BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of:	)	
	)	Docket No. UT-033044
QWEST CORPORATION	)	
	)	
To Initiate a Mass-Market Switching and Dedicated Transport Case Pursuant to the Triennial Review Order	)	
	)	

RESPONSE TESTIMONY

OF

David Bennett

On Behalf of

Integra Telecom of Washington, Inc.

February 2, 2004

Q. PLEASE STATE YOUR FULL NAME, TITLE AND BUSINESS ADDRESS.

A. My name is David Bennett and my business address is 19545 NW Von Neumann Drive, Suite 200, Beaverton, Oregon 97006. I am employed by Integra Telecom Holdings, Inc., the parent company of Integra Telecom of Washington, Inc. as Vice President of Network Planning.

Q. PLEASE DESCRIBE YOUR PROFESSIONAL EXPERIENCE.

A. I have over 34 years of experience in the telecommunications industry, starting as a Lineman for Cascade Telephone Company in North Bend, Washington. Since then, I have held positions as an Outside Plant Lineman, Installation and Repair Technician, Splicer's Helper, Facility Technician, as well as Inside Plant and Transport Equipment Installation, Draftsman, Outside Plant Engineer, Contract OSP Engineer, Sr Engineer, Engineering Manager, Division Engineer, Acting General Plant Superintendent, Corporate Engineering Manager and Regional Operations Manager. These positions were held with the following companies, Cascade Telephone, Telephone Utilities, Pacific Telecom, International Communications Services, Henkel's & Mc Coy, United Telephone of the Northwest, and CenturyTel of Washington, Inc. dba CenturyTel in the States of Washington, Oregon and Alaska.

I joined Integra in late 1999 as the Vice President of Operations for the Oregon Market Area. I was promoted to Vice President of Network Planning in November 2000, the position which I currently hold. My responsibilities include developing and maintaining the Long Term Network Plan, setting Material and Equipment standards, developing and maintaining Engineering standards/procedures and direct responsibility for Cost of Goods Sold, all

Company Purchasing, all Long Distance costs/negotiations and all Carrier Relations, including high level escalations for problem resolution with carriers.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

A. I am testifying on behalf of Integra Telecom of Washington, Inc. ("Integra").

Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE WASHINGTON COMMISSION?

A. No. I have not testified before the Washington Utilities and Transportation Commission. I have testified before the Alaska Public Utility Commission on numerous regulatory matters, including the establishment of new exchanges in the Alaskan bush, competitive services to Eielson Air Force Base, and other issues.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to provide a brief background of Integra and describe Integra's network architecture. I also will apply the FCC's TRO trigger analyses for dedicated transport, wholesale trigger and self-provisioning trigger, to Integra.

PART I – INTEGRA AND ITS NETWORK

Q. PLEASE DESCRIBE THE INTEGRA CUSTOMER BASE AND NETWORK.

A. Integra is a privately held competitive telecommunications company operating in the State of Washington. Integra has three offices in the State of Washington: regional office located in Kent, a sales office in Bellevue, and an office in Vancouver. Integra

owns and operates a telecommunications switch (Lucent 5ESS) located at the regional office in Kent, but like the majority of Competitive Local Exchange Carriers, owns no other transport facilities (with the exception of fiber connecting the Kent switch to Qwest's Kent-O'Brien Wire Center.). Integra purchases many products and services, including but not limited to: the local loop and transport, from Qwest and Verizon on a resale/wholesale and unbundled basis. Integra's primary target customer is the small-to-medium business owner with as few as two to three employees to as many as several hundred employees. Integra sells local exchange services, as well as long distance, internet, and other data services

The FCC defined the small to medium business as those "business customers at the DS1, and to a lesser extent, DS3 capacities. *Triennial Review Order* at note 881 paragraph 302. The majority of Integra customers take services at the DSO level. Integra uses a variety of entry strategies to provide services to its customers. Integra has collocation facilities located at Qwest and Verizon switch sites and connects these collocation facilities to the Integra switch through UNE transport products provided by Qwest and Verizon. Collocation at the Qwest and Verizon wire center is used in this network architecture to access unbundled loop facilities. Integra also employs the UNE loop and UNE transport in a combination commonly referred to as an "enhanced extended link" or "EEL." Integra typically uses EELs to access customers in central offices where it is not collocated. With access to EELs, Integra can serve a customer even if Integra has not extended its network to the customer's serving wire center or has not established a collocation arrangement.

Q. DOES INTEGRA TYPICALLY BUILD ITS NETWORK TO PROVIDE FOR TRANSPORT BETWEEN ILEC WIRE CENTERS?

A. No. Other than the fiber from our Kent switch site to Qwest's Kent-O'Brien Wire Center, Integra has not constructed transport facilities in the State of Washington. It is not possible for Integra to build out a redundant network entirely on a bypass basis to compete with Qwest or Verizon in the State of Washington. The fixed and sunk costs of such an endeavor are a barrier to this kind of entry.

