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

In the Matter of	)	
Special Access Rates for Price Cap Local Exchange Carriers	)	WC Docket No. 05-25
AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services	)	RM-10593

DECLARATION OF JANET S. FISCHER ON BEHALF OF GLOBAL CROSSING NORTH AMERICA, INC.

1. My name is Janet S. Fischer. I am Director of Access Management Regulatory at Global Crossing North America, Inc ("Global Crossing"). My duties include tracking and managing state and federal regulatory issues that affect Global Crossing's expenditure for access services. I have been at Global Crossing for four years and have been in the telecommunications industry for more than twenty years. I have held various positions, including network engineering, billing, and tariff analysis, all of which have related to assessing the cost of network facilities and access from various suppliers and detailed review and research of Bell company tariffs.

2. Global Crossing provides telecommunications solutions to enterprise customers over its integrated global Internet Protocol-based network that connects more than 300 cities in 30 countries worldwide. Global Crossing is heavily reliant on Bell Operating Company ("BOC") special access services, which are an essential input to our services.

3. The purpose of this declaration is to provide information on BOC special access pricing under the FCC's price cap regime and the FCC's pricing flexibility plan, and

to compare those rates with prices available for comparable services offered by competitive carriers over their own facilities, that is, on-net services. Given Global Crossing's heavy reliance on BOC special access services, we carefully track Bell company pricing and have done so for years. As a major purchaser of access services, we are also familiar with prices set by BOC competitors. The information provided in this declaration and the attached charts was prepared by myself or by staff under my supervision.

4. Initially, let me state that, although competitive carriers do offer on-net services along discrete routes in many markets, the BOCs remain the dominate carrier in their respective regions. Only the BOCs are able to provide service ubiquitously throughout their regions. Competitors are able to provide service only on relatively few discrete routes or to discrete locations that have substantial telecommunications demand.

5. Table 1 provides a snapshot comparison of BOC special access pricing for DS1 and DS3 channel terminations and mileage under price caps and pricing flexibility. The table shows the range of pricing disparity between price cap and pricing flexibility rates expressed in percentage terms. To prepare these tables, I undertook a broad cross-section review of various term rates in BOC price cap tariffs and compared those rates to the rates for the same service in the price flexibility portion of the tariff. Due to resource constraints, a comprehensive, detailed, plan-for-plan, mileage-band-to-mileage-band, element-per-element analysis, which would have required the review of hundreds of plan elements, was not possible. The rate structures in the BOC tariffs include a number of variables based on, for example, term commitment or mileage band. To make apples to apples comparisons, I held these variables constant between the price cap rate and pricing flexibility rate. The delta between price cap rates and pricing flexibility rates often varied based on which variables

were being compared. For purposes of this analysis I included the full range of changes produced by comparing the different variables, from the least percentage change to the greatest change. Thus, for example, DS1 channel terminations are 22% to 47% higher in Qwest Phase II pricing flexibility MSAs than in Qwest's price caps territory, and DS1 mileage rates are 13% to 71% higher in BellSouth Phase II MSAs than in BellSouth's price caps territory.

6. Tables 2 and 3 also compare price cap and pricing flexibility rates at a point in time for channel termination and mileage, respectively. These tables similarly show that rates in areas where the BOCs have received pricing flexibility are either the same, or, much more often, higher, than the rates for comparable facilities under BOC price caps. The channel termination prices in Table 2 are based on a DS1 equivalent basis assuming month-to-month rates. The price for the mileage component of special access services in Table 3 is based on a per DS0 circuit mile for ten mile circuits. The specific sections of the BOC tariffs from the prices were obtained and included on the tables.

7. Tables 4 through 6 provide an analysis of price cap versus pricing flexibility rates over time. To prepare these graphs, we compared a snapshot of prices each based on the rates in effect as of July 1 of each year. The actual pricing flexibility price may have varied during the course of the year. Tariff pages for earlier years were obtained from CCMI Telview tariff library archives. In each instance, special access rates in price flex areas either trended higher than price cap rates, or remained flat while price cap rates trended lower. The sole exception is for BellSouth DS1 channel termination month-to-month rates (Table 4, upper left hand graph) where BellSouth's price cap channel termination rate *increased* to the higher-level pricing flexibility rate.

8. The data comparing price cap with pricing flexibility rates set forth in tables 1 through 6 demonstrate that the BOCs clearly have not reduced rates in price flexibility areas to respond to alleged competition in those areas.

9. Not only are BOC special access rates higher in price flex areas than under price caps, BOC special access rates under either regime are substantially higher than the rates available from competitors where competitors are able to offer end-to-end service over their own facilities -- so-called on-net or Type I services. The bar graphs on Tables 8 through 10 compare BOC special access prices, both under price caps and pricing flexibility, with prices offered to Global Crossing by two alternative providers utilized by Global Crossing. In all cases, only on-net or Type I services from the competitors were compared. Table 8 compares prices end-to-end DS1 circuits of ten or thirty miles. Table 9 compares prices for zero-mile DS3 entrance facilities, including multiplexing. Table 10 compares pricing for DS3 entrance facilities and a DS3 transport facility from the ILEC hub to a remote ILEC wire center, that is, an entrance facility plus interoffice mileage. In all instances rates for a three-year term were compared. The graphs show that BOC prices typically are two to three times higher than competitive carriers, and the BOC pricing flexibility price is higher than the BOCs' price cap price for the same facility. Despite the substantially lower prices charged by competitors as demonstrated on the attached charts, the BOCs have not reduced their special access rates in response.

10. This concludes my declaration.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 13, 2005.

Janet S. Fischer

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Table 1

Range of Percentage Increase in Cost of Special Access in Price Flex MSAs vs. Price Cap MSAs General Tariff Snapshots Current Channel Terminations June 1, 2005

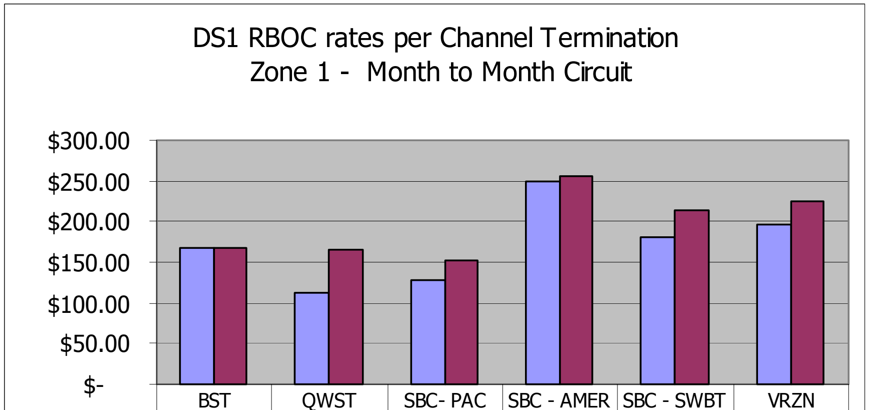
	Bell South	Qwest	SBC PacBell	SBC Ameritech	SBC SWBT	Verizon
DS-1 Channel Terminations	2 – (5%)	22 – 47%	17 – 18%	1 – 2%	0 – 19%	0 – 15%
DS3 Channel Terminations	13 – 30%	7%	14 – 35%	3 – 14%	3 – 9%	0 – 48%

