

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

**In The Matter Of  
Level 3 Communications, LLC'S Petition for  
Arbitration Pursuant to Section 252(B) of the  
Communications Act of 1934, as Amended by  
The Telecommunications Act Of 1996, and the  
Applicable State Laws for Rates, Terms, and  
Conditions of Interconnection with Qwest  
Corporation**

**DOCKET NO. UT-063006**

**REPLY TESTIMONY  
Of PHILIP LINSE  
ON BEHALF OF  
QWEST CORPORATION**

**September 15, 2006**

**(Disputed Issue Nos. 2, 3, and Quad Links)**

## **TABLE OF CONTENTS**

<b>I.</b>	<b>IDENTIFICATION OF WITNESS</b> .....	<b>1</b>
<b>II.</b>	<b>PURPOSE OF TESTIMONY</b> .....	<b>1</b>
<b>III.</b>	<b>DISPUTED ISSUES NO. 2A and 2B: ALL TRAFFIC ON INTERCONNECTION TRUNKS</b> .....	<b>2</b>
<b>IV.</b>	<b>DISPUTED ISSUE NO. 2C: TRANSIT LIMITATION</b> .....	<b>9</b>
<b>V.</b>	<b>DISPUTED ISSUE NO. 3: VNXX TRAFFIC</b> .....	<b>11</b>
<b>VI.</b>	<b>DISPUTED ISSUE: QUAD LINKS</b> .....	<b>18</b>
<b>VII.</b>	<b>CONCLUSION</b> .....	<b>21</b>

1

**I. IDENTIFICATION OF WITNESS**

2

**Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND POSITION  
WITH QWEST CORPORATION.**

3

4

A. My name is Philip Linse. My business address is 700 West Mineral Avenue,  
Littleton Colorado. I am employed as Director – Technical Regulatory in the  
Network Policy Organization. I am testifying on behalf of Qwest Corporation  
("Qwest").

5

6

7

8

9

**Q. ARE YOU THE SAME PHILIP LINSE THAT HAS PREVIOUSLY FILED  
TESTIMONY IN THIS DOCKET?**

10

11

A. Yes I am.

12

13

**II. PURPOSE OF TESTIMONY**

14

**Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

15

A. The purpose of my testimony is to respond to the testimonies of Mr. Greene and  
Mr. Wilson with respect to technical matters related to certain disputed issues  
between the parties. My testimony will address the following issues from the  
Matrix of Unresolved Issues filed by Level 3 in this arbitration:

16

17

18

19

- Issue 2A & B: Combining Traffic on Interconnection Trunks

20

- Issue 2C: Transit Limitation

21

- Issue 3: VNXX Traffic

22

- Issue: Quad Links

1                   **III. DISPUTED ISSUES NO. 2A and 2B: ALL TRAFFIC**  
2                   **ON INTERCONNECTION TRUNKS**

3   **Q. DOES LEVEL 3'S PROPOSED LANGUAGE PROTECT THIRD PARTY**  
4   **CARRIERS AS MR. GREENE CONTENDS ON PAGE 33 OF HIS DIRECT**  
5   **TESTIMONY AND ON PAGE 5 OF HIS SUPPLEMENTAL DIRECT**  
6   **TESTIMONY?**

7   A. No. As I explained in my replacement direct testimony, Level 3's language does  
8   not protect third party carriers at all. Level 3 claims in its proposed language that it  
9   will not send traffic to NPA-NXXs that do not home to Qwest's switches.  
10   However, other carriers do, in fact, have NPA-NXXs homing arrangements with  
11   Qwest's switches. This can be seen in two ways. Other carriers such as CLECs  
12   Independent Company ("ICO") LECs, and Wireless Service Providers ("WSP")  
13   designate Qwest's tandem switches as their NPA-NXX homing tandem switch. In  
14   addition, Qwest offers wholesale switching to CLECs. The NPA-NXX codes that  
15   are used to provide wholesale switching to CLECs are homed to Qwest switches.  
16   Thus, Level 3's language does not prevent Level 3 from routing calls destined for  
17   third parties as Level 3 suggests.

