



BellSouth Telecommunications, Inc.

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Joelle J. Phillips

Attorney

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EXECUTIVE SECRETARY

October 9, 2001

VIA HAND DELIVERY

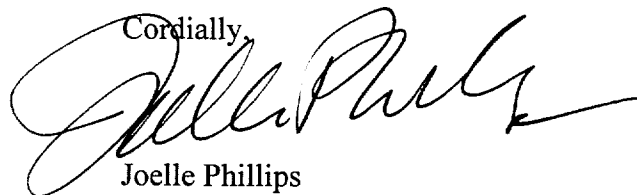
Mr. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: *Petition of MCI WorldCom to Enforce Interconnection Agreement with BellSouth Telecommunications, Inc.*
Docket No. 01-00513

Dear Mr. Waddell:

Enclosed please find the original and thirteen copies of the rebuttal testimony of Richard McIntire and Patrick Finlen. Please note that, attached to Mr. McIntire's rebuttal testimony is an Amended Exhibit RM-2 to his direct testimony, in which an error has been corrected. BellSouth has no objection to the filing of surrebuttal to this amended exhibit. Copies have been provided to counsel of record.

Cordially,



Joelle Phillips

JP/jej

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Henry Walker, Esquire
Boult, Cummings, Conners & Berry
Post Office Box 198062
Nashville, Tennessee 37219-8062

A handwritten signature in black ink, appearing to read "Henry Walker", is written over a horizontal line.

1 BELLSouth TELECOMMUNICATIONS, INC.

2 REBUTTAL TESTIMONY OF RICHARD MCINTIRE

3 BEFORE THE TENNESSEE REGULATORY AUTHORITY

4 DOCKET NO. 01-00513

5 OCTOBER 9, 2001

6
7
8 Q. PLEASE STATE YOUR NAME, POSITION, AND ADDRESS WITH BELLSouth
9 TELECOMMUNICATIONS, INC. (HEREINAFTER REFERRED TO AS
10 "BELLSouth").

11
12 A. My name is Richard McIntire. I am employed by BellSouth as an Operations Director in
13 the Local Interconnection Services Center ("LISC"). My business address is 600 North
14 19th Street, Birmingham, Alabama, 35203.

15
16 Q. ARE YOU THE SAME RICHARD MCINTIRE WHO FILED DIRECT TESTIMONY
17 IN THIS PROCEEDING?

18
19 A. Yes.

20
21 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY BEING FILED TODAY?

1 A. I will provide rebuttal to the testimony of Dan Aronson. I will also provide an Amended
2 Exhibit 2 to my direct testimony in light of an error which I discovered as a result of my
3 review of the testimony of Mr. Aronson.
4

5 Q. HAVE YOU REVIEWED EXHIBIT 1 TO MR. ARONSON'S DIRECT TESTIMONY?
6

7 A. Yes. I have prepared a spreadsheet comparing BellSouth's data to the data supplied by
8 MCI WorldCom. To demonstrate the comparison, our spreadsheet includes both MCI
9 WorldCom's numbers as well as BellSouth's numbers for ease of reference. MCI
10 WorldCom's calculations are incorrect for the reasons articulated in my direct
11 testimony. I have attached the spreadsheet that I prepared to my rebuttal testimony as
12 Exhibit 1. As reflected on Exhibit 1, BellSouth's calculation demonstrates that the total
13 amount due to MCI WorldCom for reciprocal compensation for ISP-bound traffic is
14 \$715,889.66. BellSouth has commenced the process today to make payment of this
15 amount to MCI WorldCom.
16

17 Q. DID YOU NOTICE ANY OTHER INACCURACIES IN THE EXHIBIT TO MR.
18 ARONSON'S DIRECT TESTIMONY?
19

20 A. Yes, the method MCI WorldCom used to calculate the interest payments due does not
21 give BellSouth credit for the payments that have been made. During the period from
22 August 1998 thru January 1999, MCI WorldCom invoiced BellSouth at a \$.0175 rate and
23 BellSouth made payments at this rate. This rate caused BellSouth to pay more than is

