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AZ CORP COMMISSION
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Transcript Exhibit(s)

F-04103A-02-0274



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BEFORE THE ARIZONA CORPORATION COMMISSION

2005 JUL 27 P 3:49

JEFF HATCH-MILLER

Chairman

WILLIAM A. MUNDELL

Commissioner

MARC SPITZER

Commissioner

MIKE GLEASON

Commissioner

KRISTIN K. MAYES

Commissioner

AZ CORP COMMISSION
DOCUMENT CONTROL

In the Matter of the Application of OCMC,)
Inc. to Obtain a Certificate of Convenience)
and Necessity From One Call)
Communications, Inc. d/b/a Opticom to)
Provide Telecommunications Services as a)
Provider of Resold Interexchange Services)
and Alternative Operator Services Within)
the State of Arizona)

Docket No. T-04103A-02-0274

Docket No. T-02565A-02-0274

**NOTICE OF FILING DIRECT TESTIMONY
OF DAVID HILL ON BEHALF OF
OCMC, INC.**

Notice is given that OCMC, Inc. is filing the direct testimony of David Hill in the
above-captioned docket.

DATED this 27th day of July, 2005.

LEWIS AND ROCA LLP

Thomas H. Campbell
Michael T. Hallam
40 N. Central Avenue
Phoenix, Arizona 85004
Attorneys for OCMC, Inc.

1 ORIGINAL and fifteen (15) copies
2 of the foregoing filed this 27th day of
3 July, 2005, with:

4 The Arizona Corporation Commission
5 Utilities Division – Docket Control
6 1200 W. Washington Street
7 Phoenix, Arizona 85007

8 COPIES of the foregoing
9 hand-delivered this 27th day of
10 July, 2005, to:

11 Dwight Nodes, Assistant Chief Administrative Law Judge
12 Hearing Division
13 Arizona Corporation Commission
14 1200 W. Washington Street
15 Phoenix, Arizona 85007

16 Tim Sabo, Legal Division
17 Arizona Corporation Commission
18 1200 W. Washington Street
19 Phoenix, Arizona 85007

20 Del Smith,
21 Utilities Division
22 Arizona Corporation Commission
23 1200 W. Washington Street
24 Phoenix, Arizona 85007

25 Ernest G. Johnson, Director
26 Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007



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BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER

Chairman

WILLIAM A. MUNDELL

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Provide Telecommunications Services as a)
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the State of Arizona)

DIRECT TESTIMONY OF DAVID HILL
ON BEHALF OF OCMC, INC.

Dated: July 27, 2005

Direct Testimony of David Hill
OCMC, Inc.

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Q. Please state your name and business address for the record.

A. My name is David Hill. My business address is 801 Congressional Boulevard, Carmel, Indiana 46032.

Q. What is your job title and job description with OCMC? For how long have you been in that position?

A. I am the Director of Technical Operations for OCMC. My job responsibilities include overseeing operator services for OCMC's three call centers, providing dialogue for OCMC's operators, developing scripts for zero-minus emergency calls and operator assisted calls, addressing technical-related issues for OCMC's system, performing network troubleshooting and assisting payphone owners with technical programming of their payphones. Additionally, I assist with phone system dialers (i.e., the programming of hotel/motel telephone systems) and procedures. I have held this position with OCMC (formerly One Call Communications) for 13 years.

Q. What are your qualifications?

A. I have a bachelor's degree in business administration and four years of telecommunications experience with the United States Navy. I also have 16 years of experience with OCMC (formerly One Call Communications). This experience includes direct involvement with OCMC's call center operations for more than 15 years, as well as direct involvement with networking, switching, and the programming of payphone software, hardware and other aspects of the telecommunications systems used by OCMC.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to support OCMC's request for a permanent waiver of AAC R14-2-1006.A. so that OCMC may continue to process zero minus traffic in Arizona.