18  
19   In addition, if Level 3 were to route un-queried traffic to Qwest NPA-NXXs that  
20   are ported to a CLEC, this traffic would transit through Qwest network such that  
21   the terminating carrier would be unable to obtain a record from Qwest. As a result  
22   the CLEC would not be compensated for the traffic.

1    **Q.    DOES THE ACCEPTANCE OF LEVEL 3’S ARCHITECTURE BY**  
2       **VERIZON, BELL SOUTH, AND SBC PROVE THAT THERE WOULD BE**  
3       **NO HARM TO THIRD PARTY CARRIERS AS TESTIFIED TO BY MR.**  
4       **GREENE ON PAGE 23 OF HIS DIRECT TESTIMONY?**

5    A.   No. There are several possibilities that may provide these other carriers the ability  
6       to accept Level 3’s architecture where Qwest can not. First, some of these carriers  
7       may not offer wholesale switching to CLECs. Second, if these carriers do offer  
8       wholesale switching, these carriers may not provide access records to their  
9       wholesale switching customers. Third, these carriers may have developed  
10      recording and billing systems for their LIS trunks. Level 3 has yet to provide any  
11      evidence that Qwest is similarly situated to BellSouth, SBC or Verizon.

12

13   **Q.    ON PAGE 32 OF HIS DIRECT TESTIMONY, MR. GREENE CLAIMS**  
14       **THAT PUTTING IXC TRAFFIC ON LOCAL TRUNKS WILL ALLOW**  
15       **LEVEL 3 TO COMPETE FOR IXC BUSINESS. IS LEVEL 3 COMPETING**  
16       **FAIRLY UNDER ITS PROPOSAL?**

17   A.   No. Level 3’s proposal would allow Level 3 to avoid costs that other IXCs pay for  
18       connecting to Qwest’s network. This proceeding concerns an agreement whose  
19       purpose is to allow Level 3 to provide “telephone exchange service” and/or  
20       “exchange access.” It is not intended to address Level 3’s delivery to Qwest of  
21       interexchange traffic. Level 3’s attempt to use its CLEC interconnection agreement  
22       to bolster its IXC operation is inappropriate and should be rejected.

1 **Q. ARE THERE CIRCUMSTANCES WHERE LEVEL 3 IS WILLING TO**  
2 **ESTABLISH FGD TRUNKING WITH QWEST?**

3 A. Yes. Mr. Greene agrees that if Level 3 were to route its IXC traffic over LIS  
4 facilities third-party LECs would not receive information sufficient to render access  
5 bills. Mr. Greene's testimony agrees that Level 3 will send this traffic to Qwest's  
6 tandems where adequate recording for the third parties can be made. The  
7 recordings that Level 3 is referring to are the same recordings that are only  
8 provided via FGD trunking. Thus, because Level 3 has agreed to use FGD  
9 trunking for the purposes of delivering this third-party traffic, there would be no  
10 reason that Level 3 would have not to also route its local traffic to this same FGD  
11 trunking. Therefore, the Commission should adopt Qwest's proposed language that  
12 allows Level 3 to route local and access traffic over FGD trunking.

13

14 **Q. DOES LEVEL 3 MEMORIALIZE ITS INTENTION TO SEND TRAFFIC**  
15 **DESTINED FOR THIRD PARTY LECs TO QWEST'S TANDEM OVER**  
16 **FGD IN ITS PROPOSED LANGUAGE?**

17 A. No it does not.

18

19 **Q. DOES MR. GREENE SPECULATE INCORRECTLY AS TO QWEST'S**  
20 **ABILITY TO EFFICIENTLY MANAGE ITS NETWORK'S TRUNK**  
21 **CAPACITY?**

1 A. Yes. Mr. Greene inappropriately and incorrectly speculates that Qwest either over  
2 estimates network capacity demands or under estimates network capacity demands,  
3 thus suggesting that Qwest does not efficiently manage its network. Mr. Greene's  
4 speculation could not be further from the truth. Qwest has processes and  
5 procedures to efficiently maintain network capacities for both wholesale and retail  
6 network demand. In addition, Qwest has quarterly forecasting meetings with  
7 CLECs so that network capacity can be made available or decommissioned in a  
8 timely manner.

