

ORIGINAL

McDEVITT & MILLER, LLP
Dean J. Miller (ISB No. 1968)
420 West Bannock Street
P.O. Box 2564-83701
Boise, Idaho 83702
Phone (208) 343-7500
Facsimile (208) 336-6912
joe@mcdevitt-miller.com

RECEIVED
FILED

2003 SEP -2 PM 3:41

IDAHO PUBLIC
UTILITIES COMMISSION

BRIGGS AND MORGAN, P.A.
Philip R. Schenkenberg (MN #260551)
2200 First National Bank Building
332 Minnesota Street
Saint Paul, Minnesota 55101
Phone (651) 808-6578
Facsimile (651) 808-6450
pschenkenberg@briggs.com

Attorneys For NPCR, Inc. d/b/a Nextel Partners

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

Case No. GNR-T-03-8

Case No. GNR-T-03-16

DIRECT TESTIMONY OF DON J. WOOD

FOR NPCR, INC. D/B/A/ NEXTEL PARTNERS

1 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

2 A. My name is Don J. Wood. I am a principal in the firm of Wood & Wood, an economic and
3 financial consulting firm. My business address is 4625 Alexander Drive, Suite 125,
4 Alpharetta, Georgia 30022.

5

6 Q. WHAT ARE YOUR RESPONSIBILITIES AT WOOD & WOOD?

7 A. I provide to consulting clients economic and regulatory analysis of the telecommunications,
8 cable, and related convergence industries with an emphasis on economic policy, competitive
9 market development, and cost-of-service issues.

10

11 Q. PLEASE DESCRIBE YOUR BACKGROUND AND EXPERIENCE.

12 A. I received a BBA in Finance with distinction from Emory University and an MBA with
13 concentrations in Finance and Microeconomics from the College of William and Mary. My
14 telecommunications experience includes employment at both a Regional Bell Operating
15 Company ("RBOC") and an Interexchange Carrier ("IXC").

16 Specifically, I was employed in the local exchange industry by BellSouth
17 Services, Inc. in its Pricing and Economics, Service Cost Division. My
18 responsibilities included performing cost analyses of new and existing services,
19 preparing documentation for filings with state regulatory commissions and the
20 Federal Communications Commission ("FCC"), developing methodology and
21 computer models for use by other analysts, and performing special assembly cost
22 studies.

23

1 I was employed in the interexchange industry by MCI Telecommunications
2 Corporation, as Manager of Regulatory Analysis for the Southern Division. In this
3 capacity I was responsible for the development and implementation of regulatory
4 policy for operations in the southern U. S. I then served as a Manager in MCI's
5 Economic Analysis and Regulatory Affairs Organization, where I participated in the
6 development of regulatory policy for national issues.
7

8 Q. HAVE YOU PREVIOUSLY PRESENTED TESTIMONY BEFORE STATE
9 REGULATORY COMMISSIONS?

10 A. Yes. I have testified on telecommunications issues before the regulatory commissions of
11 thirty-five states, Puerto Rico, and the District of Columbia. I have also presented testimony
12 regarding telecommunications issues in state, federal, and overseas courts, before alternative
13 dispute resolution tribunals, and at the FCC. A listing of my previous testimony is attached
14 to my testimony as Exhibit 101.
15

16 Q. ARE YOU FAMILIAR WITH THE APPLICATION OF UNIVERSAL SERVICE
17 MECHANISMS AT THE STATE AND FEDERAL LEVELS?

18 A. Yes. In the course of my professional experience, I have addressed issues regarding the
19 design, implementation, and ongoing administration of universal service support
20 mechanisms. I have also performed extensive analyses of the costs of service, including but
21 not limited to network costs, incurred by telecommunications carriers to provide local
22 exchange services and have specifically addressed the issue of how costs may vary among
23 and between geographic areas. I was involved in the review and analysis of both the

1 Hatfield/HAI cost model and the Benchmark Cost Proxy Model ("BCPM") considered by
2 the FCC in CC Docket No. 96-45, and have presented testimony regarding the relative
3 merits of both cost models on numerous occasions.

4 More recently, I have analyzed the applications of a number of carriers seeking
5 designation as an Eligible Telecommunications Carrier ("ETC"), including applications to
6 be granted ETC status in areas serviced by both non-rural and rural Incumbent Local
7 Exchange Companies ("ILECs"). To date, I have presented testimony regarding such
8 applications in Alabama (decided by the FCC), Alaska, Colorado, Minnesota, Indiana,
9 Texas, and West Virginia.

10
11 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

12 A. I have been asked by NPCR, Inc. d/b/a Nextel Partners ("Nextel Partners") to address the
13 public interest aspect of its application for ETC designation in Idaho within the areas set
14 forth in Attachment 1 to its Application.

15
16 Q. WHAT QUESTIONS ARE BEFORE THE COMMISSION IN THIS PROCEEDING?

17 A. The areas identified in Attachment 1 to Nextel Partners' Application are served by rural
18 telephone companies ("RTCs"), so there are two relevant questions: (1) Has Nextel Partners
19 committed to offer and advertise the nine supported services throughout the proposed
20 service area?, and (2) Is the designation of Nextel Partners as an ETC in the public interest?