Q. Please describe what is meant by a zero minus call.

A. A zero minus call occurs when a caller dials zero and reaches an operator for completion of the call. Not all zero minus calls are emergency calls. In fact, most zero minus calls are not emergency calls. Other types of zero

1 minus calls include collect calls, calling card calls, credit card calls, travel
2 cards, and third-party billing calls.

3 **Q. In how many states does OCMC complete zero minus emergency calls?**

4 A. OCMC currently completes zero minus emergency calls in thirty states.

5 **Q. For how many years has OCMC completed zero minus emergency**
6 **calls?**

7 A. Approximately 14 years--OCMC (formerly One Call Communications)
8 began completing zero minus calls in 1991.

9 **Q. What type of customers use OCMC's zero minus service in Arizona?**

10 A. A large majority of customers of zero minus service are payphone users.
11 Most other customers of zero minus service are guests of hotels and motels
12 (i.e., hospitality).

13 **Q. Please describe the facilities that OCMC uses for zero minus call**
14 **completion.**

15 A. OCMC uses three operator call centers—two in the Dominican Republic
16 (Santa Domingo and Hainamosa) and one in Carmel, Indiana. OCMC has
17 approximately 140 total operators that staff these call centers. OCMC uses
18 state-of-the-art switching and networking equipment, which it continues to
19 update so that it meets or exceeds industry standards.

20 **Q. Please describe the process that occurs for a zero minus emergency call?**

21 A. The following is a description of OCMC's processing of zero minus
22 emergency calls. First, the caller would dial zero. Upon dialing zero, the
23 caller reaches the OCMC automated operator. The automated operator gives
24 instructions to the caller to dial zero for operator assistance. At that point,
25 the call will roll over to a live operator.

26 Upon hearing that the caller has an emergency, the operator will
immediately instruct the caller to hang up and dial 911. If the caller
indicates that 911 was not available or dialing 911 did not work for any
reason, the operator will listen to the caller's request, and will connect the
caller to the emergency agency requested. Operators are trained not to

1 question the sincerity of an emergency and to connect the caller immediately
2 to the appropriate emergency agency.

3 **Q. What type of training is provided to call center operators?**

4 A. All operators received one week of introductory training, which includes
5 detailed information and step-by-step instructions regarding the handling of
6 zero-minus emergency calls and other zero minus calls. At the end of the
7 training, operators must complete and pass a written test. In addition, once
8 an operator is employed, OCMC continues to monitor the operator's
9 performance. When we find an operator that is not processing calls as fast
as expected, these individuals are pulled off-line, and we conduct special
training until they are able to meet our expectations.

10 **Q. Are you familiar with the Staff Report dated August 23, 2004 in this
11 matter?**

12 A. Yes.

13 **Q. On Page 3 of that Staff Report, do you concur with Staff's conclusion
14 that "OCMC has the capability to process zero minus calls at a level of
accuracy and reliability that is equal to that provided by Qwest"?**

15 A. Yes. I agree with that conclusion.

16 **Q. Please explain the processes that OCMC uses to ensure that zero minus
17 calls are processed accurately.**

18 A. As stated previously, upon dialing zero, a caller reaches the OCMC
19 automated operator. The automated operator gives instructions to the caller
20 to dial zero for operator assistance. At that point, the call will roll over to a
21 live operator. Upon hearing that the caller has an emergency, the operator
22 will immediately instruct the caller to hang up and dial 911. If the caller
23 indicates that 911 was not available or dialing 911 did not work for any
24 reason, the operator will listen to the caller's request, and will connect the
25 caller to the emergency agency requested. Operators are trained not to
26 question the sincerity of an emergency and to connect the caller immediately
to the appropriate emergency agency. The operator remains on the line until
the call is completed, making sure that he or she is available for any other
questions with regard to the caller's origination or the caller's address or
phone number.

