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September 7, 2004

Pat Miller, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re Petition for Arbitration of CELLCO Partnership d/b/a/ Verizon Wireless
Docket No. 03-00585

Dear Chairman Miller:

Attached is the Supplemental Testimony of Suzanne K. Nieman on behalf of AT&T Wireless PCS, LLC

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: Henry Walker

HW/pp
Enc

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BEFORE THE TENNESSEE REGULATORY AUTHORITY

IN THE MATTER OF:	)	**CONSOLIDATED DOCKET**
PETITION FOR ARBITRATION OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS	)	No: 03-00585
PETITION FOR ARBITRATION OF BELLSOUTH MOBILITY LLC; BELLSOUTH PERSONAL COMMUNICATIONS, LLC; CHATTANOOGA MSA LIMITED PARTNERSHIP; COLLECTIVELY D/B/A CINGULAR WIRELESS	)	No: 03-00586
PETITION FOR ARBITRATION OF AT&T WIRELESS PCS, LLC D/B/A AT&T WIRELESS	)	No: 03-00587
PETITION FOR ARBITRATION OF T-MOBILE USA, INC.	)	No: 03-00588
PETITION FOR ARBITRATION OF SPRINT SPECTRUM L.P. D/B/A SPRINT PCS	)	No: 03-00589

SUPPLEMENTAL TESTIMONY OF SUZANNE K. NIEMAN REGARDING BILLING ISSUES

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September 7, 2004

SUPPLEMENTAL TESTIMONY OF SUZANNE K. NIEMAN

Q. *Please state your name for the record.*

A. My name is Suzanne K. Nieman.

Q. *Have you previously submitted testimony for presentation in this proceeding?*

A. Yes.

Q. *What is the purpose of your supplemental testimony?*

A. To provide additional information and clarification regarding the testimony I provided at the hearing regarding the call identifying information that is available to the ICOs and CMRS Providers for traffic they exchange indirectly through the BellSouth tandem and the options available for billing for that traffic.

Q. *Can you please describe your background and experience in signaling and billing issues?*

A. In my current position as Manager-Carrier Relations for AT&T Wireless (AWS) I spend a significant portion of my time negotiating agreements with vendors who provide AWS with signaling services and also negotiating direct signaling agreements with other wireless providers. Through this work (and work I performed earlier in my career selling and supporting signaling services), I have become generally familiar with the technical aspects of SS7 signaling. I am also familiar with how those services can be used to bill for intercarrier compensation. AWS' intercarrier compensation billing system is supported by the department in which I work.

Q. *In preparing this supplemental testimony have you relied on information provided by any network engineers or other technical personnel?*

A. Yes. In preparing this supplemental testimony I consulted with AWS' network engineers and SS7 signaling experts and with technical experts of the other CMRS Providers. In addition, I verified certain information with BellSouth network engineers.

Q. *Can you summarize your supplemental testimony?*

A. As I stated in my testimony at the hearing, the ICOs can use information they receive in the SS7 signaling data stream to measure and bill for intercarrier compensation, although it may require some switch upgrades or the purchase of new billing software. Alternately,

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A. As I stated in my testimony at the hearing, the ICOs can use information they receive in the SS7 signaling data stream to measure and bill for intercarrier compensation, although it may require some switch upgrades or the purchase of new billing software. Alternately,

the ICOs can use the 1101-01 records provided by BellSouth to bill for the traffic. I am aware of carriers who are using each billing option.

Billing Based on SS7 Data

Q. *Can you please explain what SS7 is and how it works?*

A. SS7 signaling is transmitted on a network separate and apart from the network that carries the voice transmission. The data sent over the SS7 network is used, in part, to determine if a called number is available for a transmission. If the called number is available, some of the data in the SS7 signaling is used to set up a dedicated circuit on the voice network to carry the voice transmission. In setting up the circuit for the voice transmission, the SS7 network sends data to the applicable switch of the terminating carrier.

Q. *Do both the CMRS Providers and the ICOs use SS7 signaling?*

A. All of the CMRS Providers have SS7 signaling capability and use it for the vast majority of the calls they transmit.[1] To the best of my knowledge, the ICOs also have SS7 capability and use it for the calls they transmit.

