:32 12 engineers, which was only at that time restricted to
12:42:41 13 POPs-type service. It was copper based.

12:42:48 14 Q. Okay.

12:42:48 15 A. And I don't think I -- I don't think --

12:42:52 16 Q. How did you measure customer demand for that,
12:42:57 17 customer need, forecasted need in the future?

12:43:02 18 A. Marketing maybe supplied to us when we asked
12:43:06 19 them for their forecast for a particular area.

12:43:11 20 Q. Would marketing want you to take into
12:43:14 21 consideration forecasted needs of like -- of major
12:43:17 22 customers?

12:43:20 23 A. It was incumbent on us as planners to try to
12:43:24 24 get as much of that so we could build when we were doing
43:28 25 our planning. How much of it could be used or not, I

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12:43:33 1 don't know.

43:34 2 Q. It was incumbent on you to get what?

12:43:38 3 A. If I was -- if I was concerned to build a
12:43:41 4 fiber network out or a network that I'm doing in a
12:43:45 5 planning stages, it was incumbent on me to go to any of
12:43:49 6 the sources I could get that information from. It was
12:43:54 7 not a formal forecasting process for that type of
12:43:57 8 service.

12:43:57 9 Q. Did you see marketing as a source for getting
12:44:00 10 your forecast data?

12:44:03 11 A. Generic information at best.

12:44:06 12 Q. I mean, would they -- would they want you to
12:44:10 13 include the expansion forecasts of their major
12:44:13 14 customers?

12:44:14 15 A. If they knew what I was doing, yes.

12:44:17 16 Q. Okay. So I mean, if they had Exxon and they
12:44:19 17 said, look, Exxon is going to just be going crazy on
12:44:24 18 fiber, you need to put in at least 24 -- an
12:44:27 19 additional 24 count for them?

12:44:29 20 A. I didn't ask for sizing, a computer model
12:44:33 21 would size it.

12:44:34 22 Q. Okay.

12:44:34 23 A. I just asked for type of services.

12:44:37 24 Q. Okay. Did you consider it a good idea to
44:40 25 include your customer's future needs in your forecast?

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12:44:43 1 A. It helped me justify the size of the cable I
44:47 2 was doing.

12:44:47 3 Q. Right.

12:44:47 4 A. I mean -- or if not, I wouldn't get the
12:44:50 5 size -- or cable for that reason.

12:44:54 6 Q. So it was a good idea to include customer
12:44:57 7 forecasts?

12:44:58 8 A. If we had it available and some of them were
12:45:01 9 just coming from marketing, not necessarily anything
12:45:04 10 else.

12:45:05 11 Q. Would your forecast be as good if you didn't
12:45:10 12 have customer demand available to you?

12:45:10 13 A. No.

12:45:43 14 Q. Simple question, sir, is it possible to plan
12:45:46 15 diversity of a circuit if you don't have the initial
12:45:48 16 route and path information for that circuit?

12:45:51 17 A. Say that again.

12:45:53 18 Q. Is it possible to plan diversity for a circuit
12:45:57 19 route if you don't have the route and path information
12:46:00 20 for that route?

12:46:02 21 A. It's sort of difficult.

12:46:04 22 Q. Sort of difficult, isn't it?

12:46:06 23 A. (Nods head).

12:46:07 24 Q. If you don't know when the primary route is of
46:10 25 the circuit, there's no way to make sure the secondary

12:46:16 1 route is diverse, can you?

12:46:17 2 A. That's true.

12:46:20 3 Q. Why is -- why is diversity important to these
12:46:24 4 customers?

12:46:25 5 MR. HARTLEY: Object, form.

12:46:32 6 A. It's -- basically, it's available in the
12:46:34 7 tariff and they're asking for it, for their own company,
12:46:38 8 for their own internal needs.

12:46:39 9 Q. And based on the customer meetings you sat in
12:46:43 10 on, have you gained an understanding of why it's
12:46:47 11 important to them?

12:46:49 12 A. It probably gives them a cheaper rate to the
12:46:52 13 loan officer.

12:46:54 14 Q. How so?

12:46:58 15 A. They've got some kind of -- for them to file
12:47:03 16 their product, they have to show that they have
12:47:06 17 diversity in their plan. Just like you've got to have a
12:47:11 18 fire escape in a building.

12:47:12 19 Q. Right.

12:47:13 20 A. They've got to show some kind of -- how they
12:47:17 21 would protect their investment.