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2 **Q. Please describe the databases that operators use to identify the**
3 **appropriate agency to which a caller should be connected and to**
4 **identify the location of the caller. How are these updated?**

5 A. First, the payphone owner who submits the payphone for service must
6 include all emergency telephone numbers. Also, by contract, the payphone
7 owner who is local and who pays the location or site a commission, is
8 obligated to provide correct information. Additionally, OCMC has a
9 database which it checks for correct information. OCMC also calls the
10 emergency numbers and verifies the information in the database. With
11 nationwide 911 coverage, however, emergency numbers do not change very
12 often. At most, new lines or rollover lines are added.

13 **Q. Have you also reviewed the chart on page 7 of Decision No. 67444 that**
14 **compares OCMC's and Qwest's call processing times?**

15 A. Yes, I have.

16 **Q. Does OCMC maintain records that track specific times for zero minus**
17 **emergency calls?**

18 A. No.

19 **Q. Why is that?**

20 A. OCMC does not separate the zero-minus emergency calls from our regular
21 operator assisted calls. We measure and track the speed for all calls as a
22 whole. The times reported to Staff includes zero minus calls and zero plus
23 calls, such as collect, billed to third party, calling card, and travel card calls.
24 The times reported also include requests for rates, 211 requests for refunds,
25 and directory assistance.

26 OCMC fully recognizes that timing and speed is very important for our zero-
minus emergency calls, as well as for all operator assisted calls. As
discussed previously, OCMC keeps averages as a whole for our operators.
When we discover that an operator is not processing calls as fast as
expected, these individuals are taken off-line and receive special training
until they are able to meet our expectations.

1 **Q. Are you familiar with Qwest's processing of zero minus calls? How**
2 **have you gained this familiarity?**

3 A. Yes, I am familiar with Qwest's processing of zero minus calls. Over the
4 years, I have periodically called most carriers to see how each handles its
5 call flow and operator scripts. In the case of Qwest, at the time of the
6 hearing held in September 2004, I made more than thirty calls over a four
7 day period. I timed all calls in the same manner and made notes regarding
8 call scripts and options offered.

9 **Q. Is it common for providers to conduct test calls? Why is that?**

10 A. Absolutely, it is common. OCMC conducts test calls for a number of reasons.
11 We use test calls to evaluate and measure the quality of our operators. We
12 want to make sure that our operators are completing calls in a professional
13 and timely manner. More importantly, we use test calls to ensure calls are
14 being completed within industry standards.

15 We also make test calls to see what our competition is doing. Our customers
16 often tell us that another carrier is offering something different, so we make
17 test calls to confirm. We also make test calls to check rates and to check the
18 rates of our competitors. Finally, our customers make regular test calls of
19 OCMC to make sure that we perform as contracted.

20 **Q. Please again describe what occurs from the time an OCMC customer**
21 **has dialed zero until connected to a live operator?**

22 A. Upon dialing zero, a caller reaches the OCMC automated operator. The
23 automated operator gives instructions to the caller to dial zero for operator
24 assistance. At that point, the call will roll over to a live operator.

25 **Q. In Decision No. 67444, do you see the time stated by Qwest for this**
26 **segment of the call? What is that time? How does OCMC compare to**
this average time?

A. Qwest indicates that its time for this segment is between 7.9-9.6 seconds.
OCMC's average time is approximately 10 seconds.

In test calls that I have conducted for Qwest, Qwest regularly exceeded 9.6
seconds for this segment of the call. My experience with Qwest's system is
that after dialing zero, the Qwest automated operator asks that you select 1

1 for English or 2 for Spanish. After you select 1 for English (or 2 for
2 Spanish), the automated operator gives you a prompt to enter the destination
3 number. After you enter the destination number, followed by a pound sign,
4 it will list other call options. At the end of that prompt, the caller has the
5 option to dial zero for a live operator. Given that OCMC's automated
6 operator script instructs the caller to dial zero within seconds of starting and
7 given that OCMC uses state-of-the-art systems, OCMC compares favorably
8 to Qwest for this segment of the call.