Range of Percentage Increase in Cost of Special Access in Price Flex MSAs vs. Price Cap MSAs General Tariff Snapshots Current Mileage June 1, 2005

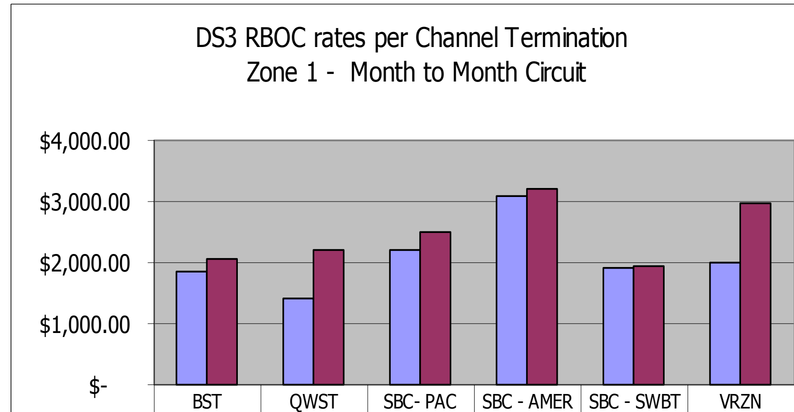
	Bell South	Qwest	SBC PacBell	SBC Ameritech	SBC SWBT	Verizon
DS1 Mileage	13 – 71%	27 – 48%	28 – 32%	0 – 14%	0 – 9%	0 – 38%
DS3 Mileage	21 – 40%	12 – 31%	0 – 44%	0 – 7%	0 – 8%	0 – 18%

Table 2

RBOC Rates per DS-1 and DS-3 Channel Termination
Month-to-Month Sample



	BST	QWST	SBC- PAC	SBC - AMER	SBC - SWBT	VRZN
PRICE CAP	$168.00	$112.30	$129.00	$250.00	$181.00	$197.00
PRICE FLEX	$168.00	$165.00	$152.50	$255.00	$215.00	$225.63



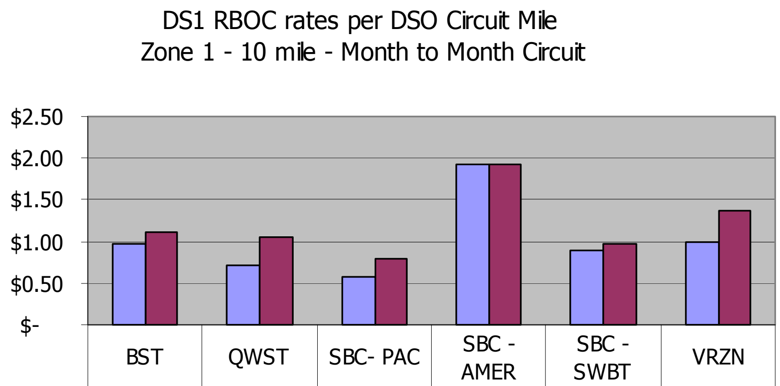
	BST	QWST	SBC- PAC	SBC - AMER	SBC - SWBT	VRZN
PRICE CAP	$1,840.00	$1,400.00	$2,200.00	$3,100.00	$1,900.00	$2,005.48
PRICE FLEX	$2,070.00	$2,200.00	$2,500.00	$3,200.00	$1,950.00	$2,968.19

DS1
BST – FCC #1, 7.5.9 (Price Cap), 23.5.2.9 (Price Flex); QWST – FCC #1, 7.11.4(Price Cap), 17.2.11(Price Flex); SBC(PAC) – FCC #1, 7.5.9(Price Cap), 31.5.2.7(Price Flex); SBC(AMER) – FCC #2, 7.5.9(Price Cap), 21.5.2.7(Price Flex); SBC(SWBT) FCC #73, 7.3.10(Price Cap), 39.5.2.7(Price Flex); VRZN – FCC #1, 7.5.9(Price Cap), 7.5.9(Price Flex);.

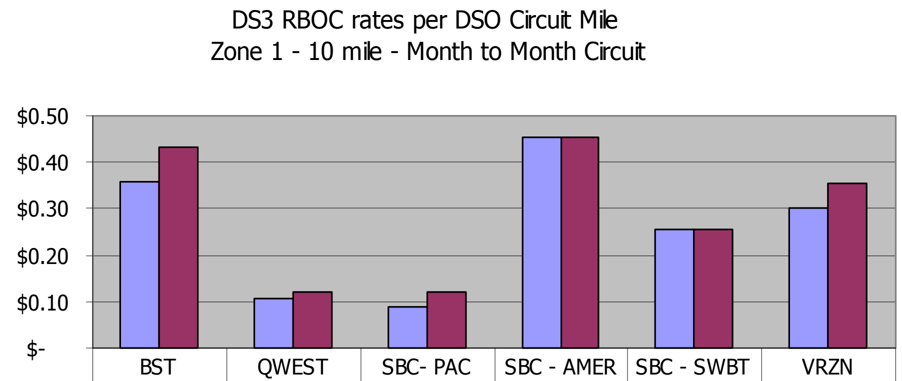
DS3
BST – FCC #1, 7.5.9(Price Cap), 23.5.2.9(Price Flex); QWST – FCC #1, 7.12.4(Price Cap), 17.2.12(Price Flex); SBC(PAC) – FCC #1, 7.5.9(Price Cap), 31.5.2.7(Price Flex); SBC(AMER) – FCC #2, 7.5.9(Price Cap), 21.5.2.7(Price Flex); SBC(SWBT) FCC # 73, 20.5(Price Cap), 39.5.2.12(Price Flex); VRZN-FCC #1, 7.5.9(Price Cap), 7.5.9(Price Flex).

Table 3

RBOC Rates per DSO Circuit Mile
10 Mile Month-to-Month Sample



	BST	QWST	SBC- PAC	SBC - AMER	SBC - SWBT	VRZN
PRICE CAP	$0.98	$0.71	$0.58	$1.93	$0.90	$0.99
PRICE FLEX	$1.10	$1.05	$0.79	$1.93	$0.98	$1.37



	BST	QWEST	SBC- PAC	SBC - AMER	SBC - SWBT	VRZN
PRICE CAP	$0.36	$0.11	$0.09	$0.46	$0.26	$0.30
PRICE FLEX	$0.43	$0.12	$0.12	$0.46	$0.26	$0.35

DS1
BST – FCC #1, 7.5.9 (Price Cap), 23.5.2.9 (Price Flex); QWST – FCC #1, 7.11.4(Price Cap), 17.2.11(Price Flex); SBC(PAC) – FCC #1, 7.5.9(Price Cap), 31.5.2.7(Price Flex); SBC(AMER) – FCC #2, 7.5.9(Price Cap), 21.5.2.7(Price Flex); SBC(SWBT) FCC #73, 7.3.10(Price Cap), 39.5.2.7(Price Flex); VRZN – FCC #1, 7.5.9(Price Cap), 7.5.9(Price Flex);.