Q. *Is there any information in the SS7 signaling stream that can be used for intercarrier billing purposes?*

A. Yes. Included in the data carried on the SS7 network is the Calling Party Number (CPN). CPN is the telephone number of the calling party. Billing records (for reciprocal compensation purposes) can be generated from recordings of CPN by correlating the CPN to the carrier that has been assigned that numbering resource. This can be accomplished by using databases such as the Local Exchange Routing Guide (LERG) and, for ported numbers, the NPAC. In addition, depending on the nature of the traffic, additional analysis may have to be performed to correlate the CPN to the originating carrier.

Q. *Do the CMRS Providers provide CPN on the calls they send the ICOs?*

A. Yes.

Q. *Do the ICOs?*

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[1] For an extremely small percentage (less than 1%) of calls to specialized numbers, e.g to E911 providers and to certain 800 numbers, CMRS Providers do not use SS7 signaling.

A. I do not know whether all the ICOs send CPN with all of the calls they send to all the CMRS Providers. However, I know from a review of AWS' billing records that many of the ICOs do provide CPN.

Q. *When a call is sent through the BellSouth tandem, and onto a common trunk group, is the CPN passed to the terminating carrier?*

A. Yes. When traffic originated by either a CMRS Provider or an ICO is exchanged over the BellSouth network for delivery to an ICO or a CMRS Provider, BellSouth passes in the SS7 signaling data the CPN as received from the CMRS Provider or the ICO.

Q. *Is it your understanding that the ICOs receive CPN on CMRS originated calls? The ICOs have repeatedly stated in this proceeding that they do not get any data they can use to identify traffic originated by CMRS Providers that is sent over common trunk groups (See e.g Coalition's July 5, 2004 Response to the Supplemental Interrogatories of the CMRS Providers, Responses to Interrogatory 11.)*

A. Yes. In conversations I have had with various ICO representatives they have acknowledged that the ICO networks generally have SS7 capability and that they provide Caller ID services. The ICOs need CPN in order to have Caller ID functionality.

Q. *How can the terminating carrier capture and record the CPN so they can use it to bill for intercarrier compensation purposes?*

A. The terminating carrier (whether a CMRS Provider or an ICO) has two options available for capturing and recording the CPN on a given call. First, for every switch except the old Lucent 1-A[2], the terminating carrier has the option of an upgrade which allows the switch to capture CPN and record it in the switch's A.M.A (Automatic Message Accounting) data. Alternatively, it is also possible to capture CPN directly from the SS7 network. Vendors such as Agilent Technologies and Tekelec sell billing systems that provide carriers with the ability to record CPN directly from the SS7 network. For further reference I have attached as Exhibit A to my supplemental testimony a print out from Tekelec's web site describing its Sentinel billing product.

[2] None of the CMRS Providers employ the Lucent 1-A, nor to the best of my knowledge, do any of the ICOs

Q. *In the case of traffic exchanged by the CMRS Providers and ICOs through a BellSouth tandem, does BellSouth need to make any modifications to its network or the common trunk groups to allow the CMRS Providers and ICOs to capture CPN either at the switch level or directly from the SS7 network?*

A. It is my understanding that BellSouth does not need to make any modifications to permit the capture of CPN by the terminating carrier.

Q. *Do you know whether any of the carriers in this proceeding -- ICO or CMRS Provider -- has the capability to capture and record the CPN today?*

A. Both AT&T Wireless and Sprint PCS have upgraded their switches to allow capture of CPN at the switch level. I do not know whether any of the ICOs has upgraded their switches to allow CPN capture or whether they have purchased any of the SS7 billing solutions offered by Agilent, et. al.

Q. Are either AWS or SprintPCS using CPN to generate intercarrier bills for reciprocal compensation?

A. Yes. Both AWS and Sprint PCS respectively use CPN to generate intercarrier bills for reciprocal compensation today.

Q. Are you aware of any other carriers who are using CPN or other data in the SS7 signaling stream to bill for intercarrier compensation or who have otherwise installed a system that allows them to measure and bill for traffic delivered over common trunk groups?