9 **Q. Please again describe what occurs from the time the caller has reached**
10 **the live operator to the time the caller is connected to the emergency**
11 **service provider?**

12 A. When the call reaches the live operator, OCMC operators ask: "How may I
13 assist you?" Upon hearing that the caller has an emergency, the operator
14 will immediately instruct the caller to hang up and dial 911. If the caller
15 indicates that 911 was not available or dialing 911 did not work for any
16 reason, the operator will listen to the caller's request, and will connect the
17 caller to the emergency agency requested. Operators are trained not to
18 question the sincerity of an emergency and to connect the caller immediately
19 to the appropriate emergency agency. The operator remains on the line until
20 the call is completed, making sure that he or she is available for any other
21 questions with regard to the caller's origination or the caller's address or
22 phone number.

23 **Q. In Decision No. 67444, do you see the time stated by Qwest for this**
24 **segment of the call? What is that time?**

25 A. Yes. Qwest's time is 25 seconds and OCMC's time is 44.6 seconds.

26 **Q. Based on test calls of Qwest that you have conducted, what is your**
understanding of how Qwest's operators process this segment of the
call?

A. Based on test calls I have conducted, my experience with Qwest's processing
of zero minus calls is as follows. First, the operator questions the caller as to
whether the call is an emergency. If it is, the operator asks the nature of the
emergency. The operator then indicates that the caller may want to use 911.
If the caller does not wish to use 911 (or cannot use it), the operator will then
process the call.

Direct Testimony of David H.
OCMC, Inc.

1 **Q. Please describe the time provided by OCMC for this segment of the call.**

2 A. As discussed above, the times provided by OCMC include zero minus calls
3 and zero plus calls, such as collect, billed to third party, calling card and
4 travel card calls. Additionally, this time also includes requests for rates, 211
5 requests for refunds, and directory assistance. It is very important to note
6 that rate requests, 211 and director assistance calls take longer to complete
7 because of the amount of data requested. The average also includes collect
8 calls, which includes the time that the operator dials out to the called party
9 and receives acceptance or denial of the call. Further, it is OCMC's policy
10 to allow, as a courtesy, three attempts to complete a call. This additional
11 time can be significant if a credit card or calling call is blocked, at which
12 time the OCMC operator would allow the caller to try to call collect or
13 would let the caller make another call to another party. Because all of these
14 call types are included in the average stated above, the average time for zero
15 minus emergency calls is necessarily less.

16 It is important to note that OCMC becomes concerned when an operator's
17 time for all call types is less than 40 seconds. This is because it might be
18 caused by an operator speaking too fast or not providing additional billing
19 options. Accordingly, because speed is not paramount in non-emergency
20 situations, the times for those calls are necessarily longer, making the
21 average stated above higher.

22 For zero minus emergency calls, this segment of the call can vary based on
23 the time it takes the caller to explain the nature of the emergency and the
24 time it takes the emergency agency to answer. There is an appropriate
25 balancing that must take place between speed and accuracy.

26 Based on OCMC's experience in this industry for more than 10 years, it is
our belief that our call processing for zero minus emergency calls is as quick
as is prudent to maintain accuracy for those calls.

**Q. Does OCMC complete zero minus calls in Arizona outside of Qwest's
service territory?**

A. Yes. Attached as Exhibit DH-1 is a list of other LEC territories in which
OCMC completes zero minus calls and the number of payphone or
hospitality customers in the territory.

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Q. Why did OCMC not provide comparisons to other LECs?

A. Qwest is the largest and predominant service provider in the state and the great majority of OCMC's zero minus service is within Qwest's service territory. OCMC believes that a comparison with Qwest also provides a fair comparison to other LECs in the state.