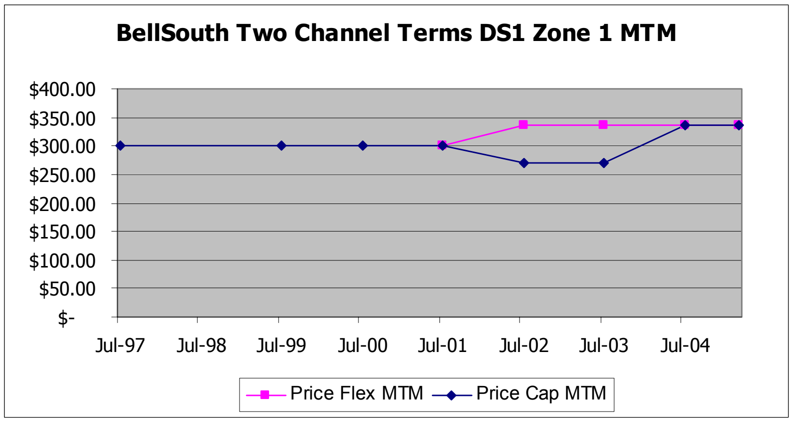
DS3
BST – FCC #1, 7.5.9(Price Cap), 23.5.2.9(Price Flex); QWST – FCC #1, 7.12.4(Price Cap), 17.2.12(Price Flex); SBC(PAC) – FCC #1, 7.5.9(Price Cap), 31.5.2.7(Price Flex); SBC(AMER) – FCC #2, 7.5.9(Price Cap), 21.5.2.7(Price Flex); SBC(SWBT) FCC # 73, 20.5(Price Cap), 39.5.2.12(Price Flex); VRZN-FCC #1, 7.5.9(Price Cap), 7.5.9(Price Flex).

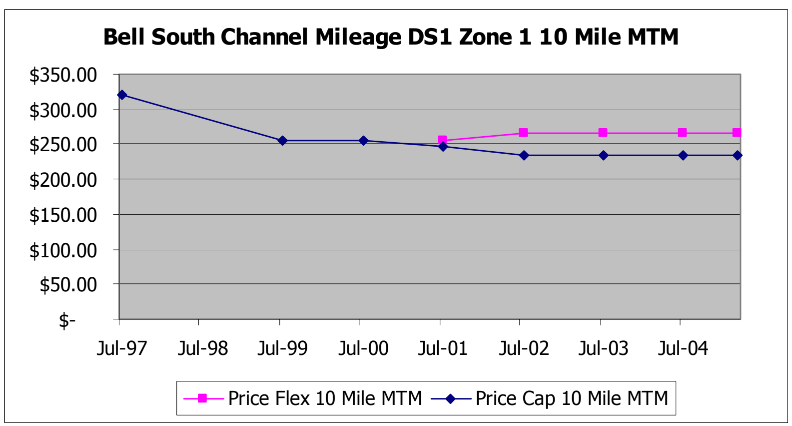
Table 4

Bell South Special Access Circuits - Sample Annual Price Points
Trended Individual Rate Elements

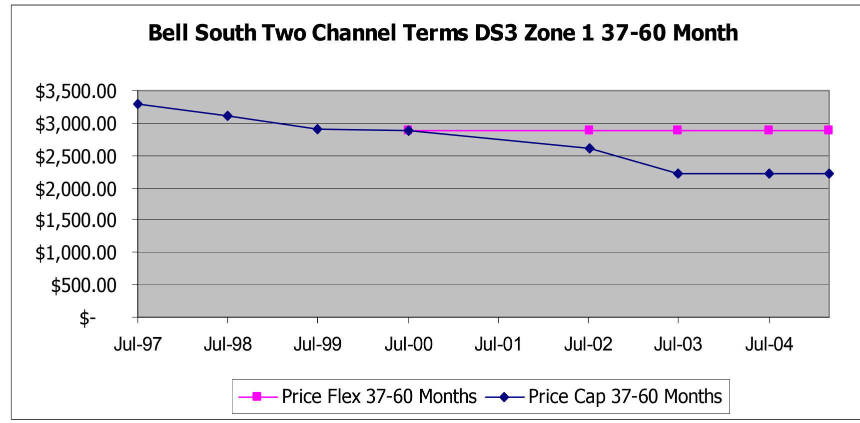
(Final price point reflects current June 05 rate)

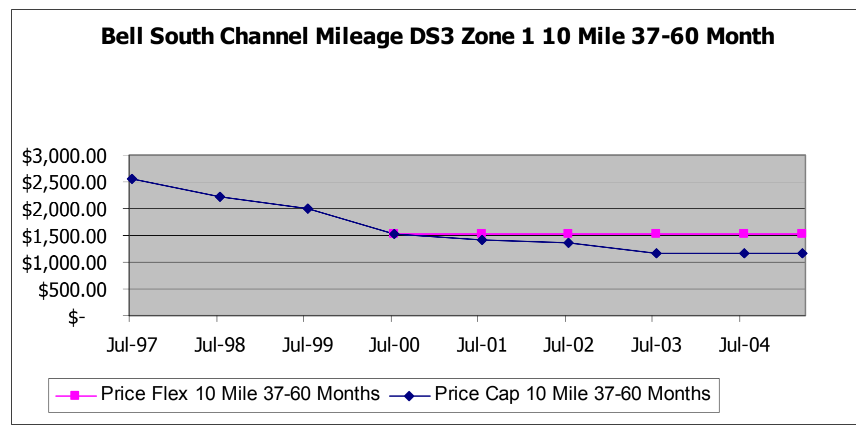
DS1 Facility Rate Elements





DS3 Facility Rate Elements





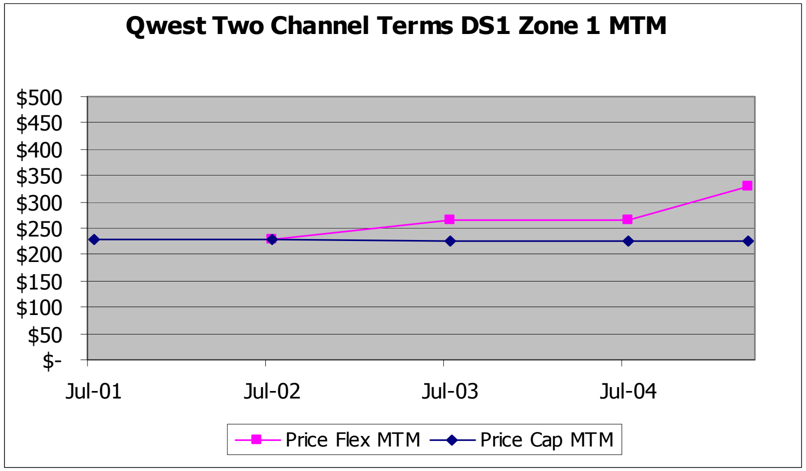
FCC #1 CT DS1: 7.5.9.A, page 7-144.1(Price Cap); 23.5.2.9.A, page 23-80(Price Flex); CM DS1: 7.5.9.B.2, page 7-146(Price Cap); 23.5.2.9.B.2, page 23-163(Price Flex)
FCC #1 CT DS3: 7.5.9.A.3.v, page 7-145.0.7.1(Price Cap); 23.5.2.9.A.3.v, page 23-117(Price Flex); CM DS3: 7.5.9.B.5.h, page 7-147.0.3.4(Price Cap); 23.5.2.9.B.5.h, page 23-227(Price Flex)