1 Q. HAVE THESE QUESTIONS BEEN THE FOCUS OF THE PROCEEDINGS BEFORE
2 OTHER STATE REGULATORS IN WHICH YOU PARTICIPATED?

3 A. Yes. Because the criteria for designation of ETCs are set forth in Section 214 of the
4 Communications Act, these questions have been, as they must be, the focus of the review
5 made by the regulators in each case (state regulatory bodies where they had jurisdiction, the
6 FCC where they did not). The state regulatory commissions, as well as the FCC, must apply
7 the federal law to determine the eligibility of petitioners.

8 In direct contrast, the rural ILECs in these proceedings have sought to significantly
9 broaden the scope of review and have attempted to put competition on trial. While such
10 attempts have rarely been successful, they have often become distractions that unnecessarily
11 consume the time and resources of all involved. Put directly, the purpose of this proceeding
12 is *not*, as many rural LECs argue, to answer the question “Is the introduction of competition
13 for basic telecommunications services in rural areas in the public interest?” That question
14 has been answered and the policy direction has been set on a federal level by both Congress
15 and the FCC. The questions to be addressed here concern the facts of Nextel Partners'
16 Application.

17
18 Q. BASED UPON YOUR REVIEW OF THE COMPANY AND ITS APPLICATION, DO
19 YOU BELIEVE THAT THE DESIGNATION OF NEXTEL PARTNERS AS AN ETC,
20 AND THE COMPETITIVE ENTRY MADE POSSIBLE BY SUCH A DESIGNATION,
21 WILL PROVIDE BENEFITS TO END USERS?

22 Yes. These competitive benefits have both a short term and long term component.

23

1 End users will benefit in the short term from a choice of suppliers that represent
2 different technologies, and can choose the technology that best meets their needs. They can
3 also select from a much broader array of service and pricing plans, and again can choose the
4 plan that best meets their individual needs. Over the longer term, consumers will benefit as
5 competitive market forces act to make all providers, including the ILECs, more efficient and
6 responsive to customer needs.

7 I fully support the FCC's (discussed below) conclusion that the entry of an additional
8 ETC into a rural area can be expected to create the following benefits: "[to] provide
9 incentives to the incumbent to implement new operating efficiencies, lower prices, and offer
10 better service to its customers." Conversely, the FCC has found "no merit" in arguments
11 that the designation of an additional ETC in a rural area will reduce investment incentives,
12 increase prices, or reduce the service quality of the ILEC.

13 The short-term benefits of competitive entry, including lower prices, new service
14 offerings, the availability of different technology, and the ability to diversify among
15 suppliers, are important; but while they are important components of any public interest
16 determination, they do not tell the whole story. In my experience, the long-term economic
17 benefits of competition represent an equally important source of potential gain for
18 consumers of telecommunications services in rural areas and for rural economic
19 development. In a recent order, the FCC refers to the provision of "customer choice,
20 innovative services, and new technologies" as benefits of competitive ETC designation in a
21 rural area, and also explicitly notes that "competition will result not only in the deployment
22 of new facilities and technologies, but will also *provide an incentive to the incumbent rural*
23 *telephone companies to improve their existing network to remain competitive*" (emphasis

1 added).¹ The FCC went on to conclude that "*competition may provide incentives to the*
2 *incumbent to implement new operating efficiencies, lower prices, and offer better service to*
3 *its customers* " (emphasis added).²
4

5 Q. DO YOU HAVE ANY DIRECT EXPERIENCE WITH THE IMPACT OF COMPETITIVE
6 ENTRY IN RURAL AREAS?

7 A. Yes. While competitive entry is important in urban and suburban areas, in my experience
8 the existence of competitive alternatives in rural areas is even more important for at least
9 two reasons:

10 **1. The existence of competitive options for telecommunications services,**
11 **particularly the availability of wireless service, is important for rural economic**
12 **development.**
13

14 When making investment and relocation decisions, companies consider the
15 availability of telecommunications services in an area. Reliable voice services, data
16 services, and wireless services with sufficient coverage all play a role in this process. In
17 order to compete with their urban and suburban counterparts to attract investment and jobs,
18 rural areas need for these services to be available.

19 **2. The availability of affordable and high-quality wireless service is**
20 **extremely important in rural areas for health and safety reasons.**
21

22 Reliable mobile communications have a level of importance for people who live and
23 work in rural areas that people living in urban areas often fail to appreciate. The availability

¹ *Western Wireless Corporation Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, CC Docket No. 96-45, Released December 26, 2000, paragraph 17.

² *Id.* paragraph 22.

1 of even the highest quality wireline service is no substitute for a mobile service with broad
2 geographic coverage, simply because the wireline service is often physically not there when
3 needed. In an area where fields being worked are far from the road, and where wireline
4 phones along the roadway are few and far between, the availability of wireless
5 communication can literally save a life.

6
7 Q. HAS NEXTEL PARTNERS COMMITTED TO OFFER AND ADVERTISE THE NINE
8 SUPPORTED SERVICES THROUGHOUT THE PROPOSED SERVICE AREA?