Q. Are you aware of any complaints being filed in relation to OCMC's zero minus service in Arizona?

A. No.

Q. Given the type of customer that uses the zero minus service above, would you expect complaints to be filed if there were an issue relating to OCMC's zero minus service?

A. Yes. If a customer had an issue with an emergency call, I would expect the customer to complain to the Arizona Corporation Commission.

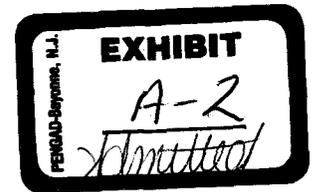
Q. Does this conclude your testimony?

A. Yes, it does.

Exhibit DLH-1

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1. SAN CARLOS APACHE (1)
2. ARIZONA TELEPHONE COMPANY (4)
3. FRONTIER UTILITIES RURAL (14)
4. SOUTHWESTERN TELEPHONE COMPANY (2)
5. CENTURYTEL OF SW AZ (3)
6. VALLEY TELEPHONE COOPERATIVE (4)
7. SOUTH CENTRAL UTAH TELEPHONE ASSN (1)
8. COPPER VALLEY TELEPHONE (2)
9. TABLE TOP TELEPHONE (2)
10. VERIZON CALIFORNIA-AZ (3)
11. FRONTIER WHITE MTNS (10)
12. FRONTIER NAVAJO COMM (23)



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BEFORE THE ARIZONA CORPORATION COMMISSION

2005 AUG 12 P 12:42

JEFF HATCH-MILLER

Chairman

WILLIAM A. MUNDELL

Commissioner

MARC SPITZER

Commissioner

MIKE GLEASON

Commissioner

KRISTIN K. MAYES

Commissioner

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the State of Arizona)

Docket No. T-04103A-02-0274

Docket No. T-02565A-02-0274

**NOTICE OF FILING SURREBUTTAL TESTIMONY
OF DAVID HILL ON BEHALF OF
OCMC, INC.**

Notice is given that OCMC, Inc. is filing the surrebuttal testimony of David Hill in the above-captioned docket.

DATED this 12th day of August, 2005.

LEWIS AND ROCA LLP

A handwritten signature in black ink, appearing to read "Thom Hill".

Thomas H. Campbell
Michael T. Hallam
40 N. Central Avenue
Phoenix, Arizona 85004
Attorneys for OCMC, Inc.

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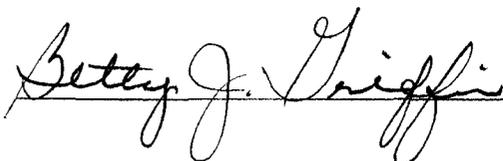
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and Alternative Operator Services Within)
the State of Arizona)

SURREBUTTAL TESTIMONY OF DAVID HILL
ON BEHALF OF OCMC, INC.

Dated: August 12, 2005

Surrebuttal Testimony of David Hill
OCMC, Inc.

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Q. What is the purpose of your Surrebuttal Testimony?

A. To respond to the Rebuttal Testimony of Mr. Del Smith dated August 5, 2005.

Q. Have you had a chance to review Mr. Smith's Rebuttal Testimony?

A. Yes, I have.

Q. On page 6 of Mr. Smith's Rebuttal Testimony, he states that payphone and hotel /motel customers would be less likely to complain about poor service. Do you agree?

A. I do not agree with this assessment. Although the reason for a lack of complaints cannot be verified, I believe that it is due to the quality of the service that OCMC provides. I believe that any concerns about our zero minus service, especially emergency service, would be made to the Commission either by the customer, or if the customer complains to the hotel or payphone provider, by the hotel or payphone provider to the Commission.