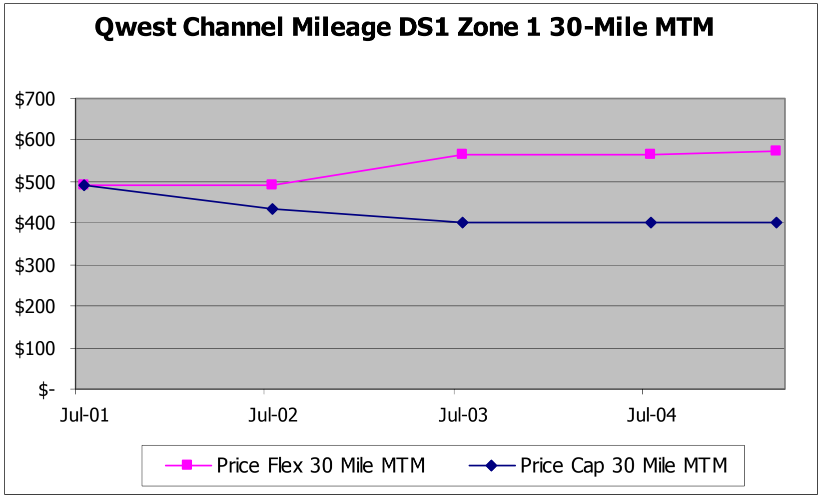
Table 5

Qwest Special Access Circuits - Annual Price Point Samples
Trended Individual Rate Elements

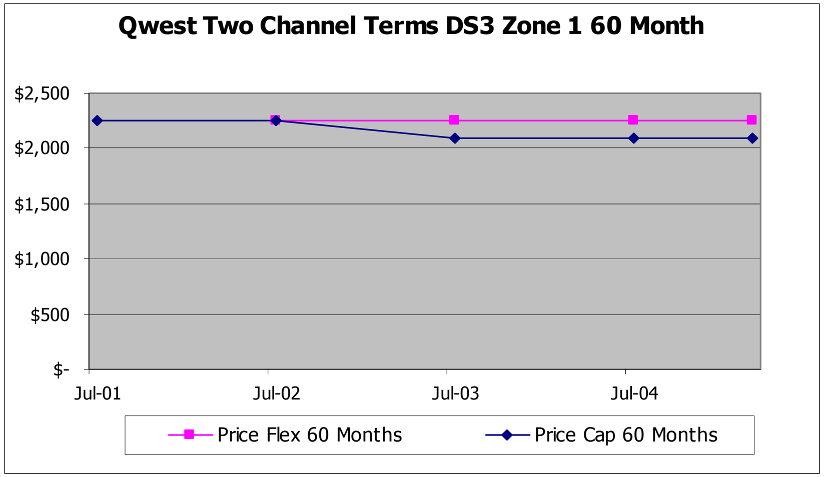
(Final price point reflects current June 05 rate)

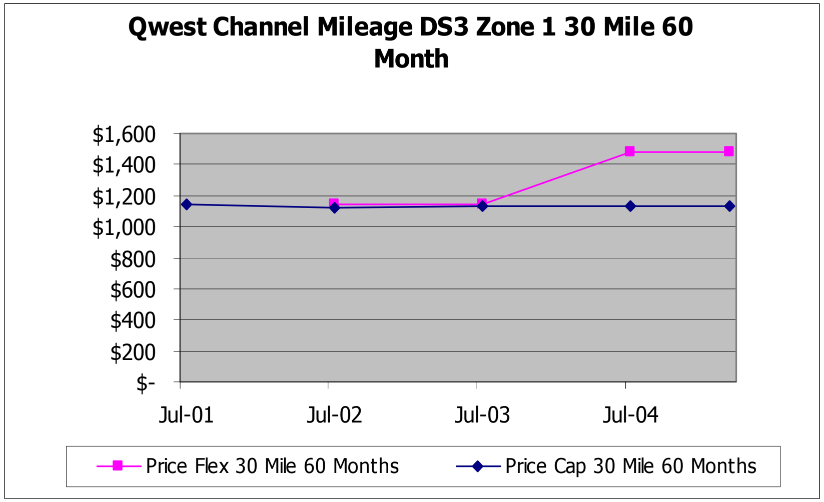
DS1 Facility Rate Elements





DS3 Facility Rate Elements





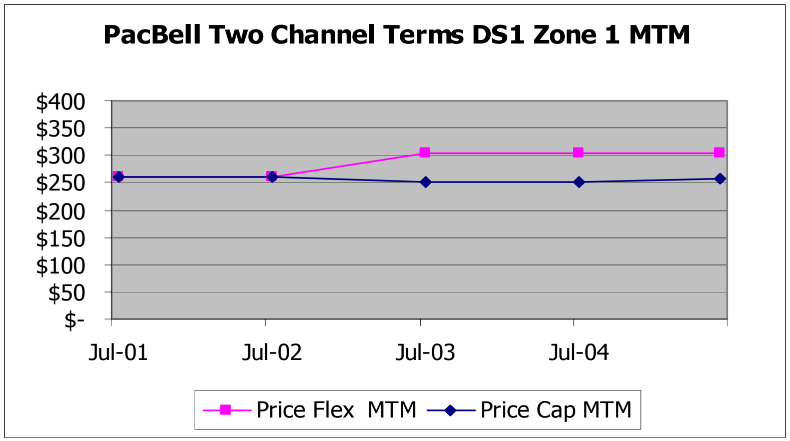
FCC #1 CT DS1: 7.11.4.A.1, page 7-347(Price Cap); 17.2.11.A.1, page 17-91(Price Flex) ; CM DS1: 7.11.4.C.1.a, page 7-354.1(Price Cap); 17.2.11.C.1.a, page 17-98.1(Price Flex)

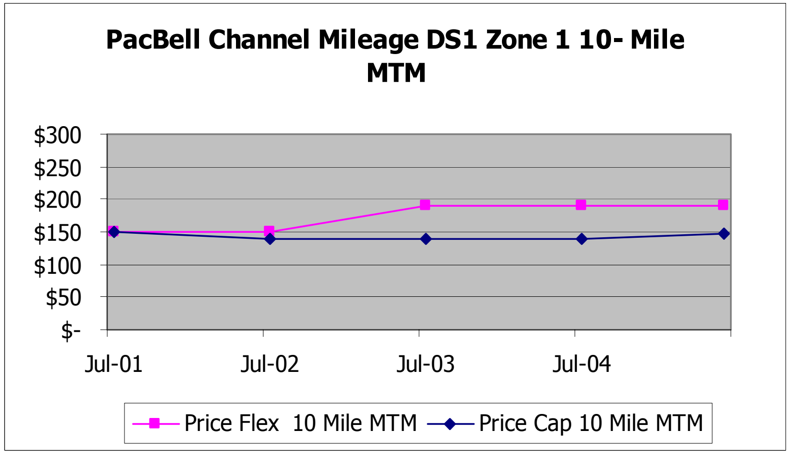
FCC #1 CT DS3: 7.12.4.A.1.a, page 7-403.1(Price Cap); 17.2.12.A.1.a, page 17-123(Price Flex); CM DS3: 7.12.4.A.4.e, page 7-418(Price Cap); 17.2.12.A.4.e, page 17-141(Price Flex)