9  
10 **Q. IS IT TRUE THAT QWEST WANTS LEVEL 3 TO PROVISION**  
11 **SEPARATE TRUNK GROUPS AS STATED IN THE TESTIMONY OF MR.**  
12 **WILSON ON PAGE 15 OF HIS DIRECT TESTIMONY AND ON PAGE 32**  
13 **OF MR. GREENE'S DIRECT TESTIMONY?**

14 A. No. In fact, Qwest has specifically proposed language (section 7.2.2.9.3.2) that  
15 allows Level 3 to provision a single Feature Group D trunk group for the routing of  
16 access and local traffic. Accordingly, Qwest is not an outlier on this issue as Mr.  
17 Wilson and Mr. Greene portrays Qwest to be.

18  
19 **Q. IS IT TRUE THAT QWEST HAS NOT PROVIDED ANY JUSTIFICATION**  
20 **FOR REQUIRING LEVEL 3 TO ROUTE TRAFFIC OVER FGD TRUNKS?**

21 A. No. As I have explained in my replacement direct testimony, there are several  
22 reasons why Level 3 should route its traffic over FGD trunks. First is the reduction

1 of phantom traffic. Second is the ability for Qwest to provide records to third  
2 party CLECs and Independent companies. Third is so that Level 3 can avoid any  
3 misrouting to ported numbers or to Qwest wholesale switching customers. The  
4 solutions that Level 3 claims address these issues are either unworkable or create  
5 additional inefficiencies that Level 3 claims it is attempting to avoid.

6  
7 **Q. IS MR. GREENE'S DIRECT TESTIMONY ON PAGE 24 CORRECT**  
8 **WHERE HE CONCLUDES THAT QWEST WOULD REQUIRE LEVEL 3**  
9 **TO ESTABLISH SEPARATE TRUNKS FOR IP-ENABLED TRAFFIC?**

10 A. No. Qwest's proposed language does not require Level 3 to establish separate  
11 trunks for IP-enabled traffic.

12  
13 **Q. WOULD LEVEL 3 OBTAIN THE SAME TRUNK GROUP EFFICIENCIES**  
14 **BY ROUTING LOCAL TRAFFIC OVER FEATURE GROUP D (FGD)**  
15 **TRUNK GROUPS?**

16 A. Level 3 would actually obtain better trunk group efficiencies if Level 3 were to  
17 route local traffic to FGD trunk groups.

18  
19 **Q. HOW WOULD LEVEL 3 OBTAIN BETTER TRUNK GROUP**  
20 **EFFICIENCIES BY ROUTING ITS LOCAL TRAFFIC OVER FGD**  
21 **TRUNKS?**



1 A. As Mr. Wilson explains in great detail in his testimony at page 19 through the top  
2 of page 22 it is less efficient to route traffic over multiple small trunk groups than  
3 fewer large trunk groups. With Qwest's proposal, Level 3 would route all of its  
4 traffic over a single FGD trunk group. This includes Local, Long Distance, Transit,  
5 and IP traffic. Under Level 3's proposal Level 3 would establish at least three  
6 trunk groups to deliver traffic to Qwest or to other carriers, one for Local and  
7 traditional Long Distance traffic, one for Meet-Point traffic and one for Transit  
8 traffic.<sup>1</sup>

9  
10 **Q. ON PAGE 35 OF HIS DIRECT TESTIMONY, MR. GREENE CLAIMS**  
11 **THAT QWEST CONTENDS THAT THE COMBINATION OF LOCAL,**  
12 **TOLL OR OTHER TYPES OF TRAFFIC ON A SINGLE TRUNK GROUP**  
13 **WILL RISK EXHAUSTING QWEST TANDEMS. IS THIS TRUE?**

14 A. No. Qwest has not suggested that traffic that is combined on a single trunk group  
15 would contribute to premature exhaust of Qwest switches. In fact, Qwest has  
16 offered to allow Level 3 to combine all of its traffic routed to Qwest on FGD  
17 trunks.