1 due. MCI WorldCom in their calculation of interest does not give credit for this
2 overpayment but rather charges on a month by month basis never taking in effect the
3 surplus payments that were made during that period. MCI WorldCom in effect has
4 charged BellSouth interest on the money that BellSouth has already paid.
5

6 Q. HAVE YOU PROVIDED AN AMENDED EXHIBIT 2 TO YOUR DIRECT
7 TESTIMONY?
8

9 A. Yes. Upon review of the direct testimony of Mr. Aronson, I referred back to Exhibit 2 to
10 my direct testimony and discovered an error. I have attached Amended Exhibit 2 to my
11 rebuttal testimony which has been corrected to reflect the correct local end office rate.
12 (*See* the attached "Amended Exhibit 2 to Direct Testimony"). The original exhibit to my
13 direct testimony incorrectly listed the local end office rate as .0019. As reflected in
14 Amended Exhibit 2, the correct local end office rate is .0008041.
15

16 Q. DOES THIS CONCLUDE YOUR TESTIMONY?
17

18 A. Yes.
19

DATE	Brooks Invoice MOUs	Brooks IntraLata MOUs	Brooks Invoice Local MOUs	Brooks Invoice PLU	Brooks South Collected MOUs	Brooks Recal'd IntraLata MOUs	Brooks Recal'd Local MOUs	Brooks Invoiced IntraLata Rates	Brooks Invoiced Local Rates	Brooks Rates	BellSouth Rates	BellSouth Rates	IntraLata dollars	Local Dollars	Total Recalculated Amounts	BST Paid	Total Payment Due	Interest
Aug-98	33,884,871		33,884,871	0.990	40,766,529	338,849	33,546,022	0.03784	0.0175	0.0365470	0.0008041	0.0008041	\$12,384	\$26,974	\$39,358	\$308,741.97	\$ (269,383.71)	
Sep-98	51,586,273		51,586,273	0.988	42,413,841	619,035	50,967,238	0.03784	0.0175	0.0365470	0.0008041	0.0008041	\$22,624	\$40,983	\$63,607	\$548,990.32	\$ (485,383.68)	
Oct-98	50,838,933		50,838,933	0.988	51,627,407	610,067	50,228,866	0.03784	0.0175	0.0365470	0.0008041	0.0008041	\$22,296	\$40,389	\$62,685	\$270,518.50	\$ (207,833.34)	
Nov-98	52,316,344	732,226	51,584,118	0.987	56,519,006	680,112	51,636,232	0.03784	0.0175	0.0365470	0.0008041	0.0008041	\$24,856	\$41,521	\$66,377	\$278,689.86	\$ (212,313.10)	
Dec-98	50,822,932	687,932	50,135,000	0.987	56,948,568	660,698	50,162,234	0.03784	0.0175	0.0365470	0.0008041	0.0008041	\$24,147	\$40,335	\$64,482	\$270,734.43	\$ (206,252.44)	
Jan-99	56,278,899	1,791,053	54,487,846	0.987	58,710,708	731,626	55,547,273	0.038337	0.0175	0.0365470	0.0008041	0.0008041	\$26,739	\$44,666	\$71,404	\$299,803.60	\$ (228,399.31)	
Feb-99	53,656,014	1,675,751	51,980,263	0.973	58,316,009	1,448,712	52,207,302	0.039297	0.005	0.0365470	0.0008041	0.0008041	\$42,166	\$33,433	\$75,599	\$234,459.04	\$ (158,860.01)	
Mar-99	42,731,637	1,470,916	41,260,721	0.973	48,138,287	1,153,754	47,557,883	0.039297	0.005	0.0365470	0.0008041	0.0008041	\$40,210	\$30,924	\$70,924	\$0.00	\$ (90,923.75)	
