

March 29, 2004

**VIA E-MAIL & HAND DELIVERY**

Carol J. Washburn  
Executive Secretary  
Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
Olympia, WA 98504-7250

Re: WECA, et al. v. LocalDial  
WUTC Docket No. UT-031472  
Response Testimony of William Page Montgomery Submitted on  
Behalf of LocalDial

Dear Ms. Washburn:

Enclosed for filing in the above-referenced docket are the original and 16 copies of the *revised* page 27 to the Direct Testimony of William Page Montgomery submitted on behalf of LocalDial on February 27, 2004. Copies of this document have also been sent to the parties on the attached Certificate of Service via the method(s) indicated therein.

If you have any questions, please feel free to contact me.

Sincerely,

ATER WYNNE LLP



Arthur A. Butler

Enclosure

243293\_1

cc: Parties of Record

1 in effect until further FCC action; the current reduced rate is \$0.0007 per minute.<sup>1</sup> As  
2 presently structured, the long term default compensation arrangement enunciated by the  
3 FCC is a bill-and-keep arrangement. This pricing arrangement may be impacted by any  
4 FCC decision with respect to the *Unified Intercarrier Compensation* NPRM,<sup>2</sup> although  
5 three years have passed without action since that Notice was released. The default  
6 arrangement for bill-and-keep of these calls is also subject to the Appeals Court remand  
7 of the last FCC Order on Remand. These existing actions may be affected by the FCC's  
8 February 12, 2004 NPRM<sup>3</sup> on pricing of VoIP calls and/or by action on the pending but  
9 unresolved petitions of several parties for FCC declaratory rulings regarding VoIP access  
10 pricing. It would be fair to say that these issues are "unsettled," but in the meantime the  
11 existing rules regarding reciprocal compensation pricing, and regarding the definition of  
12 enhanced services, remain in full force and effect.

13 **Q. ASIDE FROM THE FACT THAT THE "ROUTING" OF LOCALDIAL**  
14 **CUSTOMERS' CALLS DOES NOT DETERMINE HOW THOSE CALLS**  
15 **ARE PRICED, IS THERE ANY OTHER EVIDENCE THAT WECA**  
16 **MEMBERS' INTRASTATE SWITCHED-ACCESS TARIFFS DO NOT**  
17 **APPLY?**

18 **A.** Yes. I have noted that LocalDial is not, in fact, the "customer" of WECA members and  
19 cannot be forced to pay tariff charges as if it were a customer. But WECA members'

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<sup>1</sup> First Remand Order, ¶ 8.

<sup>2</sup> See Footnote 4 above.

<sup>3</sup> See Footnote 7 above.

## CERTIFICATE OF SERVICE

I hereby certify that I have this 29th day of March, 2004, served the true and correct original, along with the correct number of copies, of the foregoing document upon the WUTC, via the method(s) noted below, properly addressed as follows:

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I hereby certify that I have this 26<sup>th</sup> day of March, 2004, served a true and correct copy of the foregoing document upon parties of record, via the method(s) noted below, properly addressed as follows:

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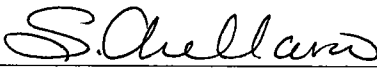
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 29th day of March, 2004, at Seattle, Washington.

  
\_\_\_\_\_