12:47:19 22 Q. Okay. And that's a good analogy. If you're
12:47:22 23 going to have a fire escape in a building, for safety
12:47:26 24 purposes, right --

12:47:27 25 A. Uh-huh.

12:47:28 1 Q. -- wouldn't it be even more safe to have a
12:47:31 2 fire escape on each side of the building?

12:47:35 3 A. It would be nice for me, the confidence level.

12:47:40 4 Q. That would make the building even more safe,
12:47:43 5 wouldn't it?

12:47:44 6 MR. HARTLEY: Object, form.

12:47:45 7 A. I can't tell you that. I'm not a safety
12:47:47 8 engineer.

12:47:47 9 Q. But your common sense would indicate it,
12:47:50 10 right?

12:47:50 11 A. Not necessarily. Not necessarily. A fire
12:48:03 12 escape...

12:48:15 13 Q. Help me. Is it SWBT's policy when it deploys
12:48:20 14 fiber in the ground to splice every fiber for end-to-end
12:48:31 15 continuity?

12:48:31 16 A. Only if it's interoffice.

12:48:32 17 Q. I'm talking about all fiber now.

12:48:34 18 A. Not all fiber, no. No.

12:48:40 19 Q. What is SWBT's policy for fiber that is not
12:48:45 20 interoffice, in that regard?

12:48:46 21 A. We splice what's necessary for what they're
12:48:48 22 working on at the time.

12:48:49 23 Q. Necessary for customer's using service at that
12:48:53 24 time?

12:48:54 25 A. Local fiber is usually pair gain or some

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12:48:59 1 driven project from NSS or some other project.

49:04 2 Q. I'm sorry. You said you splice for what's
12:49:07 3 necessary. What do you mean what's necessary?

12:49:09 4 A. If I tell them I need four fibers, that's what
12:49:13 5 they splice is four fibers. If they know they're going
12:49:17 6 to be needing six, they'll splice six, but -- the only
12:49:21 7 bulk splicing that's done in the cable is the
12:49:24 8 interoffice that passes through that cable, if
12:49:26 9 interoffice is in that cable.

12:49:28 10 Q. Are you saying that for loop fiber it's more
12:49:34 11 of a just-in-time engineering, you splice it when it's
12:49:37 12 needed for use?

12:49:38 13 A. In some planning -- or planning to push how
12:49:44 14 many that will be needed for the projects that are
12:49:46 15 triggering that splicing to happen. Usually the trigger
12:49:50 16 is -- the planning tool says, splice X number of fibers
12:49:55 17 for these locations, and NSS triggers the additional
12:49:58 18 fibers.

12:49:59 19 MR. CRAWFORD: I'm going to object,
12:50:00 20 non-responsive.

12:50:01 21 Q. Are you saying that for loop fiber the general
12:50:04 22 rule is more of a just-in-time engineering policy where
12:50:09 23 you splice based on what customer demand is at the time?

12:50:13 24 A. Yes.

50:14 25 Q. And as more customers order more service, then

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12:50:18 1 you splice the fiber needed to take care of that
50:22 2 additional service?

12:50:23 3 A. Based on the request, the sold notices or
12:50:28 4 whatever they may get.

12:50:30 5 Q. But if you've got a 24-count distribution
12:50:33 6 cable in a loop and customers are only using four of
12:50:35 7 those fibers, normal policy is to leave 20 fibers
12:50:39 8 unspliced until they're needed in the future?

12:50:41 9 A. Right.

12:50:42 10 Q. Okay. I'm sorry, when did you tell me you
12:51:08 11 started working at SWBTs, in 1974?

12:51:11 12 A. I was transferred to Houston in '74. I've
12:51:13 13 been working since '71 for the company.

12:51:16 14 Q. Okay. I didn't catch that part.

12:51:20 15 A. 30 years, 31 years this year.

12:51:23 16 Q. Okay.

12:52:14 17 MR. CRAWFORD: What happened to lunch?

12:52:15 18 MR. HARTLEY: It's probably in the next
12:52:16 19 room.

12:52:17 20 MR. CRAWFORD: Is Ms. Rossman here?

12:52:19 21 MR. HARTLEY: She's here. She's been
12:52:21 22 here since 11:00.

12:53:02 23 Q. Do you know what the acceptable DB loss is at
12:53:05 24 a splice?

53:06 25 MR. HARTLEY: Object to form.

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12:53:07 1 A. I couldn't quote it right now.