Q. Have you reviewed Staff's suggested test call plan set forth in Exhibit DS-3 to Mr. Smith's testimony?

A. Yes.

Q. Do you agree that this test plan is appropriate?

A. Although OCMC maintains that the information provided is sufficient for a waiver, if the Commission requires test calls, Staff's proposed test plan provides a good basis for completing those test calls. I would note that OCMC would conduct such test calls from its headquarters in Carmel, Indiana. In addition, OCMC would need additional information about the location of Qwest's (and the other LECs' facilities) and would need additional information about whether the other LECs listed by Staff perform their own zero minus service or contract that service to a third party. There may be some additional modifications to the procedures, but in general, I do not disagree with the general approach outlined in the test plan.

Surrebuttal Testimony of David Hill
OCMC, Inc.

1 **Q. Do you agree with Staff's Recommendation on pages 6 and 7 of Mr.**
2 **Smith's testimony?**

3 A. I agree with Staff that a permanent waiver is appropriate. As OCMC has
4 stated throughout this proceeding, we believe that we have met the
5 conditions of Decision No. 67444 and therefore, that a permanent waiver is
6 warranted. However, if Staff's additional conditions are required, I am
7 confident that OCMC would meet those conditions and, of course, will do so
8 if ordered by the Commission.

9 **Q. Does this conclude your surrebuttal testimony?**

10 A. Yes, it does.
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**LEWIS
AND
ROCA**
— LLP —
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Michael T. Hallam
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E-Mail: mhallam@lrlaw.com
Admitted in Arizona

Our File Number 39888-00001

May 25, 2005

VIA HAND DELIVERY

Timothy J. Sabo
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Del Smith
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

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MAY 26 2005

AZ Corporation Commission
Director Of Utilities



Re: In the Matter of the Application of OCMC, Inc.
Docket Nos. T-04103A-02-0274; T-02565A-02-0274

Dear Tim and Del:

Enclosed are OCMC's responses to Staff's Fourth Set of Data Requests in the above-referenced docket.

If you have any questions or require additional information, please contact me at (602) 262-5340.

Very truly yours,

A handwritten signature in black ink that reads 'Michael T. Hallam'.

Michael T. Hallam

MTH/jw
Enclosures

cc: Ann Bernard (with enclosures)

BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER
Chairman
WILLIAM A. MUNDELL
Commissioner
MARC SPITZER
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MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

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OCMC, Inc. to Obtain a Certificate of) Docket No. T-04103A-02-0274
Convenience and Necessity From One)
Call Communications, Inc. d/b/a) Docket No. T-02565A-02-0274
Opticom to Provide Telecommunications)
Services as a Provider of Resold)
Interexchange Services and Alternative)
Operator Services Within the State of)
Arizona)

**OCMC INC.'S OBJECTIONS AND RESPONSES TO
STAFF'S FOURTH SET OF DATA REQUESTS**

OCMC, Inc. ("OCMC") hereby submits the following objections and responses to the Fourth Set of Data Requests submitted by Staff of the Arizona Corporation Commission ("Staff").

GENERAL OBJECTIONS TO ALL DATA REQUESTS

1. OCMC objects to each and every Request to the extent it seeks information subject to the attorney-client privilege, work product doctrine or any other privilege recognized by the State of Arizona. In responding to these Requests, OCMC does not waive, but preserves, all such privileges.

2. OCMC objects to each and every Request to the extent it seeks information that is confidential, sensitive, competitive in nature or proprietary to it. In responding to these requests, OCMC does not waive, but preserves, its claim that request for customer and market information is confidential.

3. OCMC objects to each and every Request to the extent that it is unreasonably burdensome, overly broad or not reasonably calculated to lead to the discovery of admissible evidence.

4. OCMC objects to each and every one of Staff's definitions and/or instructions to the extent it purports to abrogate any of OCMC's rights, or add to any of OCMC's obligations under, the Arizona Rules of Civil Procedure or the Commission's

Rules. 5. OCMC objects to each and every Request to the extent it is overly broad, unduly burdensome or imposes any burden not expressly permitted under the Commission's Rules or the Arizona Rules of Civil Procedure.