9 A. Yes. Nextel Partners made that commitment in its Application. As described in more detail
10 by Nextel Partners witness Scott Peabody, the Company stands ready and willing to meet
11 this commitment.

12
13 Q. WILL NEXTEL PARTNERS OFFER SERVICES THAT PROVIDE BENEFITS TO
14 CONSUMERS?

15 A. Yes. As described in the Application, Nextel Partners will provide the residents and
16 businesses in the specified are with important options. End users will be able to choose the
17 technology – wireline or wireless – that best meets their individual needs. End users will
18 also be able to choose from among rate plans that will allow them to more closely match the
19 service that they receive (and pay for) with their calling patterns and frequency. Last, but
20 certainly not least, end users will have greater access to the personal and public safety
21 benefits of wireless service.

1 Q. IS THERE SOME FACT OR ISSUE THAT IS SPECIFIC TO NEXTEL PARTNERS, OR
2 THE SERVICE AREAS WITHIN WHICH IT SEEKS ETC STATUS IN IDAHO, THAT
3 WOULD OUTWEIGH THOSE BENEFITS?

4 A. No. Nextel Partners' desire to serve – and its commitment to do so – fully complies with the
5 service obligations set forth in the Act and is consistent with that of other carriers that have
6 been designated as an ETC in areas served by rural ILECs.

7

8 Q. YOU STATED THAT IN THE OTHER STATE PROCEEDINGS IN WHICH YOU HAVE
9 PARTICIPATED, THE RURAL LECS HAVE SOUGHT TO IMPROPERLY BROADEN
10 THE SCOPE OF THE PROCEEDING. PLEASE EXPLAIN.

11 In these other state proceedings, rural ILECs have asked state regulators to weigh the
12 benefits and costs of permitting competitive entry into rural areas (specifically areas of low
13 line density) and the benefits and costs of granting ETC status to more than one carrier in
14 such an area. These questions are simply not relevant to the designation of an ETC. To the
15 contrary, the relevant questions here are specific to Nextel Partners' showings in its
16 Application.

17 As far as the public interest issue is concerned, it is the interests of the public – the
18 consumers of telecommunications services – that must be considered. The interests of
19 individual carriers, or categories of carriers, is not a significant element of the public interest
20 determination. This is consistent with the FCC's stated principle of "competitive neutrality"
21 in the operation of any rural universal service mechanism. The FCC and Fifth Circuit Court
22 have been clear that the purpose of the federal universal service mechanism is to protect
23 rural consumers of telecommunications services; its purpose is not to protect incumbent

1 LECs:

2 The Act does *not* guarantee all local telephone service providers a sufficient
3 return on investment; quite the contrary, it is intended to introduce
4 competition into the market. Competition necessarily brings the risk that
5 some telephone service providers will be unable to compete. The Act only
6 promises universal service, and that is a goal that requires sufficient funding
7 of *customers*, not *providers*. So long as there is sufficient and competitively
8 neutral funding to enable all customers to receive basic telecommunications
9 services, the FCC has satisfied the Act and is not further required to ensure
10 sufficient funding of every local telephone provider as well (emphasis in
11 original).³
12

13 This Commission will need to be watchful for efforts to re-litigate the FCC's
14 decisions regarding the operation of the federal universal service mechanism in rural areas.
15 The LECs typically ask state regulators to effectively set aside certain portions – but not
16 others – of the FCC's Orders, and engage in a process of second guessing both Congress and
17 the FCC regarding (1) the benefits of competitive entry, and (2) the most effective means of
18 ensuring that consumers in rural areas have access to basic telecommunications services at
19 reasonable rates.
20

21 Q. FOR WHAT GEOGRAPHIC AREAS IN IDAHO IS NEXTEL PARTNERS SEEKING
22 ETC DESIGNATION?

23 A. As set forth in its Application, Nextel Partners is seeking designation as an ETC throughout
24 each of the designated areas listed in Attachment 1. For the areas served by Albion
25 Telephone, Filer Mutual Telephone, Farmers Mutual Telephone, Mud Lake Telephone
26 Cooperative, and Project Mutual Telephone, the designated area is the entire study area of

³ *Alenco Communications, Inc. v. FCC*, 201 F.3d at 620, cited in *Fourteenth Report and Order* at ¶ 27.

1 the RTC. For the twelve exchanges served by Citizens, Nextel Partners is requesting
2 designation throughout the area covered by those wire centers. Nextel Partners is seeking a
3 conditional designation in the Citizens exchanges pending approval of its petition for a
4 redefinition of Citizens' service area.

5
6 Q. PLEASE EXPLAIN WHY THIS "REDEFINITION" OF THE CITIZENS SERVICE AREA
7 IS NECESSARY.

8 A. The service area of Citizens in Idaho is, as it is in most other states, comprised on non-
9 contiguous exchanges; put simply, Citizens serves several small areas scattered around the
10 state rather than one large area. Nextel Partners does not serve all of these widely disbursed
11 areas.