Table 6

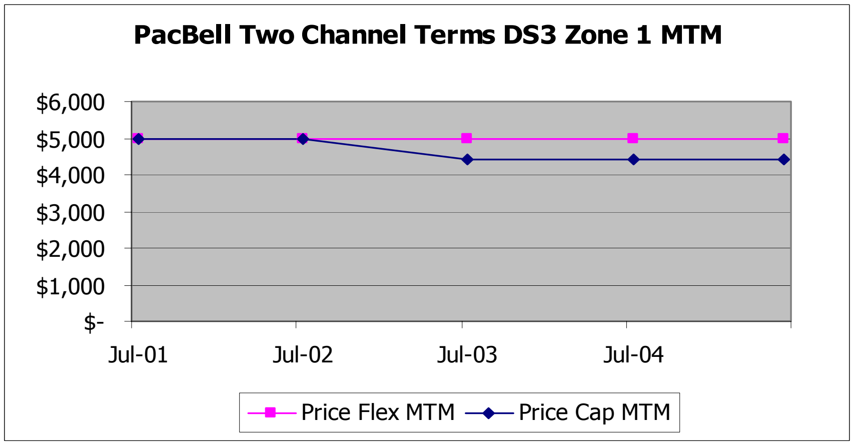
SBC Pac Bell Special Access Circuits - Annual Price Point Samples
Trended Individual Rate Elements
(Final price point reflects current June 05 rate)

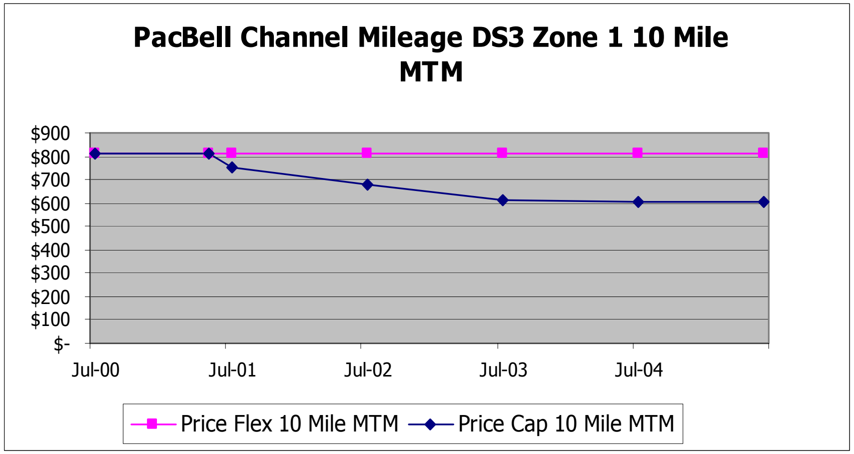
DS1 Facility Rate Elements





DS3 Facility Rate Elements



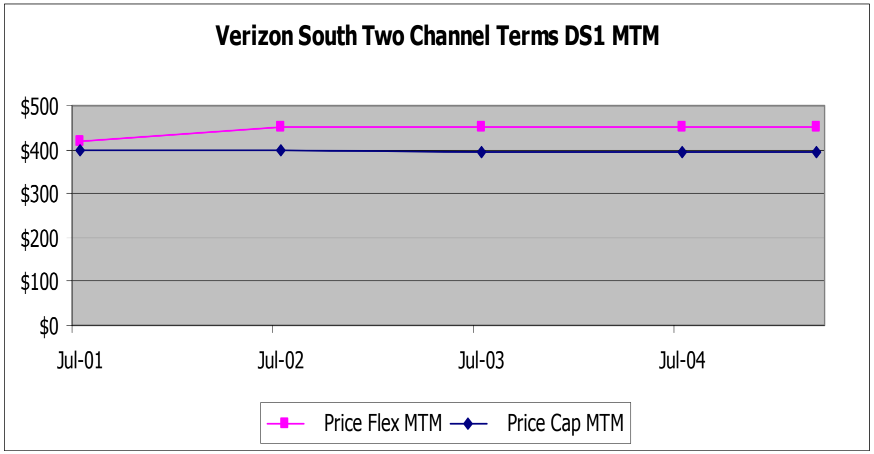


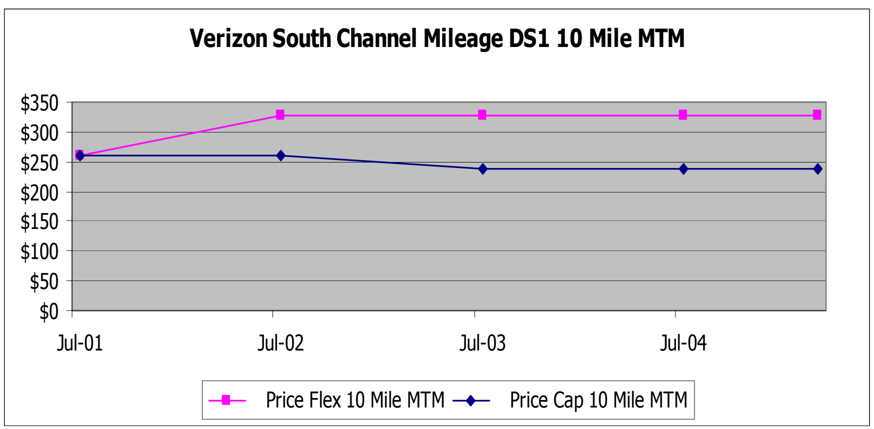
FCC #1 CT DS1: 7.5.9.A.1, page 7-172(Price Cap); 31.5.2.7.A.1, page 31-41(Price Flex); CM DS1 7.5.9.B.1, page 7-179(Price Cap); 31.5.2.7.B.1, page 31-48(Price Flex)
FCC #1 CT DS3: 7.5.9.A.3, page 7-175(Price Cap); 31.5.2.7.A.3, page 31-44(Price Flex); CM DS3 7.5.9.B.4, page 7-180(Price Cap); 31.5.2.7.B.2, page 31-48(Price Flex)

Table 7

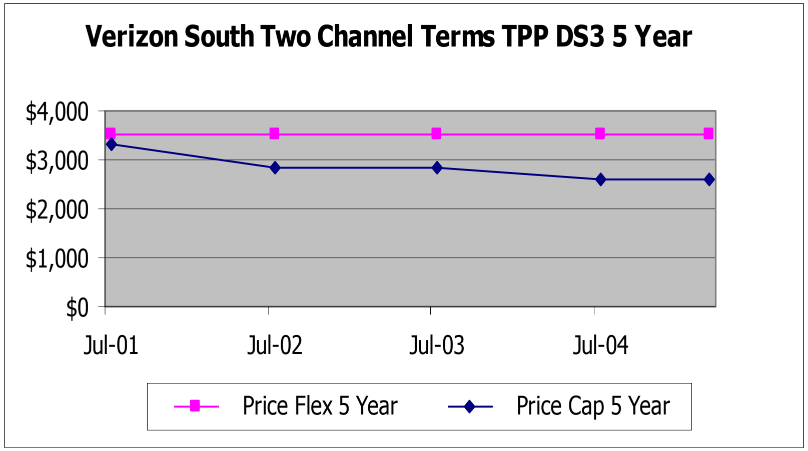
Verizon South Special Access Circuits - Annual Price Point Samples
Trended Individual Rate Elements
(Final price point reflects current June 05 rate)

