

AT&T's Amended Petition  
for Alternative  
Measurement and  
Reporting under  
WAC 480-120-439(12)

**Docket No. UT-041588**

**ATTACHMENT 1**

1 BEFORE THE PUBLIC UTILITIES COMMISSION  
STATE OF COLORADO  
2 DOCKET NO. 03R-524T

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3 IN THE MATTER OF PROPOSED REPEAL AND REENACTMENT OF  
RULES REGULATING TELEPHONE UTILITIES AND PROVIDERS AS  
4 FOUND IN 4 CCR 723-2, 4 CCR 723-7, 4 CCR 723-12,  
4 CCR 723-13, 4 CCR 723-18, 4 CCR 723-22, 4 CCR 723-24,  
5 4 CCR 723-25, 4 CCR 723-27, 4 CCR 723-28, 4 CCR 723-29,  
4 CCR 723-30, 4 CCR 723-34, 4 CCR 723-38, 4 CCR 723-39,  
6 4 CCR 723-40, 4 CCR 723-41, 4 CCR 723-42, 4 CCR 723-43,  
4 CCR 723-44, 4 CCR 723-45, 4 CCR 723-46, 4 CCR 723-48,  
7 4 CCR723-49, 4 CCR 723-52, AND 4 CCR 723-53.  
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9                   PURSUANT TO NOTICE to all parties in  
10 interest, the above-entitled matter came on for hearing  
11 before GREGORY SOPKIN, Chairman of the Public Utilities  
12 Commission, on September 23, 2004; said proceedings  
13 having been reported in shorthand by Harriet S.  
14 Weisenthal, Certified Shorthand Reporter.

15                   WHEREUPON, the following proceedings were  
16 had:

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## PROCEEDINGS

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CHAIRMAN SOPKIN: Folks, morning.

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MR. LIPSTEIN: Good morning.

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CHAIRMAN SOPKIN: We are continuing on with the hearing on the telecommunications rulemaking, and what we have left to cover is, really, the 2300 series of rules, the relationship between customers and telecommunications service providers.

It is our general expectation, since we're going to be done by noon today, that all we can get through today is Rules 2302 through 2307. Now, if we finish early, we can try to move on to some other rules as well. So, I understand that Doug Platt is going to give a brief introduction about Rules 2302 to 2307, then we'll tackle those.

In terms of order today, I'm flexible. If OCC would like to go first today, because they probably have the most substantive presentation today, is my guess. . . .

MS. CALLAGHAN: (Nodding head in the affirmative.)

CHAIRMAN SOPKIN: That probably would make sense. Mr. Dixon, did you have a comment?

MR. DIXON: I just wanted to alert you, present with me today is Gail Garey, G-a-r-e-y. I am

1 representatives.)

2 MR. PLATT: And, Mr. Chairman, just to  
3 clarify, with respect to the 2301 definitions, those  
4 definitions are in Rule 2001 of the Telecom Rules. I  
5 believe I stated practice and procedure earlier. Thank  
6 you.

7 CHAIRMAN SOPKIN: Thank you. All right.  
8 Now we're going to take comments on this set of rules,  
9 and I think I suggested, perhaps, OCC would like to go  
10 first.

11 MR. LIPSTEIN: We would be pleased to go  
12 first. The OCC would call Ms. Barbara Alexander to the  
13 stand.

14 THE WITNESS: Do you want me to move up  
15 here?

16 CHAIRMAN SOPKIN: Yes, please.

17 (Whereupon Barbara Alexander was sworn.)

18 CHAIRMAN SOPKIN: Have a seat. State and  
19 spell your name for the record.

20 THE WITNESS: My name is Barbara  
21 Alexander. I am handing my card to the court reporter,  
22 so she has the correct spelling.

23 CHAIRMAN SOPKIN: Thank you very much.

24 THE WITNESS: I am a consultant. I am  
25 here representing the Office of Consumer Counsel.

1 MS. FRIESEN: I do.

2 CROSS EXAMINATION (CON'T)

3 BY MS. FRIESEN:

4 Q Good morning, Ms. Alexander. I am Letty  
5 Friesen from AT&T.

6 A Yes.

7 Q I want to make sure I understand some of  
8 your fundamental answers as they relate to Rules 2300  
9 through 2307, that is the rules in their entirety. I  
10 understand you to say that those rules should apply  
11 only to local exchange service; is that -- did I  
12 understand that correctly?

13 A No. I said that the rules clearly have  
14 jurisdictional application to the Commission's  
15 jurisdiction. I mean, I am not going to be held to  
16 describing all of the nuances of that, but interstate  
17 telecommunication services, you regulate them in  
18 different ways, for price purposes. I understand that.

19 But the point I am making is that the  
20 primary focus, for the more detailed rules, should be  
21 local exchange service. I certainly agree with that.  
22 But there are some generic policy statements that  
23 should be in these rules that should be applicable to  
24 all providers, period.

25 Q Okay. Thank you.

1 A Yes.

2 Q The other question I have is with respect  
3 to this whole range of rules, 2300 to 2307. Should  
4 those apply only to residential and small business  
5 consumers?

6 A That's my recommendation, yes. And we  
7 made that same recommendation in the electric and gas  
8 rules.

9 Q Yes?

10 A Yes.

11 Q Okay. Now, I want -- you talked about  
12 essential services. Could you give me a definition, in  
13 your head, of what's included in essential services?

14 A I mean, by that, your statutory  
15 definition of basic local exchange service, the minimum  
16 plain vanilla, yes.

17 Q So features and functions, call-waiting,  
18 call-forwarding, all that kind of stuff wouldn't be a  
19 part of your essential services?

20 A I don't want to presuggest the  
21 Commission's determination of what that basic exchange  
22 service consists of, but whatever that is is what I  
23 meant.

24 Q Okay. I got you. Do you have or have  
25 you calculated what your proposals for deposit