12:53:09 2 Q. Okay. How many fibers do you need to deploy a

12:53:28 3 SONET ring?

12:53:28 4 A. Four.

12:53:28 5 Q. What if you only have three?

12:53:32 6 A. Out of luck. You've got to build it. You've

12:53:39 7 got to build something.

12:53:39 8 Q. You need one more fiber, right?

12:53:42 9 A. Yes.

12:53:43 10 Q. Why is that, just in a very simple way?

12:53:46 11 A. Fujitsu says you need two fibers in and two

12:53:50 12 fibers out of the equipment.

12:53:51 13 Q. That's what Fujitsu says, right?

12:53:55 14 A. That's what we use as our product.

12:53:56 15 Q. That's for the Fujitsu multiplexers?

12:54:00 16 A. Uh-huh.

12:54:01 17 Q. Are you using any other type of multiplexers

12:54:06 18 at this time?

12:54:06 19 A. No.

12:54:07 20 Q. Are you familiar with MON service?

12:54:09 21 A. No, I'm not.

12:54:10 22 Q. You ever heard of the MON service?

12:54:14 23 A. I've heard it.

12:54:15 24 Q. What is MON?

12:54:16 25 A. I know it's wave division multiplexing over

12:54:20 1 the fiber.

12:54:21 2 Q. Do you know utilize DWDMs now?

12:54:27 3 A. No. I don't know. I'm not aware of it. It

12:54:29 4 hasn't come to me as a request. I've heard discussion.

12:54:44 5 Q. Sometimes SWBT service area abuts service

12:54:48 6 areas of other like telecom companies, right?

12:54:52 7 A. Correct.

12:54:54 8 Q. Phone companies. In Houston, that would be

12:54:56 9 GTE, Conroe-Lufkin telephone, stuff like that?

12:55:02 10 A. Correct.

12:55:04 11 Q. I assume at some point on that boundary SWBT

12:55:10 12 fibers are spliced to the fibers owned by the other

12:55:15 13 telephone company; is that correct?

12:55:16 14 A. Meet point, yes.

12:55:19 15 Q. What is -- at -- they are spliced at a meet

12:55:22 16 point; is that what you're saying?

12:55:26 17 A. Yes.

12:55:26 18 Q. What is a meet point?

12:55:27 19 A. It could be a manhole. It could be a buried

12:55:31 20 splice. It could be a posthole. It's some place we

12:55:35 21 meet them.

12:55:35 22 Q. So it's going to be out in the field somewhere

12:55:38 23 at a splice case where two fibers come together. It

12:55:44 24 could be aerial, it could be a manhole?

12:55:46 25 A. Yeah, whatever.

12:55:46 1 Q. It could be either one?

55:48 2 A. Correct.

12:55:50 3 Q. Why does SWBT splice its fiber to fiber of
12:55:54 4 another telephone company next to it at times? Why does
12:55:58 5 that happen?

12:55:58 6 A. I can't address who splices the fiber.

12:56:01 7 Q. I don't mean who. Why do they bring two
12:56:05 8 strands of fiber together that are owned by two
12:56:08 9 different telephone companies in the field? Why does
12:56:11 10 that happen?

12:56:11 11 A. I understand we have to supply service to them
12:56:15 12 and they supply service to us.

12:56:17 13 Q. Right.

12:56:22 14 And -- let's see, Verizon is south of
12:56:25 15 Houston?

12:56:25 16 A. Yes, GTE territory, yes.

12:56:28 17 Q. Okay. So SWBT splices in the field to Verizon
12:56:36 18 fiber in the south Houston area?

12:56:38 19 A. Right.

12:56:42 20 Q. And is it fair to say the most common place
12:56:44 21 would be in a manhole in a splice case?

12:56:46 22 A. Yes.

12:56:49 23 Q. Okay. Although, I would imagine that
12:56:53 24 sometimes SWBT splicers splice those cables together and
56:56 25 sometimes Verizon splicers splice those cables together?

12:57:01 1 A. I don't know what --

12:57:02 2 Q. One of them would do it?

12:57:04 3 A. One of them will do it.

12:57:06 4 Q. Okay. And in southwest Houston, SWBT has

12:57:10 5 fibers spliced with fibers owned by Fort Bend Telephone

12:57:20 6 Company?

12:57:20 7 A. Yes.

12:57:20 8 Q. And I guess in the northeast, SWBT fibers are

12:57:26 9 spliced to fibers owned by Conroe-Lufkin Telephone

12:57:31 10 Company?