Apr-99	51,393,791	1,781,809	49,611,982	0.973	54,828,578	1,387,632	50,006,159	0.039297	0.005	0.0365470	0.0008041	0.0008041	\$36,737	\$26,845	\$63,582	\$34,776.04	\$ (31,068.67)	
May-99	47,196,961	1,615,661	45,581,300	0.968	49,435,433	1,510,303	45,686,658	0.039297	0.005	0.0192730	0.0008041	0.0008041	\$29,108	\$37,454	\$66,562	\$11,932.81	\$ (55,197.93)	
Jun-99	48,118,776	1,629,909	46,488,867	0.968	48,295,647	1,539,801	46,578,975	0.019273	0.005	0.0192730	0.0008041	0.0008041	\$27,965	\$35,294	\$63,260	\$33,150.85	\$ (30,108.91)	
Jul-99	45,344,093	1,842,402	43,502,691	0.968	52,859,959	1,451,011	43,893,082	0.019273	0.005	0.0192730	0.0008041	0.0008041	\$11,385	\$40,526	\$51,912	\$10,691.13	\$ (41,220.57)	
Aug-99	51,115,193	1,412,402	49,702,791	0.986	70,984,346	715,613	50,395,580	0.019273	0.005	0.0159100	0.0008041	0.0008041	\$12,690	\$45,169	\$57,859	\$11,891.91	\$ (45,967.05)	
Sep-99	56,971,201	1,699,372	55,271,829	0.986	79,055,409	797,597	56,173,604	0.01631	0.005	0.0159100	0.0008041	0.0008041	\$28,017	\$60,150	\$88,167	\$14,013.38	\$ (53,872.72)	
Oct-99	66,844,491	1,966,380	64,878,111	0.986	66,188,736	935,823	65,908,668	0.01631	0.005	0.0159100	0.0008041	0.0008041	\$31,976	\$68,649	\$100,625	\$0.00	\$ (88,167.00)	
Nov-99	76,564,709	2,712,940	73,851,769	0.977	71,295,677	74,803,721	0.01631	0.005	0.0159100	0.0008041	0.0008041	0.0008041	\$35,079	\$75,309	\$110,388	\$110,387.86	\$ (110,387.86)	
Dec-99	97,383,396	2,946,279	84,437,117	0.977	76,377,471	2,009,818	85,373,578	0.01631	0.005	0.0159100	0.0008041	0.0008041	\$16,838	\$93,949	\$110,787	\$106,359.43	\$ (106,359.43)	
Jan-00	95,861,432	3,222,850	92,638,582	0.977	89,221,146	2,204,813	93,658,619	0.01631	0.005	0.0142670	0.0008041	0.0008041	\$16,165	\$90,195	\$106,359	\$113,273.30	\$ (113,273.30)	
Feb-00	118,017,672	2,973,078	115,044,594	0.990	109,629,743	1,180,177	116,837,495	0.01631	0.005	0.0142670	0.0008041	0.0008041	\$0	\$96,107	\$96,107	\$96,107.09	\$ (96,107.09)	
Mar-00	113,301,527	2,648,368	110,653,159	0.990	104,280,312	1,133,015	112,168,512	0.01631	0.005	0.0142670	0.0008041	0.0008041	\$0	\$90,198	\$90,198	\$90,198.24	\$ (90,198.24)	
Apr-00	120,666,666	2,876,886	117,789,780	0.990	110,300,594	1,206,667	119,459,999	0.01631	0.005	0.0142670	0.0008041	0.0008041	\$0	\$92,047	\$92,047	\$92,047.27	\$ (92,047.27)	
May-00	119,521,317	1,820,280	117,701,037	1.000	108,592,420	0	119,521,317	0.01631	0.005	0.0142670	0.0008041	0.0008041	\$0	\$94,560	\$94,560	\$104,952.61	\$ (104,952.61)	
Jun-00	112,172,910	1,165,684	111,007,226	1.000	103,801,600	0	112,172,910	0.01631	0.005	0.0142670	0.0008041	0.0008041	\$0	\$92,118	\$92,118	\$102,242.04	\$ (102,242.04)	
Jul-00	114,472,414	1,259,192	113,213,222	1.000	106,608,613	1,187,853	117,597,423	0.01631	0.005	0.0087490	0.0008041	0.0008041	\$10,393	\$94,559	\$104,953	\$108,140.00	\$ (108,140.00)	\$ 30.98
