1 **Q. Does the E911 database (as manipulated by Verizon) accurately locate CLEC**
2 **activity?**
3
4 A. No, it does not. As a threshold matter, I want to make clear that the E911
5 database does accurately reflect the physical location of individual listings needed
6 to dispatch emergency services. Unlike an emergency agency, however, Verizon
7 is less interested in the physical location of the listing (*i.e.*, its address) as it is in
8 attributing CLEC listings to particular Verizon wire centers.
9
10 It is my understanding that Verizon is able to attribute numbers that have been
11 *ported* to a CLEC back to the original wire center from which Verizon had
12 provided service. For those numbers issued to the CLEC, however, Verizon is
13 only able to attribute the lines to a much larger Rate Center. Verizon them
14 allocates these E911 listings (as well as any other listings it cannot attribute to a
15 unique Verizon wire center) to Verizon wire centers in proportion to the sum of
16 the following: Verizon Retail Lines + Wholesale Advantage + Resale.[26] The
17 problem with this approach is that facility-based entry strategies (either using
18 UNE-L or cable telephony where the CLEC provides its own loops) are not
19 generally able to even serve all of the same customers as Verizon, and therefore

[26] *See* Verizon HIGHLY CONFIDENTIAL Attach OAG 158.1 RN 05-07-07.doc.

allocating E911 listings in proportion to *Verizon's* customers will provide a distorted picture of CLEC-entry.[27]

Exhibit JPG-7 is an Exhibit filed by the PACE Coalition with the FCC in the proceeding leading to the *TRRO* that documented the different geographic profiles achieved by facilities-based strategies (using UNE-L) and the geographic dispersion achieved by UNE-P (the predecessor to Wholesale Advantage).[28] As Exhibit JPG-7 demonstrates through repeated analysis of the competitive profiles of UNE-L based entry in a number of states, the geographic profile of a facilities-based strategy is simply not as dispersed as the ILEC's lines (or other strategies capable of serving the market broadly, such as UNE-P).[29]

Q. What is the effect of Verizon's allocation methodology on its estimate of CLEC facilities-based activity?

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[27] As shown in Exhibit JPG-2 (Summary of Verizon Claims), the allocation that it performed to assign E911 listings to wire centers (when more than one wire center defined a rate center) would be largely determined by the number of Verizon retail lines at each wire center.

[28] Exhibit JPG-7 was filed as Exhibit 21 to the Comments of the PACE Coalition, et. al., Federal Communications Commission, WC Docket No. 04-313 and CC Docket No. 01-338, October 4, 2004.

[29] Each of the competitive profiles in Exhibit JPG-7 compares the market penetration of UNE-P to UNE-L, by wire center, with the wire centers ranked by the number of lines, with the larges wire centers on the left of the graph, with the wire centers getting progressively smaller as the chart moves from left to right.

A. The effect is to portray – through *allocation* and not *fact* – CLEC facilities-based lines broadly throughout a rate center, as though CLEC facilities can mimic the wide reach of Verizon (who enjoyed a protected monopoly for decades). The bottom line is that Verizon's "E911 analysis" is fundamentally unreliable, with one set of flaws inflating the total number of lines, and a second set of flaws allocating these fictitious lines throughout the rate center.

Q. Verizon claims that the E911 database is routinely used by state commissions and the FCC.[30] Does that fact alone (if true) make the E911 database reliable?

A. No. Flawed analyses do not become reasoned facts merely through repetition. As discussed above, until recently, (non-911 database administrator) competitors have had very limited opportunity to review, much less challenge, E911 data presented by the incumbent. Where the data has been reviewed -- including in this proceeding -- it is clear that ILEC E911-based estimates of CLEC activity have been exaggerated, even if the flaw had not been detected in prior uses. Moreover, it would appear this is the *first* time that an ILEC has admitted to manipulating the data (*i.e.*, by *allocating* listings to wire centers), even if no specific workpapers have been provided to evaluate the precise significance of its actions.