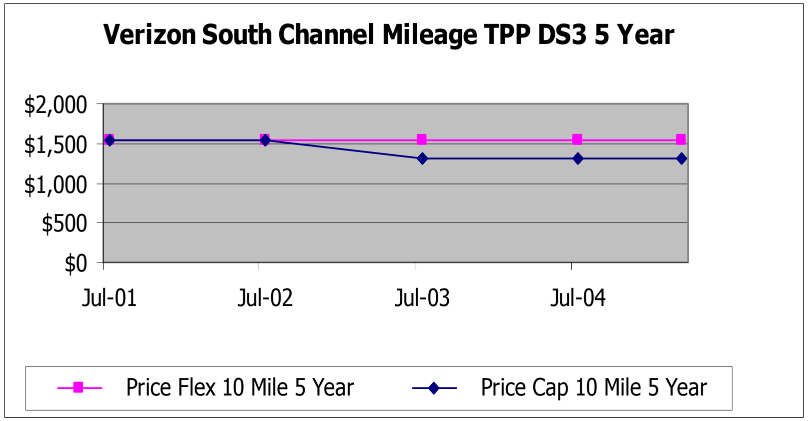
DS1 Facility Rate Elements





DS3 Facility Rate Elements



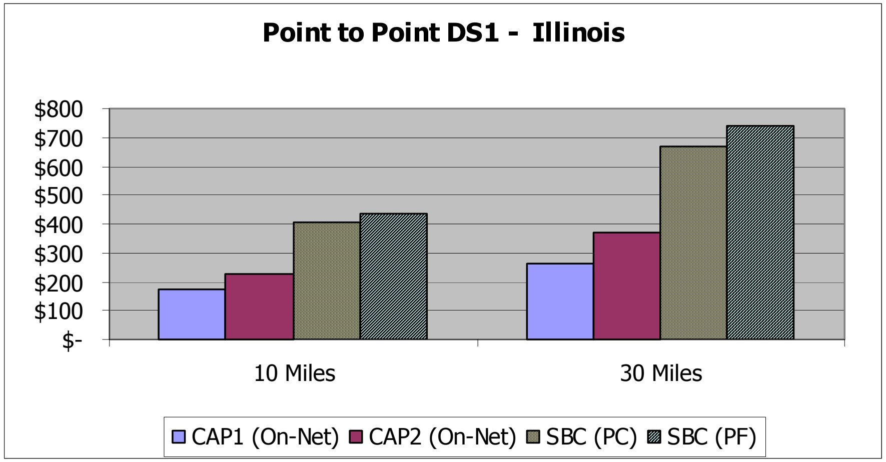


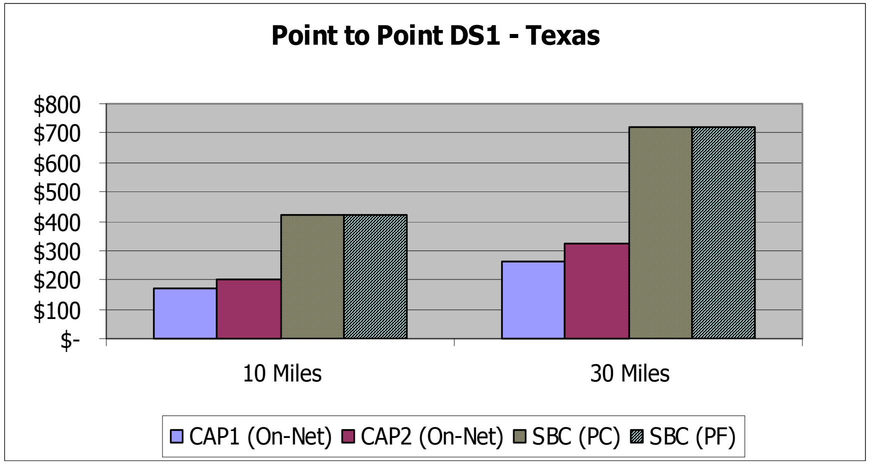
FCC #1 CT DS1: 7.5.9.A.1, page7-250(Price Cap); 7.5.9.A.1, page 7-250(Price Flex); CM DS1: 7.5.9.B.1.b, page 7-264(Price Cap); 7.5.9.B.1.b, page 264(Price Flex)
FCC #1 CT DS3*: 7.5.9.A.1.a, page 7-254(Price Cap); 7.5.9.A.1.a, page 7-256.1(Price Flex); CM DS3 7.5.9.B.1.e, page 7-264(Price Cap); 7.5.9.B.1.e, page 7-264(Price Flex)
*Per tariff section 7.4.13, page 7-198 of the FCC #1 tariff, 5-year TPP rates are discounted 35% off base rates.

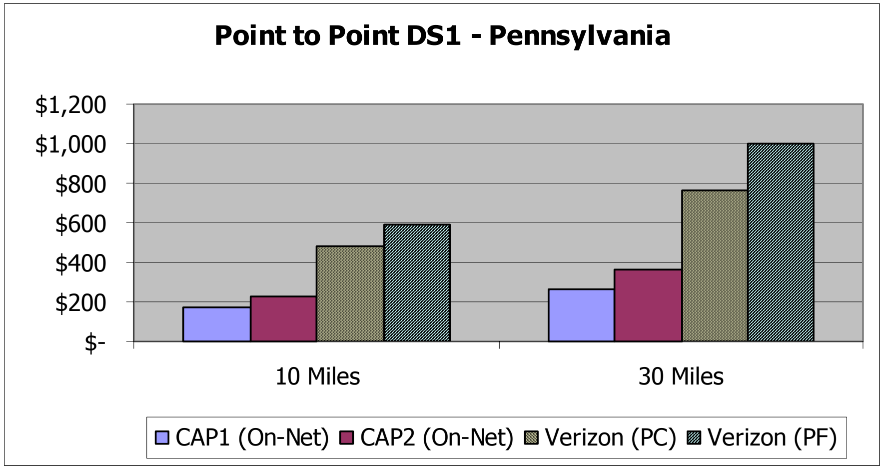
Table 8

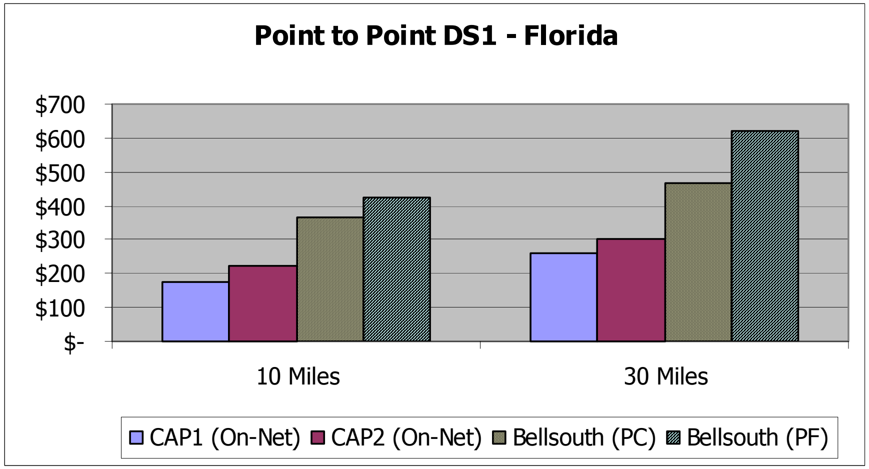
Sample Point to Point Circuits (DS-1) ordered CAP end to end RBOC end to end