18  
19 **Q. ON PAGE 31 OF HIS DIRECT TESTIMONY MR. GREENE CONTENDS**  
20 **THAT THE USE OF WILTEL'S CIRCUIT SWITCHED NETWORK IS**

---

<sup>1</sup> See Wilson exhibit K LW-3 and the August 23<sup>rd</sup> 2006 technical conference discussion regarding Level 3's proposed transit limitation.

1           **INEFFICIENT AND MIGRATION OF TRAFFIC TO THIS NETWORK**  
2           **WOULD BE DISRUPTIVE. PLEASE RESPOND.**

3       A.   Not surprisingly the WilTel network uses the same circuit switch technology as  
4           Qwest's network. Thus, it defies logic that routing traffic to WilTel's circuit switch  
5           network is any more or less efficient than routing this traffic to Qwest's circuit  
6           switched network. In addition, Mr. Green provides no basis for his statement that  
7           the migration of this traffic would be disruptive to Level 3's network.

8

9       **Q.   ON PAGE 24 OF HIS DIRECT TESTIMONY MR. WILSON CONTENDS**  
10       **THAT QWEST BILLING SYSTEMS ARE NOT MATERIALLY**  
11       **DIFFERENT THAN AT&T OR VERIZON. DOES MR. WILSON PROVIDE**  
12       **ANY EXPLANATION OR EVIDENCE THAT SUPPORTS THIS**  
13       **CONTENTION?**

14      A.   No. Although Mr. Wilson explains that Qwest and other RBOCs use the same  
15           vendor switching systems Mr. Wilson provides no evidence that the billing systems  
16           of these companies are materially or otherwise the same. Thus, to assume that  
17           Qwest billing systems have the same capabilities to generate billing records as  
18           other RBOCS is unfounded.

19

20      **Q.   IN THE TECHNICAL CONFERENCE ON AUGUST 23, 2006 WAS THERE**  
21      **DISCUSSION REGARDING INDICATOR 29 OF THE EXCHANGE**  
22      **MESSAGE INTERFACE (EMI) RECORD?**

1 A. Yes

2

3 **Q. DOES QWEST CURRENTLY USE INDICATOR 29 FOR DETERMINING**  
4 **IP ORIGINATED TRAFFIC?**

5 A. No. Qwest currently uses Indicator 29 of the EMI record for third party billing.

6 Third party billing occurs when either a carrier or Qwest business customer has  
7 arranged for Qwest to include their bill with Qwest's bill when Qwest monthly bill  
8 is distributed to Qwest's end user customers. These Qwest end user customers are  
9 customers that Qwest and the carrier or Qwest business partner have in common.

10

11 **Q. DOES QWEST CURRENTLY HAVE A WAY PROCESS LEVEL 3'S**  
12 **POPULATION OF INDICATOR 29 OF THE EMI RECORD?**

13 A. Because Indicator 29 of the EMI record is use for third party billing within Qwest's  
14 billing systems, Qwest's billing system can not use Indicator 29 other than for third  
15 party billing. Thus, Level 3's population of Indicator 29 would be meaningless and  
16 may even reap havoc with Qwest's billing systems.

17

18 **IV. DISPUTED ISSUE NO. 2C: TRANSIT LIMITATION**

19 **Q. ON PAGE 32 AND 33 OF HIS DIRECT TESTIMONY MR. GREEN**  
20 **ATTEMPTS TO EXPLAIN HOW LEVEL 3 WILL SEND IXC TRAFFIC**  
21 **"ONLY TO QWEST'S TOLL TANDEMS WHERE ADEQUATE**  
22 **RECORDINGS FOR THIRD PARTIES CAN BE MADE" WHAT TYPES**

1           **OF SERVICE MUST LEVEL 3 REQUEST IN ORDER FOR THESE**  
2           **RECORDINGS TO BE MADE?**

3    A.    Level 3 would need to order Feature Group D (“FGD”) trunking in order for Qwest  
4           to make these recordings. Mr. Green seems to agree that Level 3 must establish  
5           FGD trunking with Qwest for this traffic. Thus, it is not clear why Level 3 insists  
6           on sending traffic to the same switches destined for customers of Qwest in a manor  
7           that prevents Qwest from creating these same billing records.