6. OCMC objects to each and every Request to the extent that it calls for information already in the possession, custody and control of Staff.

7. OCMC objects to each and every Request to the extent it seeks information outside of OCMC's possession, custody or control.

8. OCMC expressly reserves the right to supplement or amend its objections and responses as necessary.

OCMC incorporates the foregoing General Objections into each response as if fully set forth therein.

DATED: May 23, 2005.

LEWIS AND ROCA LLP
Thomas H. Campbell
Michael T. Hallam
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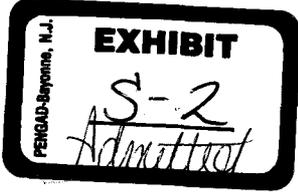
SPECIFIC RESPONSES TO DATA REQUESTS

DWS 4-1 Provide the call processing time data listed below for the period beginning December 1, 2004 and ending April 30, 2005:

- Average call processing time from the time the caller has dialed zero to the time the caller is connected with a live operator.
- Average call processing time from the time the live operator is connected to the caller to the time the caller is connected with the emergency service provider.
- Total average call processing time.

Response: OCMC has examined the data for call processing times beginning December 1, 2004 and ending April 30, 2005 and has verified that the times remain at the levels set forth in OCMC's Supplemental Response to DWS 2-3, 2-4 and 2-5 dated October 4, 2004. Specifically,

- Average call processing time from the time the caller has dialed zero to the time the caller is connected with a live operator remains at approximately 10 seconds.
- Average time from live operator to emergency service provider is approximately 44 seconds
- Total average call processing time is approximately 54 seconds (the sum of the two averages above).



MEMORANDUM

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TO: Docket Control

FROM: Ernest G. Johnson
Director
Utilities Division

for

~~JUN 17 2005~~
AZ Corporation Commission
Director Of Utilities

AZ CORP COMMISSION
DOCUMENT CONTROL

DATE: June 17, 2005

RE: IN THE MATTER OF THE APPLICATION OF OCMC, INC. TO OBTAIN A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM ONE CALL COMMUNICATIONS, INC. DBA OPTICOM TO PROVIDE TELECOMMUNICATIONS SERVICES AS A PROVIDER OF RESOLD INTEREXCHANGE SERVICES AND ALTERNATIVE OPERATOR SERVICES WITHIN THE STATE OF ARIZONA (DOCKET NOS. T-04103A-02-0274 AND T-02565A-02-0274)

INTRODUCTION

In Decision No. 67444, dated December 3, 2004, the Arizona Corporation Commission (the "Commission") granted OCMC, Inc.'s ("OCMC") application for authority to provide competitive resold interexchange and interLATA and intraLATA alternative operator services. In addition, the Commission granted OCMC a six (6) month waiver of the zero-minus rules, as set forth in Arizona Administrative Code ("A.A.C.") R14-2-1006.A. Decision No. 67444 ordered Staff to review the performance of OCMC during the waiver period and provided that OCMC may file for a permanent waiver.

On April 28, 2005, OCMC filed a Request to Make Waiver Permanent, by which OCMC requested a permanent waiver of A.A.C. R14-2-1006.A based upon the fact that it was unaware of any complaints being made by customers regarding its provision of zero-minus service in Arizona.

On May 19, 2005, Staff sent its fourth set of data requests to OCMC in the above referenced matter. Staff asked OCMC to provide the zero-minus call processing time data for the waiver period. On May 25, 2005, Staff received OCMC's responses (Attachment A).

In a Procedural Order issued on May 25, 2005, Staff was ordered to file a memorandum detailing its findings with regard to the performance of OCMC in providing zero-minus services during the six (6) month waiver period. Staff was also ordered to set forth its recommendation with regard to granting OCMC a permanent waiver of A.A.C. R14-2-1006.A.

In a Procedural Order issued on May 31, 2005, the temporary waiver granted to OCMC was extended until a Decision is issued by the Commission regarding OCMC's Request to Make Waiver Permanent.