12 If, for ETC purposes, Citizens' service area remains defined as the totality of all of
13 these non-contiguous exchanges, no CETC, including but not limited to Nextel Partners,
14 could be designated as an ETC in *any* of the exchanges. The provision for service area
15 "redefinition" set forth in 47 C.F.R. § 54.207 is intended to avoid such an outcome by
16 permitting the Citizens service area to be "redefined" at a level that is more disaggregated
17 than "all exchanges served by Citizens in Idaho."

18
19 Q. WILL THERE BE AN IMPACT ON CITIZENS IF THE PROPOSED "SERVICE AREA
20 REDEFINITION" IS GRANTED?

21 A. No. The "redefinition" term is a misnomer that has led to confusion in similar proceedings,
22 and warrants some explanation. In reality, no service area is actually being "redefined."

1 From the point of view of Citizens, the company's service area will be *unchanged* by
2 the "redefinition" request. If Nextel Partners' request is granted, the process will be entirely
3 transparent to Citizens. Citizens will not be required to operate in a different manner and its
4 receipt of federal USF support will not change in any way. To put a fairly fine point on it,
5 as a practical matter Citizens need not even know about the "redefinition" that Nextel
6 partners requests, because Citizens won't be affected.

7 The impact of a service area "redefinition" process is quite different for a CETC such
8 as Nextel Partners. Without the ability to qualify as an ETC for the more refined service
9 area, a CETC cannot compete on a equal footing with the ILEC and may not be able to
10 provide the supported services in a given area at all. Of course, for a CETC such as Nextel
11 Partners the "redefinition" is actually the creation of, not a change to, its ETC service area.

12 In summary, Nextel Partners is asking that it be permitted to define a service area in
13 Idaho that it can serve as an ETC. The requested area includes some, but not all, of the
14 exchanges served by Citizens. If this request is granted, Nextel Partners will be able to
15 service the area as an ETC, public benefits will be realized, and Citizens will be unaffected.
16 If the request is not granted, Nextel Partners will not be able to serve the area as an ETC,
17 public benefits will not be realized, and Citizens will still be unaffected.

18
19
20 Q. ARE THERE ANY STATED CRITERIA TO BE APPLIED WHEN EVALUATING A
21 REQUEST FOR SERVICE AREA "REDEFINITION"?

22 A. Yes. The Joint Board has recommended that three criteria be applied by the FCC and state
23 commissions when determining if a request for a service area "redefinition" should be
24 granted: (1) the Commission must conclude that the redefinition will not impose any

1 significant administrative burden on the ILEC, (2) the Commission must conclude that the
2 competitor is not engaging in selective market entry, or "cream skimming",⁴ and (3) the
3 Commission must conclude that the ILEC's status as a rural carrier will not be affected.
4

5 Q. IS THERE ANY REASON, BASED ON THESE CRITERIA, THAT NEXTEL
6 PARTNERS' REQUEST FOR SERVICE AREA "REDEFINITION" SHOULD NOT BE
7 GRANTED?

8 A. No. As already discussed, the redefinition process will have no material affect on the way
9 that Citizens does business; the "redefinition" will not impose any administrative burdens,
10 and will not affect Citizens' status as a rural carrier in any way. The potential for "cream
11 skimming" is ultimately moot because Citizens has already disaggregated USF support to
12 the wire center level. Nextel Partners is likewise seeking "redefinition" at the wire center
13 level, meaning that it is mathematically impossible for Nextel partners to receive per-line
14 support for the area it serves that is based on the average cost of a larger geographic area. If
15 support and the areas of market entry are at disaggregated to the same level, the potential for
16 "cream skimming" – to the extent it ever actually existed, is eliminated.
17

18 Q. ARE THERE ANY OTHER MEANINGFUL CRITERIA BY WHICH TO EVALUATE A
19 REQUEST FOR SERVICE AREA "REDEFINITION"?
20

⁴ In a recent decision the FCC made clear that a CETC serving only a part of an ILEC study area, does not in and of itself amount to "cream skimming." *Memorandum Opinion and Order*, CC Docket No. 96-45, released November 27,2002 [DA 02-3181, paragraphs 27-28

1 A. No. In similar proceedings in other states, ILECs have argued that the requested
2 "redefinition" process is unnecessary. Upon closer inspection, it becomes clear that they are
3 not actually arguing that "redefinition" is unnecessary, but rather that the designation of the
4 CETC is unnecessary. This is not particularly surprising; from the point of view of an
5 incumbent monopoly provider, competitive entry into its home market is likely to appear
6 "unnecessary," at least to its own business plan. Competition has (1) the potential to cause
7 the incumbent to lose customers, (2) the potential to bring to light any ILEC network or
8 operational inefficiencies, or (3) the potential to cause the ILEC to accelerate investment.
9 ILECs have an incentive to limit competitive entry, and delaying or preventing a CETC
10 designation is one means of achieving this end. By extension, if a failure to "redefine" the
11 service area means that a potential competitor will not be designated as an ETC, the ultimate
12 goal of limiting competition is served.

13

14 Q. IS THE DESIGNATION OF NEXTEL PARTNERS AS AN ETC IN THE AREAS
15 SERVED BY THE RTCS IN PUBLIC INTEREST?

16 A. Yes. Nextel Partners will provide customer alternatives in terms of pricing and technology.
17 The operation of Nextel Partners as an ETC can be expected to benefit consumers directly
18 (through pricing, convenience, and public safety opportunities) and indirectly (as an
19 important part of rural economic development).