8

9    **Q.    CAN LEVEL 3 ASSURE ”THAT TRADITIONAL IXC TELEPHONE**  
10           **CALLS (I.E. TRADITIONAL LONG DISTANCE CALLS) WILL NOT BE**  
11           **SENT TO QWEST THAT QWEST WILL HAVE TO ROUTE TO THIRD**  
12           **PARTY LOCAL CARRIERS” AS MR. GREEN CLAIMS ON PAGE 5 OF**  
13           **HIS SUPPLEMENTAL DIRECT TESTIMONY?**

14   A.    No. As I have explained in my replacement direct testimony, this is not possible  
15           because Qwest provides wholesale switching to other CLECs. Qwest’s wholesale  
16           switching uses Qwest switches and telephone numbering resources such that it is  
17           impossible for Level 3’s switch to appropriately determine what telephone numbers  
18           are Qwest’s and what telephone numbers are CLEC’s. Thus, Level 3’s proposed  
19           language will prevent CLECs from billing Level 3 switched access for long  
20           distance traffic.

21

1 **V. DISPUTED ISSUE NO. 3: VNXX TRAFFIC**

2 **Q. PLEASE EXPLAIN DISPUTED ISSUE NO. 3B.**

3 A. Issue No. 3B concerns the agreement's definition of VNXX traffic. My testimony  
4 will reply to Level 3's testimony on this issue.

5

6 **Q. DID YOU ADDRESS VNXX IN YOUR DIRECT TESTIMONY?**

7 A. No. Mr. Brotherson addressed VNXX issues in his direct testimony. However, I  
8 am addressing VNXX here because of inconsistencies and inaccuracies in the  
9 testimony filed by Level 3's witnesses.

10

11 **Q. ON PAGE 6 OF HIS DIRECT TESTIMONY MR. WILSON EXPLAINS**  
12 **THAT SWITCHES ARE PROGRAMMED WITH A LIST OF NUMBERS**  
13 **THAT ARE "NATIVE TO ITS AREA". DOES LEVEL 3 PROVIDE**  
14 **SERVICE TO ISPS IN THE SAME LOCAL CALLING AREAS THAT**  
15 **CORRESPOND TO THE NUMBERS PROGRAMMED IN LEVEL 3'S**  
16 **SWITCH?**

17 A. No. Level 3 does not, in most cases, provide services to its ISP customers within  
18 the local calling areas that ISPs have or desire customers. By that I mean that  
19 Level 3 has no switch or ISP customers in many (probably the vast majority) of the  
20 local calling areas where they purport to provide service. Instead, Level 3  
21 inappropriately assigns telephone numbers to its ISP customers that do not reflect  
22 the local calling area in which the ISP is located, thereby allowing Level 3 to avoid

1 (and pass on to Qwest) the additional costs associated with provisioning local  
2 service to its ISP customers. By doing this, Level 3 avoids actually provisioning  
3 facilities-based services to the local calling areas in which Level 3 claims to  
4 provide local service.

5

6 **Q. DOES LEVEL 3 VIOLATE INDUSTRY GUIDELINES BY ASSIGNING**  
7 **TELEPHONE NUMBERS IN THE WAY YOU HAVE DESCRIBED?**

8 A. Yes. There are industry rules that dictate the different types of telephone numbers  
9 and how such numbers are to be assigned.

10

11 **Q. HOW WERE THE RULES FOR ASSIGNING TELEPHONE NUMBERS**  
12 **ESTABLISHED?**

13 A. In 1995, prior to the passage of the 1996 Act, the FCC created the North American  
14 Numbering Council (“NANC”), which makes recommendations to the FCC on  
15 numbering issues and oversees the North American Numbering Plan (“NANP”).  
16 At the same time, the FCC also created the North American Numbering Plan  
17 Administrator (“NANPA”), an impartial entity that is responsible for assigning and  
18 administering telecommunications numbering resources in an efficient and  
19 non-discriminatory manner. Thus NANPA is responsible for allocating NPA and  
20 NXX codes. Under FCC rules, NANPA is directed to administer telephone  
21 numbering resources in an efficient and non-discriminatory manner, *and* in