A. Yes Although I do not have personal knowledge of any other company's billing systems, based on conversations with vendors, other telecommunications carriers and newspaper reports, I am aware of the following companies using SS7 data for intercarrier compensation billing purposes:

- Although it will not reveal customer names, Agilent has reported that it has one customer that uses its SS7 billing and measurement product, CDR7, to bill other carriers for interconnect traffic. (We have heard from other sources that this may be Qwest.) In addition, Agilent stated that other customers use CDR7 and similar

Agilent products to verify intercarrier billing records and assist them in resolving billing disputes.

- Nextel is reportedly using Tekelec's Sentinel billing system, which is also SS7 based for intermediary billing. Although Tekelec similarly will not reveal customer names, their representative stated that "several" wireless carriers are using the Sentinel billing system.
- Although I do not know specifically what system they are using, East Buchanan Telephone Cooperative, a rural telephone cooperative in Iowa, recently installed billing software that enables it to bill both wireline and wireless carriers for intercarrier compensation. The August 23, 2004 issue of *RCR Wireless* reports that East Buchanan has recently purchased "software that allows it to identify each call so it now knows which calls to its customers are from Qwest landline customers and which calls are from U.S. Cellular Corp., Verizon Wireless, Iowa Cellular, or Midwest Cellular, the wireless carriers serving its territory." A copy of the *RCR Wireless* article is attached as Exhibit B to my supplemental testimony.
- Rural Cellular Corporation reportedly bills for intercarrier compensation now – but I do not have any information regarding what system they use.

Billing Based on 1101-01 Records

Q. *Are there any other options for generating intercarrier bills for reciprocal compensation purposes?*

A. Intercarrier bills can also be generated from 1101-01 records produced by BellSouth. Such records contain the BTN (Billing Telephone Number) of the originating carrier in positions 15-24. BellSouth assigns a separate BTN to each carrier with trunk groups connected to its network. Thus, when a CMRS Provider sends a call to ICOs, the BellSouth 1101-01 record that is provided to the ICO will show the BTN of the originating CMRS Provider in positions 15-24. Likewise, when an ICO sends a call to a CMRS Provider, the BellSouth 1101-01 record provided to the CMRS Provider will show the BTN of the originating ICO in positions 15-24.

Q. *Are the 1101-01 records produced by BellSouth being used by the ICOs today to bill other carriers?*

A. Yes, in fact in discovery responses submitted by the ICOs in this proceeding a number of the ICOs have confirmed that they have used the 1101-01 records to bill CLECs, wireless carriers and interexchange carriers (IXCs) for intercarrier compensation. See *Coalition's July 5, 2004 Response to the Supplemental Interrogatories of the CMRS Providers, Responses to Interrogatory 11 C, Attachment 1; and Coalition's March 29, 2004 Response to First Set of Interrogatories (filed July 30, 2004), Response to Interrogatory No. 17.* For example, regarding CMRS and CLEC billing the ICOs reported as follows:

- Bledsoe Telephone Cooperative stated that it uses the 1101-01 records to bill two CLECs.
- United Telephone reported it uses the 1101-01 records to bill five CLECs, one since 1998.
- Yorkville Telephone Company has been billing four wireless carriers since mid-2003 (although Yorkville reports billing at access rates rather than reciprocal compensation rates).
- TDS reported billing Verizon Wireless for terminating indirect traffic.
- Crocket, Peoples and West Tennessee Telephone Companies reported billing CMRS and CLEC carriers based on the 1101-01 records.
- DeKalb Telephone Cooperative reported billing four CMRS Providers (one as early as 2001) using BellSouth 1101-01 records.

In addition, a number of the interconnection agreements filed with and approved by the TRA include provisions pursuant to which the parties have agreed to use the intermediary providers (usually BellSouth's) records for billing. See, e.g., *Interconnection Agreement between TDS Telecommunications Corporation and Cellco Partnership d/b/a Verizon Wireless* (2002) (approved in Docket No. 02-00973 on Nov. 13, 2002) at Appendix A ("TDS TELECOM shall obtain a monthly traffic distribution report from the tandem operator summarizing traffic originated by VZW and terminating to TDS TELECOM.