20

21 Q. IS THE CONDITIONAL DESIGNATION OF NEXTEL PARTNERS AS AN ETC IN THE
22 LISTED CITIZENS WIRE CENTERS, PENDING A SERVICE AREA "REDEFINITION",
23 IN THE PUBLIC INTEREST?

1 A. Yes. "Redefinition" at the wire center level will permit Nextel Partners to operate as an
2 ETC in these areas, while having no impact on the operation of Citizens or the USF support
3 it receives. The disaggregation of support at the wire center level, coupled with the
4 commitment of Nextel Partners to serve throughout each wire center area, means that
5 "cream skimming" is impossible.

6

7 Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

8 A. Yes.

Vita of Don J. Wood

4625 Alexander Drive, Suite 125, Alpharetta, Georgia 30022

Voice 770.475.9971, Facsimile 770.475.9972

CURRENT EMPLOYMENT

Don J. Wood is a principal in the firm of Wood & Wood. He provides economic and regulatory analysis services in telecommunications, cable, IP, and related convergence industries, specializing in economic policy related to the development of competitive markets and cost of service issues. In addition, Mr. Wood advises industry associations on regulatory and economic policy, and assists investors in their evaluation of investment opportunities in the telecommunications industry. The scope of his work has included landline and wireless voice communications, data services, and emerging technologies.

As a consultant, Mr. Wood has assisted his clients in responding to the challenges and business opportunities of the industry both before and subsequent to the Telecommunications Act of 1996. Prior to his work as a consultant, Mr. Wood was employed in a management capacity at a major Local Exchange Company and an Interexchange Carrier. In each capacity he has been directly involved in both the development and implementation of regulatory policy and business strategy.

As a part of his regulatory practice, Mr. Wood has presented testimony before the administrative regulatory bodies of thirty-four states, the District of Columbia, and Puerto Rico, and has prepared comments and testimony for filing with the Federal Communications Commission. The subject matter of his testimony has ranged from broad policy issues to detailed cost analysis.

Mr. Wood has also presented testimony in state, federal, and overseas courts regarding business plans and strategies, competition policy, and cost of service issues. He has presented studies of the damages incurred by plaintiffs and has provided rebuttal testimony to damage calculations performed by others. Mr. Wood has also testified in alternative dispute resolution proceedings conducted pursuant to both AAA and CPR rules.

PREVIOUS INDUSTRY EMPLOYMENT

Klick, Kent & Allen/FTI Consulting, Inc.

Regional Director.

GDS Associates, Inc.

Senior Project Manager.

MCI Telecommunications Corporation

Manager of Regulatory Analysis, Southeast Division.

Manager, Corporate Economic Analysis and Regulatory Affairs.

BellSouth Services, Inc.

Staff Manager.

EDUCATION

Emory University, Atlanta, Ga.

BBA in Finance, with Distinction.

College of William and Mary, Williamsburg, Va.

MBA, with concentrations in Finance and Microeconomics.

TESTIMONY - STATE REGULATORY COMMISSIONS:

Alabama Public Service Commission

Docket No. 19356, Phase III: Alabama Public Service Commission vs. All Telephone Companies Operating in Alabama, and Docket 21455: AT&T Communications of the South Central States, Inc., Applicant, Application for a Certificate of Public Convenience and Necessity to Provide Limited IntraLATA Telecommunications Service in the State of Alabama.

Docket No. 20895: In Re: Petition for Approval to Introduce Business Line Termination for MCI's 800 Service.

Docket No. 21071: In Re: Petition by South Central Bell for Introduction of Bidirectional Measured Service.

Docket No. 21067: In Re: Petition by South Central Bell to Offer Dial Back-Up Service and 2400 BPS Central Office Data Set for Use with PulseLink Public Packet Switching Network Service.

Docket No. 21378: In Re: Petition by South Central Bell for Approval of Tariff Revisions to Restructure ESSX and Digital ESSX Service.

Docket No. 21865: In Re: Petition by South Central Bell for Approval of Tariff Revisions to Introduce Network Services to be Offered as a Part of Open Network Architecture.

Docket No. 25703: In Re: In the Matter of the Interconnection Agreement Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Docket No. 25704: In Re: Petition by AT&T Communications of the South Central States, Inc. for Arbitration of Certain Terms and Conditions of a Proposed Agreement with GTE South Incorporated and CONTEL of the South, Inc. Concerning Interconnection and Resale under the Telecommunications Act of 1996.

Docket No. 25835: In Re: Petition for Approval of a Statement of Generally Available Terms and Conditions Pursuant to §252(f) of the Telecommunications Act of 1996 and Notification of Intention to File a §271 Petition for In-Region InterLATA Authority with the Federal Communications Commission Pursuant to the Telecommunications Act of 1996.

Docket No. 26029: In Re: Generic Proceeding - Consideration of TELRIC Studies.

Docket No. 25980: Implementation of the Universal Support Requirements of Section 254 of the Telecommunications Act of 1996.