Aug-00	118,785,276	2,201,987	116,583,289	0.990	110,256,364	1,187,839	117,596,101	0.009659	0.005	0.0087490	0.0008041	0.0008041	\$10,392	\$94,559	\$104,951	\$111,190.64	\$ (111,190.64)	\$ 1,142.89
Sep-00	118,783,940	2,166,769	116,627,171	0.990	114,864,300	1,157,175	114,560,280	0.009659	0.005	0.0087490	0.0008041	0.0008041	\$11,008	\$130,811	\$141,819	\$120,545.96	\$ (120,545.96)	\$ 2,348.35
Oct-00	115,717,455	2,179,983	113,537,472	0.990	114,215,973	1,187,878	114,560,280	0.009659	0.005	0.0087490	0.0008041	0.0008041	\$10,445	\$124,131	\$134,577	\$141,819.11	\$ (141,819.11)	\$ 3,766.54
Nov-00	134,485,759	1,520,870	132,964,889	1.000	132,036,722	0	134,485,759	0.009659	0.005	0.0087490	0.0008041	0.0008041	\$11,420	\$135,710	\$147,130	\$134,576.92	\$ (134,576.92)	\$ 5,112.31
Dec-00	138,279,621	1,579,463	136,700,158	1.000	141,656,946	0	138,279,621	0.009149	0.005	0.0087490	0.0008041	0.0008041	\$0	\$122,287	\$122,287	\$122,286.53	\$ (122,286.53)	\$ 7,806.47
Jan-01	149,914,143	1,683,595	148,230,548	1.000	153,468,438	0	149,914,143	0.009149	0.005	0.0087490	0.0008041	0.0008041	\$0	\$122,238	\$122,238	\$122,237.53	\$ (122,237.53)	\$ 9,028.84
Feb-01	164,656,512	3,358,199	161,298,313	0.988	172,907,075	1,975,878	162,680,634	0.005971	0.005	0.0055710	0.0008041	0.0008041	\$11,420	\$135,710	\$147,130	\$147,129.76	\$ (147,129.76)	\$ 6,583.60
Mar-01	156,248,094	2,170,495	154,077,599	0.988	156,002,972	1,874,977	154,373,117	0.005971	0.005	0.0055710	0.0008041	0.0008041	\$0	\$122,238	\$122,238	\$122,237.53	\$ (122,237.53)	\$ 7,806.47
Apr-01	170,822,337	2,023,576	168,798,761	0.988	168,195,999	2,049,868	168,772,469	0.005971	0.005	0.0055710	0.0008041	0.0008041	\$0	\$122,238	\$122,238	\$122,237.53	\$ (122,237.53)	\$ 9,028.84
May-01	152,078,760	1,648,539	150,430,221	1.000	151,040,451	0	152,078,760	0.004245	0.005	0.0055710	0.0008041	0.0008041	\$0	\$122,238	\$122,238	\$121,370.36	\$ (121,370.36)	\$ 10,242.55
Jun-01	152,017,819	1,641,941	150,375,878	1.000	150,347,868	0	152,017,819	0.004245	0.005	0.0055710	0.0008041	0.0008041	\$0	\$121,370	\$121,370	\$122,423.50	\$ (122,423.50)	\$ 11,466.78
Jul-01	150,939,388	1,673,549	149,265,839	1.000	148,915,757	0	150,939,388	0.004245	0.005	0.0038450	0.0008041	0.0008041	\$0	\$122,424	\$122,424	\$108,878.54	\$ (108,878.54)	\$ 15,249.41
Aug-01	152,249,100	1,864,568	150,384,512	1.000	156,642,467	0	152,249,100	0.004245	0.005	0.0038450	0.0008041	0.0008041	\$0	\$108,879	\$108,879	\$658,360.36	\$ (658,360.36)	\$ 57,529.30
Sep-01	135,404,230	1,694,905	133,719,265	1.000	155,428,866	0	135,404,230	0.004245	0.005	0.0038450	0.0008041	0.0008041	\$0	\$108,879	\$108,879	\$2,328,393.84	\$ (2,328,393.84)	\$ 57,529.30
	3,592,040,656	67,319,889	3,526,405,732		3,740,876,137	33,509,701	3,558,630,955						\$ 2,986,754.20	\$ 2,328,393.84	\$ 658,360.36	\$ 2,328,393.84	\$ 57,529.30	

