

**BEFORE THE WASHINGTON UTILITIES  
AND TRANSPORTATION COMMISSION**

WASHINGTON EXCHANGE CARRIER  
ASSOCIATION, et al.,

Complainants,

v.

MARATHON COMMUNICATIONS, INC.,

Respondent.

Docket No. UT-041244

**DIRECT TESTIMONY OF  
RICK VITZTHUM  
ON BEHALF OF THE  
WASHINGTON EXCHANGE CARRIER ASSOCIATION**

**October 8, 2004**

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

3 A. My name is Rick Vitzthum. I am the Controller for the Tenino Telephone  
4 Company and Kalama Telephone Company. My business address is 225 Central  
5 Avenue West, Tenino, WA 98589.

6

7 **Q. HAVE YOU PREVIOUSLY APPEARED AS A WITNESS BEFORE THIS**  
8 **COMMISSION?**

9 A. Yes. I have testified before this Commission on universal service and access  
10 issues.

11

12 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS**  
13 **PROCEEDING?**

14 A. The purpose of my testimony is to factually confirm that Marathon's operations  
15 continued to use LocalDial facilities after June 21, 2004.

16

17 **Q. HOW DO YOU KNOW THAT MARATHON CONTINUED TO USE**  
18 **LOCALDIAL'S FACILITIES?**

19 A. As a test to determine whether or not LocalDial's operations were continuing past  
20 June 21, 2004, I subscribed to LocalDial's service on June 22, 2004. I did so from  
21 my home address in Winlock, Washington, which is a Qwest service territory.

22

23

1 **Q. WHAT DID YOU DO AFTER SUBSCRIBING TO THE SERVICE?**

2 A. I continued to make test calls to the “local” number in Centralia -- a LocalDial  
3 number. To test the service, I had my wife make calls to my business number in  
4 Tenino, which is a long distance or toll call. Upon dialing that number, she would  
5 get a prompt to enter the destination number (my business number) and would  
6 enter the destination number for the call. That call would then be completed. I  
7 verified completion through our switch records and found the calls were  
8 completed over EAS, not toll trunks. The records showed the calling party as  
9 LocalDial’s Olympia PRI number, not my home number, although in fact the  
10 home number was the true calling party. As we know from the examination of  
11 LocalDial’s operations, this constituted use of a two-way PRI service that  
12 bypassed the local exchange company access charges. In addition, we know from  
13 Marathon’s own statements that it continued to use LocalDial’s facilities for some  
14 period of time, including, it appears, into September, at a minimum.

15

16 **Q. WHEN DID YOU FIND A CHANGE IN THE SERVICE**  
17 **CONFIGURATION?**

18 A. Sometime between July 2 and July 6. Calls made on July 2 used the PRI route.  
19 Calls made on July 6 did not.

20

21 **Q. DOES THAT CONCLUDE YOUR DIRECT TESTIMONY?**

22 A. For the present time.

23