Docket No. 27091: Petition for Arbitration by ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. 27821: Generic Proceeding to Establish Prices for Interconnection Services and Unbundled Network Elements.

Docket Nos. 27989 and 15957: BellSouth "Full Circle" Promotion and Generic Proceeding Considering the Promulgation of Telephone Rules Governing Promotions.

Case Nos. GNR-T-03-8 & GNR-T-03-16
Exhibit No. 101, page 3 of 18
NPCR, Inc. d/b/a Nextel Partners
Witness: Don J. Wood

Arkansas Public Service Commission

Docket No. 92-337-R: In the Matter of the Application for a Rule Limiting Collocation for Special Access to Virtual or Physical Collocation at the Option of the Local Exchange Carrier.

Public Utilities Commission of the State of California

Rulemaking 00-02-005: Order Instituting Rulemaking on the Commission's Own Motion into Reciprocal Compensation for Telephone Traffic Transmitted to Internet Service Provider Modems.

Application Nos. 01-02-024, 01-02-035, 02-02-031, 02-02-032, 02-02-034, 02-03-002: Applications for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Network element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Public Utilities Commission of the State of Colorado

Docket No. 96A-345T: In the Matter of the Interconnection Contract Negotiations Between AT&T Communications of the Mountain States, Inc., and US West Communications, Inc., Pursuant to 47 U.S.C. Section 252. Docket No. 96A-366T: In the Matter of the Petition of MCIMetro Access Transmission Services, Inc., for Arbitration Pursuant to 47 U.S.C. § 252(b) of the Telecommunications Act of 1996 to Establish an Interconnection Agreement with US West Communications, Inc. (consolidated).

Docket No. 96S-257T: In Re: The Investigation and Suspension of Tariff Sheets Filed by US West Communications, Inc., with Advice Letter No. 2608 Regarding Proposed Rate Changes.

Docket No. 98F-146T: Colorado Payphone Association, Complainant, v. US West Communications, Inc., Respondent.

Docket No. 02A-276T: In the Matter of the Application of Wiggins Telephone Association for Approval of its Disaggregation Plan

Docket No. 02A-444T: In the Matter of NECC's Application to Redefine the Service Area of Eastern Slope Rural Telephone Association, Inc., Great Plains Communications, Inc., Plains Coop Telephone Association, Inc., and Sunflower Telephone Co., Inc.

State of Connecticut, Department of Utility Control

Docket 91-12-19: DPUC Review of Intrastate Telecommunications Services Open to Competition (Comments).

Docket No. 94-07-02: Development of the Assumptions, Tests, Analysis, and Review to Govern Telecommunications Service Reclassifications in Light of the Eight Criteria Set Forth in Section 6 of Public Act 94-83 (Comments).

Case Nos. GNR-T-03-8 & GNR-T-03-16
Exhibit No. 101, page 4 of 18
NPCR, Inc. d/b/a Nextel Partners
Witness: Don J. Wood

Delaware Public Service Commission

Docket No. 93-31T: In the Matter of the Application of The Diamond State Telephone Company for Establishment of Rules and Rates for the Provision of IntelliLinQ-PRI and IntelliLinQ-BRI.

Docket No. 41: In the Matter of the Development of Regulations for the Implementation of the Telecommunications Technology Investment Act.

Docket No. 96-324: In the Matter of the Application of Bell Atlantic-Delaware, Inc. for Approval of its Statement of Terms and Conditions Under Section 252(f) of the Telecommunications Act of 1996 (Phase II).

Docket no. 02-001: In the Matter of the Inquiry into Verizon Delaware Inc.'s Compliance with the Conditions Set Forth in 47 U.S.C. § 271(c).

Florida Public Service Commission

Docket No. 881257-TL: In Re: Proposed Tariff by Southern Bell to Introduce New Features for Digital ESSX Service, and to Provide Structural Changes for both ESSX Service and Digital ESSX Service.

Docket No. 880812-TP: In Re: Investigation into Equal Access Exchange Areas (EAEAs), Toll Monopoly Areas (TMAs), 1+ Restriction to the Local Exchange Companies (LECs), and Elimination of the Access Discount.

Docket No. 890183-TL: In Re: Generic Investigation into the Operations of Alternate Access Vendors.

Docket No. 870347-TI: In Re: Petition of AT&T Communications of the Southern States for Commission Forbearance from Earnings Regulation and Waiver of Rule 25-4.495(1) and 25-24.480 (1) (b), F.A.C., for a trial period.

Docket No. 900708-TL: In Re: Investigation of Methodology to Account for Access Charges in Local Exchange Company (LEC) Toll Pricing.

Docket No. 900633-TL: In Re: Development of Local Exchange Company Cost of Service Study Methodology.

Docket No. 910757-TP: In Re: Investigation into the Regulatory Safeguards Required to Prevent Cross-Subsidization by Telephone Companies.

Docket No. 920260-TL: In Re: Petition of Southern Bell Telephone and Telegraph Company for Rate Stabilization, Implementation Orders, and Other Relief.