Payment Due \$ 658,360.36
Late Payment Charge/Interest \$ 57,529.30
Total Due \$ 715,889.66

AFFIDAVIT

STATE OF: Alabama
COUNTY OF: Jefferson

BEFORE ME, the undersigned authority, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Richard McIntire-Operations Director, Interconnection Services, BellSouth Telecommunications, Inc., who, being by me first duly sworn deposed and said that:

He is appearing as a witness before the Tennessee Regulatory Authority in Docket No. 01-00513 on behalf of BellSouth Telecommunications, Inc., and if present before the Authority and duly sworn, his testimony would be set forth in the annexed testimony consisting of 3 pages and 2 exhibit(s).



Richard McIntire

Sworn to and subscribed
before me on Oct 9, 2001



NOTARY PUBLIC

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 28, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS

1 BELLSOUTH TELECOMMUNICATIONS, INC.
2 REBUTTAL TESTIMONY OF PATRICK C. FINLEN
3 BEFORE THE TENNESSEE REGULATORY AUTHORITY
4 DOCKET NO. 01-00513
5 OCTOBER 9, 2001
6
7

8 Q. PLEASE STATE YOUR NAME, ADDRESS, AND POSITION WITH BELLSOUTH
9 TELECOMMUNICATIONS, INC. (HEREINAFTER REFERRED TO AS
10 "BELLSOUTH").
11

12 A. My name is Patrick C. Finlen. I am employed by BellSouth as a Managing Director in
13 the Interconnection Services, Marketing Department. My business address is 675 West
14 Peachtree Street, Atlanta, Georgia, 30375.
15

16 Q. ARE YOU THE SAME PATRICK FINLEN WHO FILED DIRECT TESTIMONY IN
17 THIS DOCKET?
18

19 A. Yes.
20

21 Q. MR. ARONSON'S EXHIBIT 1 PURPORTEDLY REFLECTS THE RETROACTIVE
22 EFFECT OF THE TRA-ORDERED END OFFICE RATE. DO YOU AGREE WITH
23 HIS REPRESENTATION?
24

1 A. No. Section 1.1 of Attachment 1 of the existing Interconnection Agreement between the
2 Parties states:

3 All rates provided under this Agreement are *interim, subject to true-up*, and shall
4 remain in effect until the Authority determines otherwise or unless they are not in
5 accordance with all applicable provisions of the Act, the Rules and Regulations of
6 the FCC in effect, or the Authority's rules and regulations, in which case Part A,
7 Section 2 shall apply (emphasis added).
8

9 As indicated above, the parties agreed to reconcile the monies exchanged between the
10 parties when the TRA ordered permanent rates. Therefore, the TRA-ordered rates apply
11 throughout the term of the existing Interconnection Agreement. In other words, the TRA-
12 ordered rate should apply beginning July 1, 1998, which was billed in August 1998.
13

14 Q. DOES THIS CONCLUDE YOUR TESTIMONY?
15

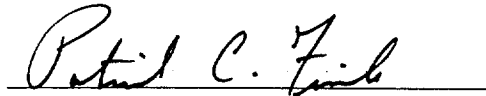
16 A. Yes.

AFFIDAVIT

STATE OF: Georgia
COUNTY OF: Fulton

BEFORE ME, the undersigned authority, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Patrick C. Finlen-Managing Director, Interconnection Services, BellSouth Telecommunications, Inc., who, being by me first duly sworn deposed and said that:

He is appearing as a witness before the Tennessee Regulatory Authority in Docket No. 01-00513 on behalf of BellSouth Telecommunications, Inc., and if present before the Authority and duly sworn, his testimony would be set forth in the annexed testimony consisting of 2 pages and 0 exhibit(s).



Patrick C. Finlen

Sworn to and subscribed
before me on Oct. 9, 2001


NOTARY PUBLIC

Notary Public, Cobb County, Georgia
My Commission Expires June 19, 2005