In 1999, Integra began the construction of a redundant 5,200 foot fiber connection on the site of the office park where our Kent switch is located. The construction was completed in 2001 and cost Integra **[begin HIGHLY CONFIDENTIAL] _____ [end HIGHLY CONFIDENTIAL]** per foot. This connection is primarily aerial, the least expensive route to construct.

In the petition at issue here, Qwest has identified 29 routes where Qwest alleges there would be no impairment if Qwest were to cease providing unbundled network elements. Integra is obtaining UNE transport from Qwest on several of those routes in order to provide service to its end user customers. The routes comprise 53.44 miles (or 282,163 feet) of transport, some of which may be copper, some of which may be fiber, some of which may be aerial, and some of which may be underground. (Integra does not have access to Qwest's actual physical plant or route miles on the designated routes, but for purposes of this calculation, I have used driving mileage between the A locations and the Z locations which should approximate, most closely, Qwest's actual mileage) If we assume that these routes are comprised of 282,163 feet of fiber, at **[begin HIGHLY CONFIDENTIAL] _____ [end HIGHLY CONFIDENTIAL]** per foot, Integra would

have to spend in excess of **[begin HIGHLY CONFIDENTIAL] _____ [end HIGHLY CONFIDENTIAL]** to duplicate the fiber on the routes on which Integra now obtains transport services from Qwest.

In 2003, Integra's entire capital budget, including costs for fiber, equipment, cards, and all other costs related to customer acquisition, for the State of Washington was **[begin HIGHLY CONFIDENTIAL] _____. [end HIGHLY CONFIDENTIAL]** Integra does not have access to Qwest's actual construction costs, and Qwest refused to provide such information in response to discovery requests propounded in this proceeding. **[begin HIGHLY CONFIDENTIAL] _____ [end HIGHLY CONFIDENTIAL]** may be of small significance to a multi-billion dollar company like Qwest, but to Integra, **[begin HIGHLY CONFIDENTIAL] _____ _____ [end HIGHLY CONFIDENTIAL]**

APPLICATION TO QWEST AND INTEGRA

Sub-Part A. QWEST'S PETITION FOR FINDING OF NO-IMPAIRMENT FOR TRANSPORT FACILITIES IN THE STATE OF WASHINGTON.

Q. HAVE YOU REVIEWED THE PETITION FOR FINDING OF NO-IMPAIRMENT FOR TRANSPORT FACILITIES IN THE STATE OF WASHINGTON FILED BY QWEST CORPORATION?

A. Yes.

Q. HAVE YOU REVIEWED THE TESTIMONY OF RACHEL TORRENCE AND ACCOMPANYING EXHIBITS DESIGNATING 29 ROUTES IN WASHINGTON AS NON-IMPAIRED AS SUBMITTED BY QWEST ON DECEMBER 22, 2003?

A. Yes.

Q. ON JANUARY 22, 2004, QWEST FILED REVISED TESTIMONY AND A REVISED LIST OF ROUTES INCREASING THE NUMBER OF ROUTES TO 29. HAVE YOU REVIEWED THE REVISED TESTIMONY AND LIST?

A. Yes.

Q. DOES INTEGRA PROVIDE SERVICES TO END USER CUSTOMERS ON ANY OF THE ROUTES IDENTIFIED BY QWEST?

A. Yes. As I previously testified, Integra provides services to small to medium size businesses in the State of Washington, primarily along the I-5 corridor from Bellevue, through the metropolitan Seattle area to Vancouver. Integra provides services to its end user customers from services Integra receives from Qwest on **[begin HIGHLY CONFIDENTIAL] _____ [end HIGHLY CONFIDENTIAL]** of the 29 routes identified by Qwest in its petition. Highly Confidential Exhibit DB-2HC) attached hereto is a list of the Qwest identified routes and the transport facilities that Integra has on each route.

Q. DOES INTEGRA PROVIDE SERVICE ON ITS OWN TRANSPORT FACILITIES ON ANY OF THE 29 DESIGNATED ROUTES?

A. No. As I previously testified, Integra maintains a Lucent 5ESS switch at its regional office in Kent, Washington; Integra constructed and provisioned fiber optic cable from

HIGHLY CONFIDENTIAL DATA DELETED

its Kent switch site to Qwest's Kent-O'Brien Wire Center. Integra acquires its transport facilities in Washington from Qwest and Verizon.

SubPart B. WHOLESALE TRIGGER

Q. IN ITS PETITION FOR A FINDING OF "NO-IMPAIRMENT" FOR TRANSPORT FACILITIES IN WASHINGTON, QWEST IDENTIFIED SEVERAL CARRIERS ON THE VARIOUS ROUTES AS WHOLESALE PROVIDERS. HAS QWEST IDENTIFIED INTEGRA AS A WHOLESALE PROVIDER?

A, No.

Q. DOES INTEGRA ACQUIRE TRANSPORT FACILITIES FROM ANY CARRIER OTHER THAN QWEST ALONG THE 29 ROUTES IDENTIFIED?

A. No. Integra does not obtain transport facilities from any carrier other than Qwest.

Q. HAS INTEGRA EVER CONTACTED ANY CARRIER, OTHER THAN QWEST, AND REQUESTED TRANSPORT FACILITIES ALONG ANY OF THE 29 ROUTES DESIGNATED BY QWEST IN ITS PETITION?