This report information shall be used by TDS TELECOM for billing VZW for traffic terminating to TDS TELECOM"); *Interconnection Agreement between Highland Telephone Cooperative, Inc., and BellSouth Personal Communications LLC, d/b/a Cingular Wireless.*(2) (approved in Docket No. 01-00873 on Jan. 17, 2002) at Section VIII.B ("It is each Party's responsibility to enter into appropriate contractual arrangements with the third-party intermediary company in order to obtain the originating billing records.")

Q. *What if the terminating carrier questions the accuracy of the BellSouth billing records?*

A. Even if the terminating carrier has not made any modifications to its system which would allow it to measure traffic independently (e.g., switch upgrades or new billing systems for third-party vendors discussed above), the terminating carrier has several options to assist them in verifying the accuracy of those records. ***First***, a comparison can be made between the 1101-01 records and the switch records generated by the applicable BellSouth tandem. ***Second,*** the terminating carrier can use the CPN records it receives to verify the 1101-01 records. ***Third,*** the terminating carrier could ask the originating carrier to help verify the volume of calls based on the originating carriers' records. If, however, the terminating carrier has made modifications to its system, it can also use its own records as a way to verify the 1101-01 records.

Q *Does this conclude your supplemental testimony?*

A. Yes it does.

Exhibit A

Products

Products

Signaling

- LSMS
- Sentinel
- Tekelec 1000 Applications Server (APS)
- Tekelec 500 Signaling Edge (SE)
- Tekelec EAGLE 5 Signaling Applications System
- Tekelec Element Management System

Switching

Feature Apps

Sentinel

Sentinel is a flexible and scalable business intelligence platform that enables rapid return on investment for mobile, fixed, and converged network service providers The Sentinel system provides market-leading secure and reliable data feeds, business intelligence applications, and monitoring capability that increase revenue and decrease operations costs

When combined with Tekelec's industry-leading, next-generation network signaling platform, the Tekelec EAGLE 5 SAS, Sentinel provides unique advantages as the only probeless data acquisition system in the market

Tekelec provides a suite of applications to address customer business intelligence needs, such as those that assist service providers in recovering revenue leakage, detecting and eliminating fraud, and optimizing network performance

- **Data Feeds**
  As a foundation for business applications, Sentinel supports delivery of three basic types of feeds· 1) a CDR feed (based on integrated services digital network user part, or ISUP), 2) a TDR feed (specific to transaction capabilities application part, or TCAP, transactions, such as LIDB), ANSI-41, and GSM, and 3) a usage measurement feed (a configurable peg count feed) Application servers interface with the Sentinel system via a NFS mount interface for these data feeds Data feed outputs are delivered in a well-defined, comma-separated-value format

  The data feeds enable revenue generation and revenue assurance applications Although applications may be packaged as a total solution to operator problems, the feeds themselves are also valuable to service providers who are creating customer applications, such as those used for billing, system utilization, and fraud management. Sentinel's ability to provide a robust, open interface to its data feeds provides a platform with numerous data mining capabilities

  Through internal development and partnerships with leaders in the industry, Tekelec is continuously expanding and improving its suite of application solutions Tekelec's business applications strategy leverages its SS7 expertise and reliable data feeds to deliver total solutions aimed at solving carriers' critical business issues Sentinel also provides tools to ensure network security, such as those that detect service-denying attacks before they cripple the network

- **Sophisticated Billing Analysis Capabilities**
  Tekelec provides sophisticated billing analysis capabilities, based on the signaling data collected from the SS7 networks The billing analysis feature provides service providers with the ability to validate inter-carrier billing and allows carriers to negotiate more favorable interconnect agreements The Sentinel billing analysis application also gives carriers a means to validate billing records generated at revenue accounting offices, which helps prevent potential revenue leakages

