

BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

QWEST CORPORATION,

Complainant,

v.

LEVEL 3 COMMUNICATIONS, LLC; PAC-
WEST TELECOM, INC.; NORTHWEST
TELEPHONE INC.; TCG-SEATTLE;
ELECTRIC LIGHTWAVE, INC.;
ADVANCED TELECOM GROUP, INC.
D/B/A ESCHOLON TELECOM, INC.;
FOCAL COMMUNICATIONS
CORPORATION; GLOBAL CROSSING
LOCAL SERVICES INC; AND , MCI
WORLD COM COMMUNICATIONS, INC.

Respondents.

Docket No. UT-063038

DIRECT TESTIMONY OF

SCOTT D. KELL

**ON BEHALF OF
BROADWING COMMUNICATIONS, LLC**

February 2, 2007

1 **Q. PLEASE STATE YOUR NAME, TITLE AND BUSINESS ADDRESS.**

2 A. My name is Scott Kell. Until January 2007, I was Vice President, Voice
3 Operations for Broadwing Communications LLC ("Broadwing"). On January 3,
4 2007, Level 3 Communications, LLC ("Level 3") completed its acquisition of
5 Broadwing and Broadwing is now a subsidiary of Level 3. My business address
6 while I was employed by Broadwing was 200 North LaSalle Street, Chicago,
7 Illinois 60601.

8 **Q. PLEASE REVIEW YOUR EDUCATIONAL BACKGROUND AND**
9 **WORK EXPERIENCE.**

10 A. I earned a Bachelor of Science in Electrical Engineering at Purdue University in
11 1988. I also hold a Master's degree in Telecommunications from Southern
12 Methodist University and an MBA from Northwestern University. In June 1998,
13 I joined Focal Communications as a Senior Manager in product management.
14 Other positions I held at Focal were Director, Data Engineering from 2000-2004
15 and Director, Telephony Engineering from 2004-2005. In the summer of 2004,
16 Broadwing acquired Focal. Following that transaction, I was Vice President,
17 Voice Engineering from March 2005-March 2006 and Vice President, Voice
18 Operations from March 2006 until January of this year.

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

20 A. I am testifying to describe the network architecture of Broadwing as it is
21 configured in the state of Washington.

22 **Q. PLEASE DESCRIBE BROADWING'S NETWORK IN THE STATE OF**
23 **WASHINGTON?**

24 A. Broadwing operates a TDM network in Washington. Broadwing owns one DMS-
25 500 switch, which is located at 1511 6th Avenue in Seattle to serve LATA 674,

1 which includes the Qwest service areas in Seattle and Tacoma. Broadwing has
2 connected its switch location to various local and tandem switching centers
3 owned by Qwest and other local exchange carriers in LATA 674 with fiber
4 transport that it has paid Qwest or other providers to provide.

5 **Q. WHERE DOES BROADWING INTERCONNECT WITH QWEST IN**
6 **LATA 674?**

7 A. In the Qwest service areas in LATA 674, Broadwing has established points of
8 interconnection (“POIs”) at the following nine locations:

9 BLLVWASHHG2
10 KENTWA0BHG2
11 OLYMWA02HG1
12 RNTNWA01HG1
13 STTLWA01HGC
14 STTLWA03HJ1
15 STTLWAE LHGA
16 STTLWAHNWAA
17 TACMWAF AHG1

18 Via these nine POIs, Broadwing interconnects to six Qwest tandem offices
19 for the purpose of exchanging local and access traffic. Broadwing also uses these
20 same POIs to interconnect to approximately 67 end offices within LATA 674.

21 **Q. WHO PAYS THE COST OF THE LEASED TRANSPORT THAT**
22 **CONNECTS THE BROADWING SWITCH TO THE VARIOUS POIS?**

23 A. Broadwing pays 100% of the costs of the facilities between the Broadwing switch
24 and the POIs it has established with Qwest in LATA 674 per the terms of
25 Broadwing’s interconnection agreement with Qwest.

26 **Q. HOW DO QWEST AND BROADWING EXCHANGE LOCAL**
27 **TRAFFIC WITHIN THE LATA 674?**

28 A. If a Qwest customer dials the number of a customer served by Broadwing, Qwest
29 will recognize the call as one to be handed off to Broadwing and will deliver the

1 call to a Broadwing POI, usually the one nearest to the end office serving the
2 Qwest customer. From the POI, Broadwing transports the call back to its switch
3 in downtown Seattle and then routes the call to its customer over the Broadwing
4 owned or leased facility that connects its customer to Broadwing's switch.

5 **Q. DOES THE DISTANCE THAT QWEST HAS TO TRANSPORT THE**
6 **TRAFFIC TO THE BROADWING POI VARY DEPENDING ON THE**
7 **LOCATION OF THE BROADWING CUSTOMER?**

8 A. No. Qwest transports calls to the Broadwing POI nearest to the Qwest customer
9 regardless of where the Broadwing customer is located. Thus, Qwest incurs the
10 same costs for each call originated by its customers to Broadwing customers.

11 **Q. QWEST'S WITNESS, LARRY BROTHERSON, HAS TESTIFIED**
12 **THAT "IT APPEARS CLEAR THAT BROADWING USES QWEST'S,**
13 **AND NOT ITS OWN, FACILITIES TO PROVIDE [VIRTUAL OFFICE**
14 **AND VIRTUAL EXCHANGE] SERVICE, INCLUDING QWEST'S**
15 **FACILITIES WITHIN THE LCA AND QWEST TRANSPORT TO**
16 **THE REMOTE AREA WHERE THE CALLS ARE ANSWERED."**
17 **TESTIMONY OF QWEST WITNESS MR. BROTHERSON, EXHIBIT**
18 **LBB-1T, AT 52:4-8 (NOV. 20, 2006). IS MR. BROTHERSON**
19 **CORRECT?**

20 A. No, he is plainly wrong. Calls made by Qwest customers to Broadwing
21 customers that subscribe to either of these services use exactly the same Qwest
22 facilities between the caller and the Broadwing POI that Qwest would use to
23 deliver calls to Broadwing that were destined for Broadwing customers actually
24 located in the same local calling area as the Qwest customer placing the call.
25 Qwest incurs exactly the same cost delivering traffic to Broadwing whether or not
26 the Broadwing customer is a subscriber to Virtual Office or Virtual Exchange
27 service. It is Broadwing, not Qwest, that bears the cost of transporting the call

1 from the POI to the Broadwing switch and ultimately to the customer, wherever
2 that customer is located.

3 **Q. BUT IF THE POI IS NOT IN THE LOCAL CALLING AREA WHERE**
4 **THE CALL ORIGINATED, DOES QWEST HAVE TO TRANSPORT**
5 **IT TO THE “REMOTE AREA WHERE THE CALLS ARE**
6 **ANSWERED?”**

7 A. No. If the POI is not in the local calling area where the call originated, Qwest has
8 to transport the call to the POI, period. Qwest bears this transport responsibility
9 regardless of whether Broadwing’s customer is in the local calling area where the
10 call originated or in some so-called “remote area.”

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

12 A. Yes, it does.