A. Yes.

Q. HAS INTEGRA ENTERED INTO AN AGREEMENT FOR TRANSPORT FACILITIES ALONG ANY OF THE 29 DESIGNATED ROUTES?

A. No. Integra contacted several carriers along the designated routes to lease dark fiber. The carriers refused to lease dark fiber Integra. Integra was unable to enter into any agreement for transport facilities with any carrier other than Qwest.

Q. WOULD INTEGRA CONSIDER ACQUIRING TRANSPORT FROM ANY CARRIER OTHER THAN QWEST?

A. Yes, but only under the conditions set forth in the *TRO* and as outlined in Dean Fassett's testimony.

In order to satisfy the requirements as a wholesale provider under the definitions in the *TRO*, the facilities must be widely available, the other carrier must be immediately capable of providing the transport and back office support necessary for Integra to provide telecommunications services to its end users, and the other carrier must be willing to provide the facilities.

The carrier must be immediately capable and willing to provide service along a specific route from Qwest wire center to Qwest wire center. The carrier must have physical collocation at the Qwest wire centers on each end of the requested route, so that Integra will be able to interconnect. Integra must have access to the other carrier's collocation through CLEC-to-CLEC cross connects or other facilities. All the facilities necessary for transport of the telecommunications signals, including the cross-connects, must be readily available at competitive rates. The alternative carrier must have processes in place for ordering, including the capability to accept orders electronically, for provisioning the orders promptly, for maintaining the facilities and responding promptly to trouble tickets and working with other carriers along the route, and those processes must mirror all other providers on the route or be coordinated so that Integra, as well as any other provider, will be able to provide ubiquitous service to its end user customers

and will not be unduly delayed in providing service to its end user customers due to the requirement of working with several different providers and several unique systems.

In addition, it is extremely important that a wholesale carrier providing underlying telecommunications services to Integra or offering to provide services to Integra be capable of providing transport at the level of service necessary. Integra services the small- to-medium business market in the State of Washington and primarily delivers DS1 and lower level services to its end user customers from Qwest wire centers using services from the various routes identified by Qwest. Without access to DS1 transport, Integra's ability to provide service to its end user customers will be impaired

Q. DOES INTEGRA OFFER WHOLESALE TELECOMMUNICATIONS SERVICES TO OTHER CARRIERS ALONG THE 29 DESIGNATED ROUTES?

A. No.

SubPart C. SELF-PROVISIONING TRIGGER

Q. IN ITS PETITION FOR A FINDING OF "NO-IMPAIRMENT" FOR TRANSPORT FACILITIES IN WASHINGTON, HAS QWEST IDENTIFIED INTEGRA AS A SELF-PROVISIONER?

A. Yes. Qwest has identified Integra as a self-provisioner on **[begin HIGHLY CONFIDENTIAL] __ [end HIGHLY CONFIDENTIAL]** of the 29 routes identified. See Highly Confidential Exhibit No. _____ (RT-9HC).

Q. DOES INTEGRA QUALIFY AS A SELF-PROVISIONER ON ANY OF THE 29 ROUTES DESIGNATED AS NOT IMPAIRED BY QWEST UNDER THE ANALYSIS SET FORTH IN THE *TRO*?

A. No. As reflected on Exhibit DB-2HC, **[begin HIGHLY CONFIDENTIAL] _____ _____ _____ _____ _____. [end HIGHLY CONFIDENTIAL]**

Q. HAS INTEGRA CONSTRUCTED AND PROVISIONED ANY OF ITS OWN FIBER IN THE STATE OF WASHINGTON?

A. Yes. Integra constructed fiber from the office park premises where our Kent switch is located, from the switch to the Qwest Kent-O'Brien Wire Center. But, Integra has not constructed any other transport facilities in the State of Washington..

Q, WHEN DID INTEGRA CONSTRUCT THE FIBER?

A. 2001.

Q. HOW LONG DID IT TAKE INTEGRA TO CONSTRUCT THE FIBER?

A. Integra began planning the expansion of our Washington operations in 1999. We obtained space. We negotiated easements as part of our lease arrangement with the landowner. We negotiated construction contracts and completed fiber and equipment purchases. We, finally, began the construction in early 2001. We completed the construction and started serving end user customers from the Kent switch in October 2001.

Q. DOES INTEGRA MAKE THAT FIBER AVAILABLE TO ANY OTHER CARRIER?

A. No. The fiber is solely for the interconnection of Integra's switch to the Qwest network.

Q. HAS INTEGRA CONSTRUCTED OR INSTALLED ANY COPPER OR OTHER TRANSPORT FACILITIES ALONG ANY OF THE 29 ROUTES?

A. No.

CONCLUSION

Q. **DOES THE EVIDENCE IN THIS CASE SUPPORT A FINDING OF NONIMPAIREMENT?**

A. No, the evidence in this case does not support a finding of non-impairment and therefore, the FCC finding of impairment remains.

. Q. **DOES THIS CONCLUDE YOUR TESTIMONY?**

A. Yes, it does.