- **Fraud Detection Solutions**
  Tekelec has formed alliances with fraud solution providers to support fraud detection utilizing Sentinel data mining capabilities With the costs of telecom fraud increasing every year, fraud management systems can reduce losses significantly by identifying fraudulent network uses

  Sentinel provides a fraud management solution for fixed, mobile, converged, and satellite service providers Tekelec's real-time, SS7-

Solutions

This product is included in the following solutions

> Billing Analysis
> Data Feeds
> Fraud Manager
> SMS Accounting
> SMS Welcome and Bon Voyage
> Traffic Analysis
> Traffic Manager

Take Action

US & Canada 1-800-TEKELEC
Worldwide Office Locations
Request Information
Next Steps & Pricing Information

based fraud management system proactively seeks out network abuse It looks for complex fraud perpetration methods, allowing fraud investigators to use their time more effectively and to stop fraudulent activity while it is occurring Its flexible fraud detection capability (a comprehensive mix of rules-based, usage variation, pre-paid fraud manager, subscriber fingerprinting, and call queries) is proven to combat the latest and most sophisticated fraud attacks It is a user-friendly, scalable system that grows with the carrier's changing product and service base Service providers define the rules and values of the system, allowing effective reaction to changes in fraud techniques or the carrier's operating environments

- **Surveillance**
  Sentinel's network surveillance and troubleshooting features help service providers contain operations costs Sentinel allows service providers to perform network monitoring from a centralized location on a single platform With Sentinel's powerful network-wide protocol analysis capabilities, service providers can perform real-time call trace, filtering, and decode functions on the entire network or on any selected part of the network Service providers can employ traffic collection functions to capture SS7 signaling data, essential to network monitoring, from a centralized location The SS7 signaling data captured can be stored in a centralized database that enables service providers to create value-added applications to enhance network utilization, identify traffic anomalies, and perform network planning Sentinel's monitoring capabilities also are a critical part of its enhanced network security features

- **Proactive Problem Prevention**
  With Sentinel's proactive problem prevention feature, service providers are able to perform troubleshooting, testing, and maintenance functions The feature enables test-message generation for problem re-creation and analysis, call-through testing, service feature auditing, verification of problem fixes, and verification of equipment in laboratory environments

System Configuration
The Sentinel system is composed of remote site collectors and centralized servers The site collectors are responsible for capturing data and local storage Centralized servers provide for operations, administration, maintenance, alarm management, and traffic reporting, and they serve as a secure data feed delivery to business intelligence applications A site collector can either be probe-based or probeless, such as the Tekelec EAGLE 5 with Integrated Sentinel A single Sentinel system may be deployed with both types of site collectors with a common set of centralized servers

Probeless Site Collectors
The Tekelec EAGLE 5 SAS with Integrated Sentinel leverages the Tekelec EAGLE 5's carrier-grade platform, reduces footprint, simplifies administration, and provides the most reliable data acquisition system available today

The site collector components are configured in an n + 1 architecture with mirrored drives to protect valuable data Probeless advantages include the ability to monitor links internal to a Tekelec EAGLE 5 SAS, thus removing external hardware needs such as patch panels, cabling, and bridge amplifiers and greatly increases data reliability The probeless configuration with Tekelec EAGLE 5 ensures high data integrity, which is important to mission-critical revenue assurance applications

The system also provides a highly reliable, DC-powered, and NEBS-compliant platform The platform simplifies configuration maintenance typically required to keep network equipment and monitoring equipment synchronized The configuration feature simplifies administration of the system and enables service providers to update configurations quickly and reliably because the Tekelec EAGLE 5 supplies Sentinel with configuration information Link additions and deletions are readily available to Sentinel, which enables service providers to quickly and efficiently configure the monitoring and data acquisition system

Probed Site Collectors
For configurations in which a probe-based solution is required, Sentinel provides a probe-based site collector for monitoring low-speed and high-speed links The platform and the common set of centralized servers enable Sentinel to reuse common components found in both configurations, providing a seamless solution for probed, probeless, and mixed configurations This highly reliable and cost-effective platform incorporates multiple processors and is scalable with expandable memory and expansion slots for interfaces and special functions

Exhibit B

Rural Iowa

Rural telco wants to stop delivering wireless calls

BY HEATHER FORSGREN WEAVER

WASHINGTON—East Buchanan Telephone Cooperative located in Northeast Iowa said that as of Aug. 16 it was no longer going to allow wireless calls to connect to its network because it has not received payment for the calls.