[30] *See* Verizon Supplemental Response to Staff Request No. 33.

Prior to Dorothy's arrival in Oz (with apologies to Toto for its important role), the Wizard was infallible. But facts adduced through discovery are pulling aside the curtain and the evidence clearly shows that the E911 database exaggerates CLEC lines. Moreover, the manipulation of the database performed by Verizon was not well documented until this very case. Compare, for instance, the detailed *six-page* discussion of Verizon's "allocation methodology" disclosed through discovery here,[31] to the *cursory* statement it provided to the FCC:

> ... Verizon's data do not in all cases allow an E911 listing to be associated with a specific wire center....This [the Verizon] methodology proportionally assigns E911 listings to each of the possible wire centers with which the E911 listing can be associated.[32]

Notably, the federal description does not even disclose *how* the allocation was performed, thereby masking through strategic silence the fact that the assignment is proportional to *Verizon's* retail lines. CLEC facilities-based retail lines, however, are unlikely to correlate with Verizon lines because CLEC-facilities are typically deployed only in the densest wire centers, or are limited by the existing footprint of a cable telephony entrant.

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[31] *See* Verizon HIGHLY CONFIDENTIAL Attach OAG 158.1 RN 05-07-07.doc.

[32] See Reply Comments of Verizon, Federal Communications Commission WC Docket No. 06-172, April 18, 2007, at ftn. 18.

ATTACHMENT JPG-2

Attachmen
Supplemental Gillan Dec

Comparison of Wire Centers where Verizon Claims Competitive Entry to the Number of Wire Centers where Entry Can be Confirmed

One Communications	New York	Boston	Pittsburgh	Philadelphia	Providence	VA Beach
otal Wire Centers	296	152	99	150	43	
ire Centers Where VZ Claims One Communications is Competing	191	136	41	9	33	
ire Centers Where One Communications Can Confirm it is Competing	47	61	37	2	21	
rror (i.e., Wire Centers With Lines Claimed by VZ But No Confirmation)	144	75	4	7	12	
of Claimed Wire Centers with Phantom Entry	75%	55%	10%	78%	36%	
of Wire Centers in MSA With No One Communications Lines	84%	60%	63%	99%	51%	

Cavalier Communications	Boston	Philadelphia	VA Beach
otal Wire Centers	152	150	52
ire Centers Where VZ Claims Cavalier is Competing	23	114	41
ire Centers Where Cavalier Can Confirm it is Competing	0	74	24
rror (i.e., Wire Centers With Lines Claimed by VZ But No Confirmation)	23	40	17
of Claimed Wire Centers with Phantom Entry	100%	35%	41%
of Wire Centers in MSA With No Cavalier Lines	100%	51%	54%

XO Communications	New York	Boston	Pittsburgh	Philadelphia	Providence
otal Wire Centers	296	152	99	150	
ire Centers Where VZ Claims XO is Competing	211	111	23	107	
ire Centers Where XO Can Confirm it is Competing	116	44	13	61	
rror (i.e., Wire Centers With Lines Claimed by VZ But No Confirmation)	95	67	10	46	
of Claimed Wire Centers with Phantom Entry	45%	60%	43%	43%	
of Wire Centers in MSA With No XO Lines	61%	71%	87%	59%	

Broadview	New York	Boston	Pittsburgh	Philadelphia	Providence
otal Wire Centers	296	152		150	43
ire Centers Where VZ Claims Broadview is Competing	77	53		40	13
ire Centers Where Broadview Can Confirm it is Competing	104	44		15	9
rror (i.e., Wire Centers With Lines Claimed by VZ But No Confirmation)	-27	9		25	4
of Claimed Wire Centers with Phantom Entry	-35%	17%		63%	31%
of Wire Centers in MSA With No Broadview Lines	65%	71%		90%	79%

ATTACHMENT B

CONTAINS HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NO. 06-172