12:57:31 11 A. Right.

12:57:37 12 Q. Any other phone companies I'm leaving out,

12:57:41 13 where SWBT has its fibers spliced directly to fibers

12:57:46 14 owned by third-party telephone company?

12:57:48 15 MR. HARTLEY: Object to form.

12:57:49 16 A. Sugar Land.

12:57:50 17 Q. Sugar Land?

12:57:51 18 A. But I don't know who they are owned by. It

12:57:55 19 could be Verizon. When you say Verizon, that's --

12:58:03 20 Q. Is meet point splicing, is that a fairly

12:58:08 21 efficient way to bring the two networks together and

12:58:11 22 interconnect them?

12:58:11 23 MR. HARTLEY: Object to form.

12:58:13 24 A. That's not my decision. That was from another

12:58:17 25 group that decides that.

12:58:18 1 Q. Somebody made that decision, though, right?

58:20 2 A. Somebody made that decision.

12:58:21 3 Q. Okay. Do you have any idea, a ballpark, how

12:58:28 4 many splices -- how many times or -- let's say how many

12:58:35 5 fibers owned by SWBT are spliced to fibers owned by a

12:58:40 6 third-party telephone company, in the Houston area?

12:58:45 7 A. Are you asking for quantity?

12:58:47 8 Q. Yes. Ballpark.

12:58:50 9 A. Whatever system that needs to be turned up.

12:58:52 10 If that's all they need, that's all we splice.

12:58:57 11 MR. CRAWFORD: Object, non-responsive.

12:58:58 12 Q. I'm just asking whether you have a ballpark

12:59:01 13 number.

12:59:01 14 A. No, I don't have -- that's not my --

12:59:05 15 Q. In terms of those types of splices, with SWBT

12:59:13 16 fiber being spliced to fiber owned by a third-party

12:59:19 17 company, Southwestern Bell has filed papers in this case

12:59:24 18 stating that in the state of Texas that has occurred --

12:59:27 19 those connections have occurred 200,000 times?

12:59:30 20 A. It may have.

12:59:31 21 Q. Does that number surprise you?

12:59:34 22 A. Not really.

12:59:36 23 Q. Okay. Could it be more than that?

12:59:44 24 A. I have no reference -- no reference anymore to

59:48 25 that.

12:59:48 1 Q. Is that just a natural byproduct of the fact
59:51 2 that service areas abut each other and they have to
12:59:55 3 interconnect in the field?

12:59:56 4 A. Yes.

13:00:05 5 Q. I imagine through your days in network
13:00:11 6 planning and in NSS and now project manager that you're
13:00:15 7 familiar with numerous types of circuit configuration,
13:00:19 8 sir?

13:00:19 9 A. Yes.

13:00:19 10 Q. Are you familiar with a configuration where a
13:00:24 11 fiber starts at a customer prem, runs through a CO but
13:00:30 12 doesn't terminate to any box in the CO, it's merely
13:00:34 13 cross connected to interoffice transport to another CO?

13:00:39 14 A. That's how we build a lot of our rings.

13:00:42 15 Q. That's a common practice, right?

13:00:44 16 A. Yes.

13:00:44 17 Q. What do you call that?

13:00:46 18 A. Just a fiber cross connect.

13:00:49 19 Q. And if you're not going to -- if you're just
13:00:52 20 going to cross connect through a CO and not use any of
13:00:56 21 the equipment at that CO, why do you bring it through
13:00:59 22 that CO?

13:01:00 23 A. It's a point-to-point service. It's a place
13:01:04 24 that if we -- well -- I have been told to -- that I have
01:10 25 to go through a CO to provide that service if I'm going

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13:01:14 1 to another customer's location.

01:17 2 Q. Technologically, is there any reason to do

13:01:20 3 that?

13:01:21 4 A. Yes.

13:01:22 5 Q. And does it add anything to the circuit?

13:01:26 6 A. No.

13:01:28 7 Q. So what is your yes based on?

13:01:31 8 A. It's a place where all the fiber goes

13:01:34 9 eventually back to, is the CO. If I was to build it to

13:01:40 10 every customer out there, I would be building a lot of

13:01:43 11 unnecessary plant.

13:01:44 12 Q. Okay.

13:01:45 13 A. The CO is the normal migration path -- route

13:01:50 14 or whatever.

13:01:53 15 MR. CRAWFORD: Let me take about two,

13:01:55 16 three minutes.