"When people use our facilities, we should get paid for it," said Butch Rorabaugh, EBTC general manager.

The dilemma for EBTC began in 1999 when Qwest Corp., the regional Bell operating company that serves Iowa, stopped paying its entire bill to EBTC because Qwest claimed some of the calls were from wireless carriers and not its responsibility.

"Prior to the installation of EBTC's new equipment, it was impossible for EBTC to determine the source and amount of traffic that was being sent by Qwest. Qwest made its own determination as to what traffic constituted toll traffic and deducted the remaining traffic from the bills it was sent by EBTC. Over the past five years, Qwest has deducted approximately $500,000 from bills sent by EBTC," said EBTC in a filing last week with the Iowa Utilities Board.

In 2000, the state board agreed with Qwest that it didn't have to pay EBTC for the wireless calls it connected. EBTC was stuck, said Rorabaugh. "We weren't much in a bargaining position, because we couldn't identify the calls."

Recently, EBTC bought software that allows it to identify each call so it now knows which calls to its customers are from Qwest landline customers and which calls are from U.S. Cellular Corp., Verizon Wireless, Iowa Cellular or MidWest Cellular, the wireless carriers serving its territory. It issued a notice to Qwest to not deliver the wireless traffic and sent letters to the wireless carriers and its customers. "Our demand of Qwest was not to send the unauthorized traffic," said Rorabaugh.

Late on Friday, Aug. 12, Qwest received a two-week injunction from the Iowa Utilities Board forcing it to continue to deliver wireless calls. The IUB is now investigating the matter. Last week, EBTC gave its reasoning for its action.

Rorabaugh said he thinks the wireless carriers pay Qwest to terminate the traffic on EBTC's network, but that Qwest believes the amount is too low. "I sincerely believe the wireless carriers are paying Qwest—perhaps, and I am just speculating—they are not paying Qwest enough to pay our end of the termination," said Rorabaugh.

Qwest said it does receive a small amount from wireless carriers, but the real issue is that EBTC is not entitled to receive anything because these are local calls within Iowa. "There is a small fee to connect calls to EBTC's network," said Nancy DeVinany-McNeley, Qwest spokeswoman. "These are not the same calls. That fee is for using Qwest's network to carry traffic. EBTC wants access charges for calls that are considered local."

While EBTC seems to be the first to actually begin the process of shutting out wireless, the problem seems to be widespread in rural America, said Martha Silver of the Organization for the Promotion and Advancement of Small Telephone Companies. "In general there are a lot of OPASTCO members who bill wireless companies for access—but because they don't have any type of agreement with the wireless company—they don't get paid. It's not in the wireless company's best interest to enter into agreements with the telcos when they can provide their service without paying for use of the wireline network they connect to. These unpaid bills can accumulate into tens and hundreds of thousands of dollars per company," said Silver.

The wireless industry sees it differently, claiming that RLECs route calls in a manner to inflate the fees they are paid.

"Many RLECs cannot resist the temptation to route the call from the interexchange carrier so they can charge access charges," said Michael Altschul, senior vice president and general counsel for the Cellular Telecommunications & Internet Association. "Everyone is getting paid for this, but the same call can be charged a lot of different ways. It is not that carriers are not being compensated for carrying and terminating this traffic, but depending on which regulatory model the rules dictate, different forms of payment."

CERTIFICATE OF MAILING

I hereby certify that on the September 7, 2004, a true and correct copy of the SUPPLEMENTAL TESTIMONY OF SUZANNE K. NIEMAN REGARDING BILLING ISSUES to be served by electronic distribution and by first-class mail to the list below:

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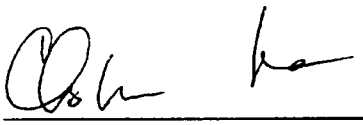

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