1           accordance with the guidelines developed by INC (the North American Industry  
2           Numbering Committee).<sup>2</sup>

3

4       **Q.    ARE THE “GUIDELINES” DEVELOPED BY INC INTENDED TO BE**  
5       **MERE GUIDELINES THAT CAN BE DISREGARDED?**

6       A.    No. INC guidelines are really more than mere guidelines because the adherence to  
7           them is an FCC mandate.<sup>3</sup> The Alliance for Telecommunications Industry  
8           Solutions (ATIS) has published a set of INC guidelines entitled “Central Office  
9           Code (NXX) Assignment Guidelines” (COCAG). Level 3’s method of assigning  
10          telephone numbers (i.e., its use of VNXX) is in violation of these industry

11

12       **Q.    WHAT PROVISIONS OF THE COCAG DEFINE NPA NXX CODES AS**  
13       **GEOGRAPHICALLY SPECIFIC?**

14       A.    Section 2.14 of the COCAG states that

15                    “It is assumed from a wireline perspective that CO codes/blocks  
16                    allocated to a wireline service provider are to be utilized to provide  
17                    service to a customer’s premise *physically located* in the same rate  
18                    center that the CO codes/blocks are assigned. Exceptions exist, for  
19                    example tariffed services such as *foreign exchange service*.”  
20                    (Emphasis added.)

21

22           VNXX is not identified as an exception, and is certainly not an “exception” as it is  
23           provisioned by Level 3 without local service in the rate center to which the  
24           codes/blocks are assigned.

---

<sup>2</sup> See 47 C.F.R. § 52.13(b) and (d).

<sup>3</sup> 47 C.F.R. § 52.13(d)

1

2 **Q. ARE THERE OTHER PROVISIONS IN THE COCAG THAT SPECIFY A**  
3 **GEOGRAPHIC CORRELATION WITH TELEPHONE NUMBERS?**

4 A. Yes. Section 4.2.6 of the COCAG provides that “[t]he numbers assigned to the  
5 facilities identified must serve subscribers in the *geographic area corresponding*  
6 *with the rate center requested.*” (Emphasis added.)

7

8 **Q. DOES THE COCAG DEFINE A RATE AREA?**

9 A. Yes. The COCAG defines a rate area as “Denotes the smallest geographic area  
10 used to distinguish rate boundaries.”

11

12 **Q. WHAT IS A RATE CENTER?**

13 A. A rate center is the point within a rate area that is defined by geographic specific  
14 coordinates used as the primary bases for the determination of toll rates. The rate  
15 center is also used for the bases of number assignment both from the acquisition of  
16 numbering resources and the provisioning of service to customers. Thus, it is a  
17 unique geographic area to which the numbers are assigned that is significant for  
18 determining the jurisdiction of a call and not the number itself.

19

20 **Q. DOES THE COCAG RELY ON THIS CONCEPT FOR THE BASIS OF**  
21 **GEOGRAPHIC DEFINED NUMBERING RESOURCES?**



1 A. Yes. The COCAG references rate centers and rate areas over 25 times and refers to  
2 the geographic nature of telephone number more than 10 times. The geographic  
3 nature of telephone numbers is an inherent principle on which the COCAG is  
4 based.

5

6 **Q. DOES THE COCAG DISTINGUISH BETWEEN GEOGRAPHIC**  
7 **NUMBERS AND NON-GEOGRAPHIC NUMBERS?**

8 A. Yes. The COCAG also states that “Geographic NPAs” are the “NPAs which  
9 correspond to discrete geographic areas within the NANP,” while “Non-geographic  
10 NPAs” are “NPAs that do not correspond to discrete geographic areas, but which  
11 are instead assigned for services with attributes, functionalities, or requirements  
12 that transcend specific geographic boundaries, the common examples [of which]  
13 are NPAs in the N00 format, e.g., 800.”