13:01:59 17 (Recess 1:01 to 1:28 p.m.)

13:28:55 18 MR. CRAWFORD: Going back on the record.

13:29:04 19 We have decided -- both sides have decided that given

13:29:06 20 the time restrictions for our next deponent, Ms. Sally

13:29:12 21 Rossman, we are recessing the deposition of Mr. Ed

13:29:15 22 Johnson for a couple of hours so that we can take

13:29:18 23 Ms. Rossman's deposition now and meet her time needs.

13:29:22 24 We will resume Mr. Johnson's deposition after the

29:26 25 deposition of Ms. Rossman to complete it.

13:29:30 1 MR. HARTLEY: Southwestern Bell agrees.

51:06 2 (Reopened the record at 6:51)

18:51:20 3 MR. CRAWFORD: EPN has decided not to

18:51:24 4 resume Mr. Johnson's deposition at this time. We

18:51:28 5 reserve the right to call him again in the future, but

18:51:32 6 for now the deposition is over.

18:51:35 7 MR. HARTLEY: Southwestern Bell does not

18:51:36 8 have any questions for Mr. Johnson at this time. We

18:51:39 9 would object, however, to any reservation to recall him

18:51:43 10 past the deposition deadline, which I believe is

18:51:46 11 tomorrow. Subject to that, we understand the deposition

18:51:48 12 to have been concluded at this time.

13 (Deposition adjourned at 1:29 p.m.)

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1	CHANGES AND SIGNATURE			
2	WITNESS NAME: EDWARD JOHNSON			
3	PAGE	LINE	CHANGE	REASON
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I, EDWARD JOHNSON, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

EDWARD JOHNSON

THE STATE OF _____)

COUNTY OF _____)

Before me, _____, on this day personally appeared EDWARD JOHNSON, known to me (or proved to me under oath or through _____) (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ of _____, 2002.

NOTARY PUBLIC IN AND FOR
THE STATE OF _____

My Commission Expires: _____

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DOCKET NO. 25004

Complaint and Request of)	
)	
EL PASO NETWORKS, LLC,)	
)	BEFORE THE PUBLIC
For Interim Ruling for Post)	UTILITY COMMISSION
Interconnection Agreement)	OF TEXAS
Dispute Resolution With)	
Southwestern Bell Telephone)	
Company)	

DOCKET NO. 25188

Petition of)	
)	
EL PASO NETWORKS, LLC,)	
)	
For Arbitration Pursuant to)	
Section 252(b) of the)	BEFORE THE PUBLIC
Communications Act of 1934,)	UTILITY COMMISSION
as amended by the)	OF TEXAS
Telecommunications Act of)	
1996, and PURA for Rates,)	
Terms, and Conditions of)	
Interconnection Agreement)	
with Southwestern Bell)	
Telephone)	

REPORTER'S CERTIFICATION
DEPOSITION OF EDWARD JOHNSON
APRIL 11, 2002

I, Nancy P. Blankenship, Certified Shorthand Reporter in and for the State of Texas, hereby certify to the following:

That the witness, EDWARD JOHNSON, was duly sworn by the officer, and that the transcript of the oral deposition is a true record of the testimony given by the witness;

1 That the deposition transcript was submitted
2 on April 13th, 2002, to the witness or to the attorney
3 for the witness for examination, signature and return to
4 me by May 5, 2002.

5 That the amount of time used by each party at
6 the deposition is as follows:

7 MR. STEPHEN CRAWFORD - 3 HOURS, 43 MINUTES

8 MR. FLOYD HARTLEY - 0 HOURS, 0 MINUTES

9 That pursuant to information given to the
10 deposition officer at the time said testimony was taken,
11 the following includes counsel for all parties of
12 record:

13 Mr. Stephen Crawford, Attorney for El Paso Networks, LLC

14 Mr. Floyd Hartley, Attorney for Southwestern Bell
15 Telephone Company

16 I further certify that I am neither counsel
17 for, related to, nor employed by any of the parties or
18 attorneys in the action in which this proceeding was
19 taken, and further that I am not financially or
20 otherwise interested in the outcome of the action.

21 Further certification requirements pursuant to
22 Rule 203 of TRCP will be certified to after they have
23 occurred.

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Certified to by me this 13th day of April,
2002.


Nancy P. Blankenship, Certified
Shorthand Reporter No. 7351
in and for the State of Texas
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My commission expires 12/31/02