(CAP rates reflect on-net only)









Ameritech FCC #2 CT DS1: 7.5.9.B.1, page 411(PC); 21.5.2.7.B.1, page 755(PF); CM DS1 7.5.9.B.3-4, pages 411.2-4(PC); 21.5.2.7.B.3-4, pages 757-759(PF)

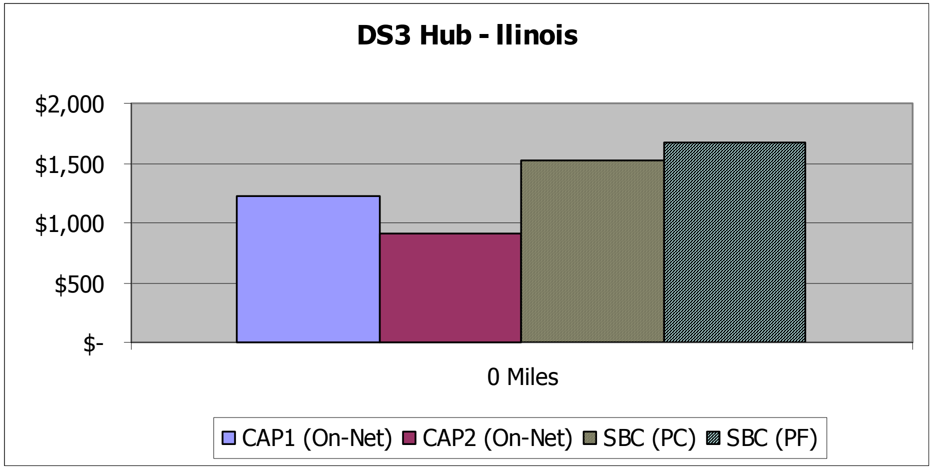
SWBT FCC #73 CT DS1: 7.3.10.F.39.a, page 7-209.224 (PC); 39.5.2.7.M.1, page 39-110(PF); CM DS1 7.3.10.F.39.b, page 7-209.226(PC); 39.5.2.7.M.2, page 39-112(PF)

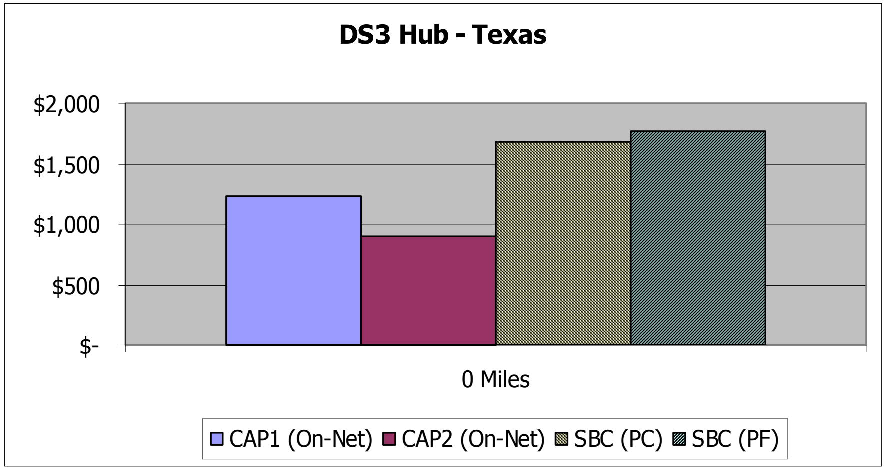
Verizon FCC #1 CT DS1: 7.5.16.B, page 7-276 (PC); 7.5.16.B, page 7-276(PF); CM DS1 7.5.16.B, page 276.1(PC); 7.5.16.B, page 276.1(PF)

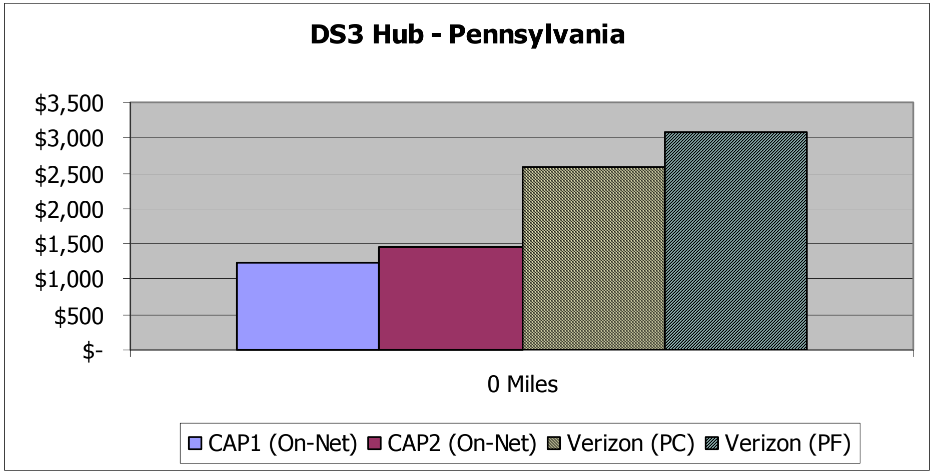
Bellsouth FCC #1 CT DS1: 7.5.9.A.1, page 7-144.1(PC); 23.5.2.9.A.1, page 23-80(PF); CM DS1 7.5.9.B.2, page 7-146(PC); 23.5.2.9.B.2, page 23-163(PF)

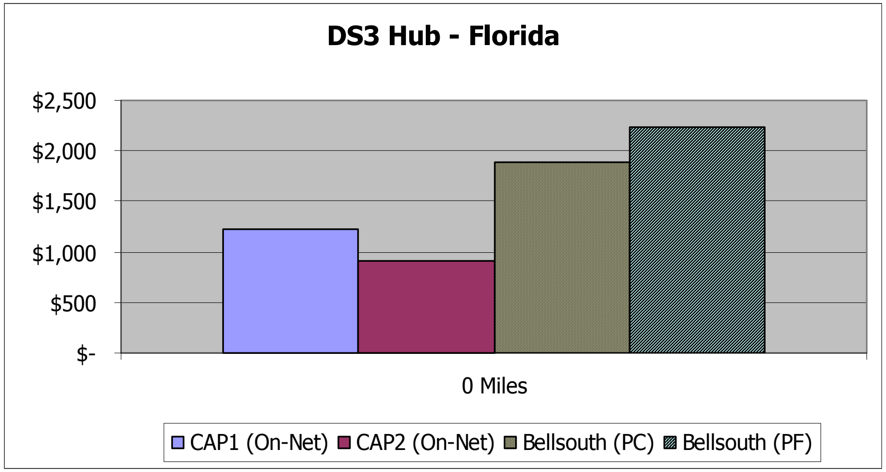
Table 9

Sample Entrance Facilities (DS3)
Ordered CAP vs. RBOC
(Includes MUX)