Docket No. 950985-TP: In Re: Resolution of Petitions to establish 1995 rates, terms, and conditions for interconnection involving local exchange companies and alternative local exchange companies pursuant to Section 364.162, Florida Statutes.

Docket No. 960846-TP: In Re: Petition by MCI Telecommunications Corporation and MCI Metro Access Transmission Services, Inc. for Arbitration of Certain Terms and Conditions of a proposed agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996 and Docket No. 960833-TP: In Re: Petition by AT&T Communications of the Southern States, Inc. for Arbitration of Certain Terms and Conditions of a Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996 (consolidated).

Docket No. 960847-TP and 960980-TP: In Re: Petition by AT&T Communications of the Southern States, Inc., MCI Telecommunications Corporation, MCI Metro Access Transmission Service, Inc., for Arbitration of Certain Terms and Conditions of a Proposed Agreement with GTE Florida Incorporated Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996 (consolidated).

Docket No. 961230-TP: In Re: Petition by MCI Telecommunications Corporation for Arbitration with United Telephone Company of Florida and Central Telephone Company of Florida Concerning Interconnection Rates, Terms, and Conditions, Pursuant to the Federal Telecommunications Act of 1996.

Docket No. 960786-TL: In Re: Consideration of BellSouth Telecommunications, Inc.'s Entry Into InterLATA Services Pursuant to Section 271 of the Federal Telecommunications Act of 1996.

Docket Nos. 960833-TP, 960846-TP, 960757-TP, and 971140-TP: Investigation to develop permanent rates for certain unbundled network elements.

Docket No. 980696-TP: In Re: Determination of the cost of basic local telecommunications service, pursuant to Section 364.025 Florida Statutes.

Docket No. 990750-TP: Petition by ITC^DeltaCom Communications, Inc., d/b/a/ ITC^DeltaCom, for arbitration of certain unresolved issues in interconnection negotiations between ITC^DeltaCom and BellSouth Telecommunications, Inc.

Docket No. 991605-TP: Petition of BellSouth Telecommunications, Inc. for Arbitration of the Interconnection Agreement Between Time Warner Telecom of Florida, L.P., pursuant to Section 252 (b) of the Telecommunications Act of 1996.

Georgia Public Service Commission

Docket No. 3882-U: In Re: Investigation into Incentive Telephone Regulation in Georgia.

Docket No. 3883-U: In Re: Investigation into the Level and Structure of Intrastate Access Charges.

Docket No. 3921-U: In Re: Compliance and Implementation of Senate Bill 524.

Docket No. 3905-U: In Re: Southern Bell Rule Nisi.

Docket No. 3995-U: In Re: IntraLATA Toll Competition.

Docket No. 4018-U: In Re: Review of Open Network Architecture (ONA) (Comments).

Docket No. 5258-U: In Re: Petition of BellSouth Telecommunications for Consideration and Approval of its "Georgians FIRST" (Price Caps) Proposal.

Docket No. 5825-U: In Re: The Creation of a Universal Access Fund as Required by the Telecommunications Competition and Development Act of 1995.

Docket No. 6801-U: In Re: Interconnection Negotiations Between BellSouth Telecommunications, Inc. and AT&T Communications of the Southern States, Inc., Pursuant to Sections 251-252 and 271 of the Telecommunications Act of 1996.

Docket No. 6865-U: In Re: Petition by MCI for Arbitration of Certain Terms and Conditions of Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996.

Docket No. 7253-U: In Re: BellSouth Telecommunications, Inc.'s Statement of Generally Available Terms and Conditions Under Section 252 (f) of the Telecommunications Act of 1996.

Docket No. 7061-U: In Re: Review of Cost Studies and Methodologies for Interconnection and Unbundling of BellSouth Telecommunications Services.

Docket No. 10692-U: In Re: Generic Proceeding to Establish Long-Term Pricing Policies for Unbundled Network Elements.

Docket No. 10854-U: In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Public Utilities Commission of Hawaii

Docket No. 7702: In the Matter of Instituting a Proceeding on Communications, Including an Investigation of the Communications Infrastructure of the State of Hawaii.

Iowa Utilities Board

Docket No. RPU-95-10.

Docket No. RPU-95-11.

State Corporation Commission of the State of Kansas

Docket No. 00-GIMT-1054-GIT: In the Matter of a General Investigation to Determine Whether Reciprocal Compensation Should Be Paid for Traffic to an Internet Service Provider.

Kentucky Public Service Commission

Administrative Case No. 10321: In the Matter of the Tariff Filing of South Central Bell Telephone Company to Establish and Offer Pulselink Service.

Administrative Case No. 323: In the Matter of An Inquiry into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality.

Case Nos. GNR-T-03-8 & GNR-T-03-16
Exhibit No. 101, page 7 of 18
NPCR, Inc. d/b/a Nextel Partners
Witness: Don J. Wood

- Phase IA: Determination of whether intraLATA toll competition is in the public interest.
- Phase IB: Determination of a method of implementing intraLATA competition.
- Rehearing on issue of Imputation.

Administrative Case No. 90-256, Phase II: In the Matter of A Review of the Rates and Charges and Incentive Regulation Plan of South Central Bell Telephone Company.

