



BellSouth Telecommunications, Inc.

333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

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REGULATORY AUTH.  
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September 7, 2000  
OFFICE OF THE  
EXECUTIVE SECRETARY

Guy M. Hicks  
General Counsel

615 214-6301  
Fax 615 214-7406

VIA HAND DELIVERY

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Petition for Arbitration of the Interconnection Agreement Between  
BellSouth Telecommunications, Inc. and Intermedia Communications  
Inc. Pursuant to Section 252(b) of the Telecommunications Act of  
1996*  
Docket No. 99-00948

Dear Mr. Waddell:

I have been advised that pages 30, 39 and 41 may be missing from some copies of the Rebuttal Testimony of Cynthia Cox which was filed in this matter on September 5. Enclosed are the original and thirteen copies of those pages. Also enclosed are the original and thirteen copies of affidavits for Ms. Cox and BellSouth witnesses David Coon and Keith Milner. We apologize for any inconvenience. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,

Guy M. Hicks

GMH:ch  
Enclosure

POSTED  
9-8-00

A. No. As I stated in my direct testimony, BellSouth is not attempting to restrict Intermedia's ability to allocate numbers out of its assigned NPA/NXX codes to its end users. If it so chooses, Intermedia can elect to assign a telephone number to a customer who is physically located in a different local calling area than the local calling area where that NPA/NXX is assigned. Of course, if Intermedia chooses to assign its numbers in this manner, calls originated by BellSouth end users to those numbers are not local calls. Consequently, such calls are not local traffic under the parties' interconnection agreement, and no reciprocal compensation applies.

Q. PLEASE EXPLAIN THE RELEVANCE OF NPA/NXX CODE ASSIGNMENT TO THIS ISSUE.

A. When Intermedia, or any other carrier, is given an NPA/NXX code by the North American Numbering Plan Administrator, the carrier must assign that NPA/NXX code to a rate center. All other carriers use this assignment information to determine whether calls originated by its customers to numbers in that NPA/NXX code are local or long distance calls. For example, when Intermedia was assigned the 615/472 NPA/NXX, Intermedia would have told the administrator where 615/472 was assigned. Let's say Intermedia assigned the 615/472 code to the Nashville, Tennessee rate center. If a BellSouth customer in the Nashville local calling area called a number in the 615/472 code in this example, BellSouth would treat the call as a local call for purposes of billing its Nashville, Tennessee customer. Likewise, if a BellSouth

***Issue 32: How should “Switched Access Traffic” be defined?***

**Q. WHAT IS THE CURRENT STATUS OF THIS ISSUE?**

As I explained in my direct testimony, prior to filing its direct testimony on July 18<sup>th</sup>, BellSouth proposed to Intermedia a revised definition of Switched Access Traffic that was very similar to Intermedia’s preferred definition. BellSouth’s proposed language was included in my direct testimony on page 48. To-date, Intermedia has not advised BellSouth that it is willing to accept BellSouth’s latest offer. As I said in my direct testimony, BellSouth was hopeful that the parties could reach agreement on the definition of Switched Access Traffic. However, BellSouth assumed that the matter of addressing the treatment of long distance telecommunications transmitted over IP Telephony would remain a point of contention between the parties.

**Q. PLEASE RESPOND TO MR. JACKSON’S STATEMENT AT PAGE 65 CONCERNING THE FCC’S “PREVAILING POLICY THAT INTERNET SERVICE IS A DEREGULATED, ENHANCED SERVICE.”**

**A.** Mr. Jackson’s statement has absolutely nothing to do with the issue of phone-to-phone IP Telephony. Intermedia wants the Authority to believe that this issue addresses Internet service. As I explained in my direct testimony, BellSouth’s inclusion of a statement addressing IP Telephony is unrelated to the issue of ISP-bound traffic. BellSouth simply seeks to specify that long distance telecommunications, regardless of the transport technology, is subject

Q. PLEASE RESPOND TO MR JACKSON'S DISCUSSION, FOUND ON PAGE 66, ON WHETHER THE CONCEPT OF IP TELEPHONY AS SWITCHED ACCESS IS INCLUDED IN BELLSOUTH'S CURRENT ACCESS TARIFF.

A. Mr. Jackson's concern is not answered so much by whether IP Telephony is included in BellSouth's current Access Tariff, but if it has been excluded from the offerings, or exempted from access charges. The FCC's access charge rules clearly include IP Telephony as described in this issue. BellSouth is not aware of any rulings made by the FCC that exclude IP Telephony traffic, as opposed to ISP-bound traffic, from application of switched access charges.

***Issue 33: Should BellSouth and Intermedia be liable to each other for lost revenues due to lost or damaged billing data?***

Q. PLEASE ADDRESS THE LIABILITY CAP AS PROPOSED BY INTERMEDIA.

A. Intermedia has provided no basis for its proposed liability cap. As I stated in my direct testimony, this issue was raised by Intermedia in the context of switched access revenues.

The process being addressed here is used throughout the industry to provide data so that switched access revenues can be accurately billed to IXCs. In the

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 W. Keith Milner- Senior 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. 99-00948 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 20 pages and 1 exhibit(s).



W. Keith Milner

Sworn to and subscribed  
before me on 9/5/00

  
NOTARY PUBLIC

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 David A. Coon- Director- Interconnection Operations, 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. 99-00948 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 8 pages and 1 exhibit(s).

David A. Coon

David A. Coon

Sworn to and subscribed  
before me on 9/5/02

Suzy A. Sherwood  
NOTARY PUBLIC

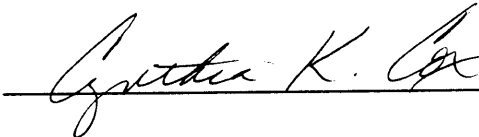


AFFIDAVIT

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 Cynthia K. Cox-Senior Director-State Regulatory, BellSouth Telecommunications, Inc., who, being by me first duly sworn deposed and said that:

She is appearing as a witness before the Tennessee Regulatory Authority in Docket No. 99-00948 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 45 pages and 2 exhibit(s).



Cynthia K. Cox

Sworn to and subscribed  
before me on 9/5/00

  
NOTARY PUBLIC



**CERTIFICATE OF SERVICE**

I hereby certify that on September 7, 2000, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Carl Jackson, Senior Director  
Intermedia Communications, Inc.  
360 Interstate North Parkway, # 500  
Atlanta, GA 30339

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Scott Saperstein  
Senior Policy Counsel  
Intermedia Communications, Inc.  
3625 Queen Palm Drive  
Tampa, FL 33619

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

H. LaDon Baltimore, Esquire  
Farrar & Bates  
211 Seventh Ave. N, # 320  
Nashville, TN 37219-1823

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Enrico C. Soriano, Esquire  
Kelley, Drye & Warren  
1200 19th St., NW, #500  
Washington, DC 20036

A large, stylized handwritten signature in black ink, featuring a prominent loop and a horizontal line extending to the right.