14

15 **Q. DOES LEVEL 3 APPROPRIATELY ASSIGN NUMBERS TO ITS**  
16 **CUSTOMERS OF VNXX SERVICE ACCORDING TO INC GUIDELINES?**

17 A. No. The telephone numbers that Level 3 use are geographic NPA numbers – in  
18 other words, they are numbers that should, according to guidelines, correspond to  
19 discrete geographic areas. But under Level 3’s inappropriate assignment of these  
20 numbers, they no longer reflect a specific geographic location. Callers who dial a  
21 Level 3 “local” number would not reach anyone in the local calling area – rather,  
22 they would be transported over Qwest’s LIS network to Level 3’s switch, and then

1 on to an ISP that may be located in a different local calling area in the state, or in  
2 another state entirely. This use of numbers violates industry guidelines.

3

4 **Q. DOES LEVEL 3'S PERSPECTIVE OF ITS VNXX SERVICE COMPORT**  
5 **WITH THE INDUSTRY NUMBERING GUIDELINES?**

6 A. Not at all. As explained above, the industry numbering guidelines recognize that  
7 there are numbers that are geographic in nature, and others that are non-geographic  
8 in nature. The determination whether a NPA/NXX is geographic or  
9 non-geographic is based on the NPA digits that precede the NXX digits.  
10 Geographic numbers are the telephone numbers that most people associate with  
11 their wireline service. Non-geographic numbers are telephone numbers that have  
12 NPA digits such as 800 or 900. However, Level 3 has chosen to use geographic  
13 numbers to facilitate a non-geographically provisioned service.

14

15 **Q. BOTH MR. GREENE AND MR. WILSON CONTEND THAT SWITCHES**  
16 **HAVE NO WAY OF "KNOWING" THE GEOGRAPHIC LOCATIONS**  
17 **ASSOCIATED WITH THE TELEPHONE NUMBERS ASSIGNED TO A**  
18 **SWITCH. DO MR. GREENE AND MR. WILSON MISREPRESENT HOW**  
19 **NUMBERS ARE ASSIGNED?**

20 A. Yes. If Level 3's method of assigning telephone codes/blocks to switches were  
21 taken to its logical conclusion, all switches should recognize all telephone numbers  
22 as local calls. Mr. Greene and Mr. Wilson miss the concept that a switch only

1 “knows” what is programmed into it. Switch programming determines what is  
2 local and what is toll. This programming is based on decades of regulatory  
3 precedent that distinguished local and toll calls based on geographic boundaries. To  
4 imply that geographic location makes no difference is absurd. The history of the  
5 telecommunications industry and its method of regulation are fundamentally based  
6 on the geographic location of end users.

7  
8 **Q. HAS THE WASHINGTON COMMISSION PREVIOUSLY ADDRESSED**  
9 **THE LEGALITY OF CALLS PLACED FROM ONE LOCAL CALLING**  
10 **AREA TO ANOTHER WITHOUT INCURRING ACCESS AND/OR TOLL**  
11 **CHARGES?**

12 A. Yes. In dockets numbered U-88-2370-J and UT-971515, the Commission  
13 addressed toll bridging where calls are made between two overlapping EAS regions  
14 to avoid incurring access and/or toll charges. In these dockets the commission  
15 determined that it is unlawful to bridge EASs.

16  
17 **Q. HOW IS VNXX THE SAME AS TOLL BRIDGING?**

18 A. Toll Bridging enables end users to call from one local calling area to another  
19 without toll charges. Similarly, the company that provides such Toll Bridging  
20 service also evades applicable access charges for providing the Toll Bridging  
21 service.

22

1 VNXX works in the same way. VNXX enables end users to call from one local  
2 calling area to their ISP located in another local calling area without incurring toll  
3 charges. As with Toll Bridging, the company that provides such VNXX service  
4 also evades applicable access charges for providing the VNXX service.

5  
6 **VI. DISPUTED ISSUE: QUAD LINKS**

7 **Q. ON PAGE 25 OF HIS DIRECT TESTIMONY MR. WILSON INFERS THAT**  
8 **QWEST REQUIRES LEVEL 3 TO ESTABLISH MORE THAN ONE SET**  
9 **OF SS7 QUAD LINKS FOR SIGNALING WITH QWEST. DOES QWEST**  
10 **REQUIRE MORE THAN ONE SET OF SS7 QUAD LINKS?**

11 A. No. It is not clear why this is an issue in this arbitration. Qwest has not contended  
12 that Level 3 must provide more than a single SS7 quad link connection with  
13 Qwest's signaling network. Qwest's language does not require multiple quad link  
14 connections nor do the industry standards require this.