Administrative Case No. 336: In the Matter of an Investigation into the Elimination of Switched Access Service Discounts and Adoption of Time of Day Switch Access Service Rates.

Administrative Case No. 91-250: In the Matter of South Central Bell Telephone Company's Proposed Area Calling Service Tariff.

Administrative Case No. 96-431: In Re: Petition by MCI for Arbitration of Certain Terms and Conditions of a Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection and Resale Under the Telecommunications Act of 1996.

Administrative Case No. 96-478: In Re: The Petition by AT&T Communications of the South Central States, Inc. for Arbitration of Certain Terms and Conditions of a Proposed Agreement with GTE South Incorporated Concerning Interconnection and Resale Under the Telecommunications Act of 1996.

Administrative Case No. 96-482: In Re: The Interconnection Agreement Negotiations Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Administrative Case No. 360: In the Matter of: An Inquiry into Universal Service and Funding Issues.

Administrative Case No. 96-608: In the Matter of: Investigation Concerning the Provision of InterLATA Services by BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Administrative Case No. 382: An Inquiry into the Development of Deaveraged Rates for Unbundled Network Elements.

Louisiana Public Service Commission

Docket No. 17970: In Re: Investigation of the Revenue Requirements, Rate Structures, Charges, Services, Rate of Return, and Construction Program of AT&T Communications of the South Central States, Inc., in its Louisiana Operations.

Docket No. U-17949: In the Matter of an Investigation of the Revenue Requirements, Rate Structures, Charges, Services, Rate of Return, and Construction Program of South Central Bell Telephone Company, Its Louisiana Intrastate Operations, The Appropriate Level of Access Charges, and All Matters Relevant to the Rates and Service Rendered by the Company.

- Subdocket A (SCB Earnings Phase)
- Subdocket B (Generic Competition Phase)

Case Nos. GNR-T-03-8 & GNR-T-03-16
 Exhibit No. 101, page 8 of 18
 NPCR, Inc. d/b/a Nextel Partners
 Witness: Don J. Wood

Docket No. 18913-U: In Re: South Central Bell's Request for Approval of Tariff Revisions to Restructure ESSX and Digital ESSX Service.

Docket No. U-18851: In Re: Petition for Elimination of Disparity in Access Tariff Rates.

Docket No. U-22022: In Re: Review and Consideration of BellSouth Telecommunications, Inc.'s TSLRIC and LRIC Cost Studies Submitted Pursuant to Sections 901(C) and 1001(E) of the Regulations for Competition in the Local Telecommunications Market as Adopted by General Order Dated March 15, 1996 in Order to Determine the Cost of Interconnection Services and Unbundled Network Components to Establish Reasonable, Non-Discriminatory, Cost Based Tariffed Rates and Docket No. U-22093: In Re: Review and Consideration of BellSouth Telecommunications, Inc.'s Tariff Filing of April 1, 1996, Filed Pursuant to Section 901 and 1001 of the Regulations for Competition in the Local Telecommunications Market Which Tariff Introduces Interconnection and Unbundled Services and Establishes the Rates, Terms and Conditions for Such Service Offerings (consolidated).

Docket No. U-22145: In the Matter of Interconnection Agreement Negotiations Between AT&T Communications of the South Central States, Inc. and BellSouth Telecommunications, Inc., Pursuant to 47 U.S.C. § 252.

Docket No. U-22252: In Re: Consideration and Review of BST's Preapplication Compliance with Section 271 of the Telecommunications Act of 1996, including but not limited to the fourteen requirements set forth in Section 271 (c) (2) (b) in order to verify compliance with section 271 and provide a recommendation to the FCC regarding BST's application to provide interLATA services originating in-region.

Docket No. U-20883 Subdocket A: In Re: Submission of the Louisiana Public Service Commission's Forward Looking Cost Study to the FCC for Purposes of Calculating Federal Universal Service Support.

Docket No. U-24206: In Re: Petition for Arbitration of ITC^DeltaCom Communications, Inc. with BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996.

Docket No. U-22632: In Re: BellSouth Telecommunications, Inc. Filing of New Cost Studies for Providing Access Line Service for Customer Provided Public Telephones and Smartline Service for Public Telephone Access.

Docket No. Docket No. U-24714-A: In Re: Final Deaveraging of BellSouth Telecommunications, Inc. UNE Rates Pursuant to FCC 96-45 Ninth Report and Order and Order on Eighteenth Order on Reconsideration Released November 2, 1999.

Public Service Commission of Maryland

Case 8584, Phase II: In the Matter of the Application of MFS Intelenet of Maryland, Inc. for Authority to Provide and Resell Local Exchange and Intrastate Telecommunications Services in Areas Served by C&P Telephone Company of Maryland.

Case 8715: In the Matter of the Inquiry into Alternative Forms of Regulating Telephone Companies.

Case 8731: In the Matter of the Petitions for Approval of Agreements and Arbitration of Unresolved Issues Arising Under Section 252 of the Telecommunications Act of 1996.

Case Nos. GNR-T-03-8 & GNR-T-03-16
Exhibit No. 101, page 9 of 18
NPCR, Inc. d/b/a Nextel Partners
Witness: Don J. Wood