Ameritech FCC #2 CT DS3: 7.5.9.C.1.a, page 413.2.6(PC); 21.5.2.7.C.1.a, page 779(PF); DS3/DS1 Mux 7.5.9.C.4.a., page 414(PC); 21.5.2.7.C.4.a, page 785(PF)

SWBT FCC #73 CT DS3: 20.5.1.M, page 20-45 (PC); 39.5.2.12.A, page 39-147(PF); DS3/DS1 Mux 20.5.7.A.13, page 20-47.32(PC); 39.5.2.12.G.1.j, page 39-173(PF)

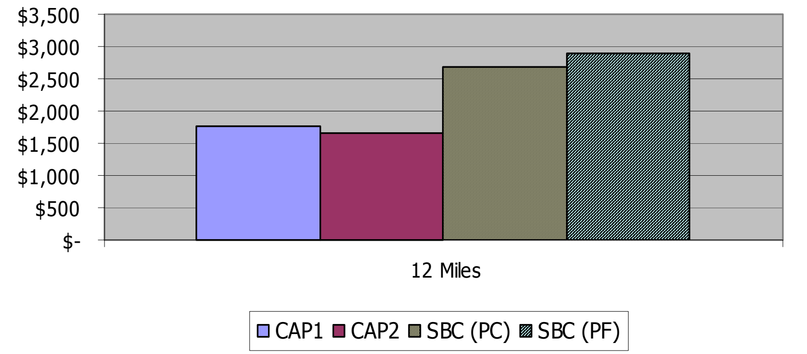
Verizon FCC #1 CT DS3: 7.5.9.A.1.a, page 7-254 (PC); 7.5.9.A.1.a, page 7-256.1(PF); DS3/DS1 Mux 7.5.9.C.1.b, page 7-265(PC); 7.5.9.C.1.b, page 7-265(PF)

Bellsouth FCC #1 CT DS3: 7.5.9.A.3, page 7-145.0.7.1(PC); 23.5.2.9.A.3, page 23-117(PF); DS3/DS1 Mux 6.8.1.g.6.a.1, page 6-159.1.1(PC); 23.5.1.c.2.a.1, page 23-22(PF)

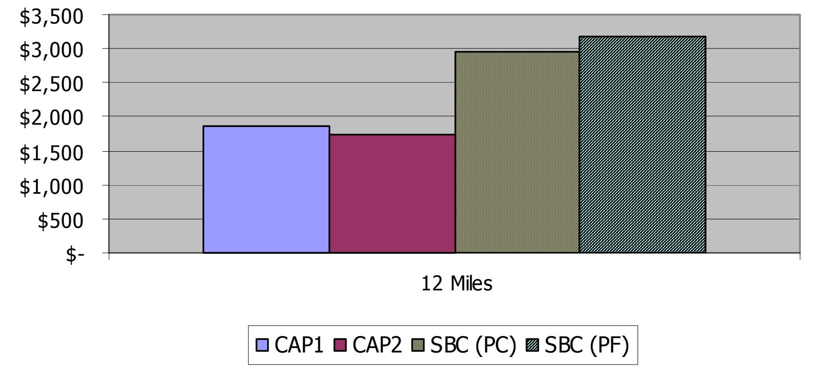
Table 10

Sample DS3 GC POP to Remote WC (DS3)
Ordered CAP vs. RBOC
(Includes MUX, all CAP on-net)

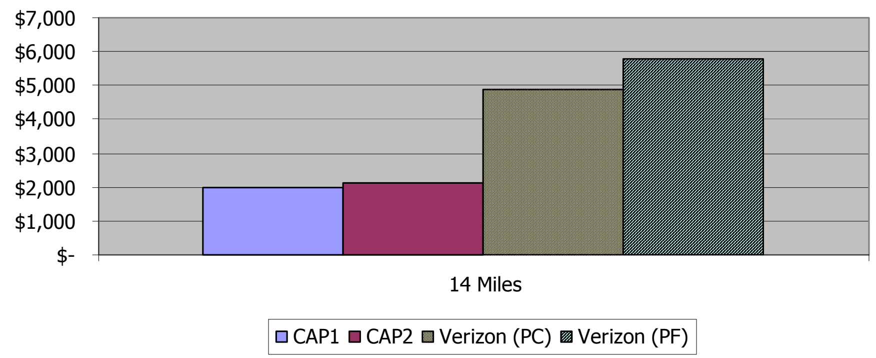
DS3 Hub to Distant RBOC SWC - Illinois



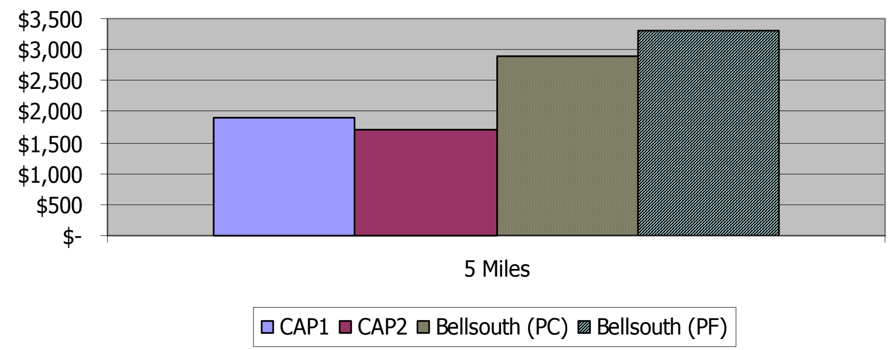
DS3 Hub to Distant RBOC SWC - Texas



DS3 Hub to Distant RBOC SWC - Pennsylvania



DS3 Hub to Distant RBOC SWC - Florida



Ameritech FCC #2 CT DS3: 7.5.9.C.1.a, page 413.2.6(PC); 21.5.2.7.C.1.a, page 779(PF); CM DS3 7.5.9.C., pages 413.3-4(PC); 21.5.2.7.C, pages 783-784(PF)

SWBT FCC #73 CT DS3: 20.5.1.M, page 20-45 (PC); 39.5.2.12.A, page 39-147(PF); CM DS3 20.5.3.M, page 20-47.9(PC); 39.5.2.12.C, page 39-155(PF)

Verizon FCC #1 CT DS3: 7.5.9.A.1.a, page 7-254 (PC); 7.5.9.A.1.a, page 7-256.1(PF); CM DS3 7.5.9.B.1.e, page 7-264(PC); 7.5.9.B.1.e, page 7-264(PF)

Bellsouth FCC #1 CT DS3: 7.5.9.A.3, page 7-145.0.7.1(PC); 23.5.2.9.A.3, page 23-117(PF); CM DS3 7.5.9.B.5, pages 7-147.0.3.4-5(PC); 23.5.2.9.B.5, pages 23-226-7(PF)