15  
16 **Q. WHAT IS QWEST'S LANGUAGE?**

17 A. Qwest proposes the following language which I have also discussed in my  
18 replacement direct testimony:

19 7.2.2.6.1 SS7 Out-of-Band Signaling. SS7 out-of-band signaling  
20 is available for LIS trunks. SS7 out-of-band signaling must be  
21 requested on the order for new LIS trunks. Common Channel  
22 Signaling Access Capability Service may be obtained through the  
23 following options: (a) as set forth in this Agreement at Section 9.6  
24 or 9.13; (b) as defined in the FCC Tariff # 1; or (c) from a third  
25 party signaling provider. Each of the Parties, Qwest and CLEC,

1 will provide for Interconnection of their signaling network for the  
2 mutual exchange of signaling information in accordance with the  
3 industry standards as described in Telcordia documents, including  
4 but not limited to GR-905 CORE, GR-954 CORE, GR-394 CORE  
5 and Qwest Technical Publication 77342.

6  
7 **Q. DOES QWEST’S LANGUAGE PREVENT LEVEL 3 FROM PROVIDING**  
8 **ITS OWN SIGNALING OR TO OBTAIN ITS SIGNALING FROM A**  
9 **THIRD PARTY?**

10 A. No. Qwest’s proposed language could not be clearer. As I have also described in  
11 my replacement direct testimony Sub-item “b” allows Level 3 to provide its own  
12 quad links and establish connections with Qwest’s signaling network through  
13 Qwest’s tariff. Sub-item “c” specifically allows Level 3 to use a third party  
14 signaling provider.

15  
16 **Q. DOES QWEST’S PROPOSED LANGUAGE REQUIRE MULTIPLE**  
17 **SIGNALING QUAD LINKS?**

18 A. No. This too is perplexing. Anyone that is familiar with signaling should be  
19 familiar with the list of industry standards that is referenced in the last sentence of  
20 Qwest’s language. These standards represent signaling for multiple types of traffic  
21 as well as the connections between multiple types of carriers such as the  
22 connections between Qwest and CLECs/IXCs like Level 3.

23

1 **Q. WILL THE IMPLEMENTATION OF QWEST'S LANGUAGE IN THIS**  
2 **AGREEMENT FORCE LEVEL 3 TO CHANGE THE WAY IT**  
3 **CURRENTLY PROVISIONS ITS SIGNALING WITH QWEST?**

4 A. No.

5

6 **Q. HAS LEVEL 3 CHANGED ITS POSITION ON THIS ISSUE?**

7 A. This seems to be the situation. In the technical conference that was held on August  
8 23, 2006, Mr. Wilson appeared to change Level 3's position from the technical  
9 feasibility of establishing a single set of quad links to some aspect of cost for the  
10 quad links.

11

12 **Q. PLEASE EXPLAIN THE ELEMENTS THAT MAKE UP THE COST OF**  
13 **QUAD LINKS?**

14 A. There are essentially two elements that make up the cost of connecting to and  
15 exchange SS7 messages with Qwest's SS7 network for call set-up. The first is the  
16 transport facility that is used by Level 3 to connect with Qwest's SS7 network. As  
17 I described in my replacement direct testimony, Qwest is no longer required to  
18 provide unbundled signaling. Thus Qwest's tariff rate for this transport facility is  
19 the applicable rate. The second element is the message rate or the charge for the  
20 SS7 messages that are routed across Qwest's SS7 network for call set-up. This  
21 charge is proportioned based on access messages and non-access messages. The  
22 non-access messages are proportioned based on a Percent Other Message or POM.

1       The POM is made up of all local messages and transient messages. As a result  
2       Qwest appropriately applies the charges based on the type of messages that route  
3       across Qwest's SS7 network.

4

5

## **VII. CONCLUSION**

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

7   A. Yes it does.