On June 6, 2005, OCMC filed a Verification by which it verified that it was not aware of any complaints being made by customers in relation to its zero-minus service in Arizona.

COMPARATIVE ANALYSIS

The following table compares the call data OCMC's reported in Attachment A with the data previously provided by Qwest.

<u>Call Processing Times (in seconds)</u>	<u>OCMC</u>	<u>Qwest</u>
After being connected to the automated operator the average/typical time reported for the caller to be connected with a live operator	10	7.9 – 9.6
After being connected with the live operator the average/typical time reported for the caller to be connected with an emergency service provider	44	25
The total average call processing time reported	54	32.9 – 34.6

Notes:

- 1) OCMC responded that it examined the data for call processing times beginning December 1, 2004, and ending April 30, 2005, and verified that the times remain at the level set forth in previous responses to Staff discovery.

COMPLAINTS

According to Consumer Services Section records there were no formal or informal complaints received regarding OCMC's provision of zero-minus services during the waiver period. There were however several informal complaints received that were categorized as billing disputes or billing related. It appears that in almost every case the complaint was settled to the satisfaction of the customer and closed.

CONCLUSIONS AND RECOMMENDATION

In the Procedural Order issued on May 25, 2005, Staff was ordered to file this memorandum detailing its findings with regard to the performance of OCMC in providing zero-minus services during the six (6) month waiver period. Staff was also ordered to set forth its recommendation with regard to granting OCMC a permanent waiver of A.A.C. R14-2-1006.A.

OCMC did not report any new information in response to Staff's most recent discovery. OCMC reported that its call processing times remain at a level set forth in previous responses to

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- June 17, 2005
- Page 3

Staff discovery. As depicted in the table above, the call processing times previously provided by Qwest are shorter than the times reported by OCMC for the waiver period. However, the Commission was aware of this comparison when it issued Decision No. 67444 and granted OCMC a six (6) month waiver of the zero-minus rules.

At the Commission's November 23, 2004 Open Meeting there was discussion regarding OCMC's complaint history. The Commission decided to grant OCMC a temporary waiver of the zero-minus rules since there had not been any complaints received against OCMC. Chairman Spitzer suggested that at the end of the six (6) month waiver period that if there still were no complaints, the waiver could be extended.

During the waiver period there were no complaints received regarding OCMC's provision of zero-minus services. Therefore, Staff recommends that OCMC's waiver of A.A.C. R14-2-1006.A be extended indefinitely. Staff further recommends that the company be required to file within forty-five (45) days an application to continue its waiver of the zero-minus rules if OCMC fails to file each July and January a letter confirming that its call processing times adhere to the levels established (a letter of attestation) for the previous six calendar months.

Staff further recommends that the first letter of attestation be filed in January of 2006. OCMC may discontinue filing these letters of attestation in July of 2009 if it has continually adhered to the call processing times that have been established. The letter of attestation should be signed by an executive of the Company.

EGJ:DWS:lmh

Originator: Del Smith

SERVICE LIST FOR: OCMC, INC. AND ONE CALL COMMUNICATIONS, INC. DBA
OPTICOM

DOCKET NOS. T-04103A-02-0274 AND T-02565A-02-0274

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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS
JEFF HATCH-MILLER-Chairman
WILLIAM A. MUNDELL
MARC SPITZER
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ARIZ. CORPORATION COMMISSION

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DOCKET NO. T-04103A-02-0274
T-02565A-02-0274

IN THE MATTER OF THE APPLICATION OF
OCMC, INC. TO OBTAIN A CERTIFICATE OF
CONVENIENCE AND NECESSITY FROM ONE
CALL COMMUNICATIONS, INC. DBA OPTICOM
TO PROVIDE TELECOMMUNICATIONS
SERVICES AS A PROVIDER OF RESOLD
INTEREXCHANGE SERVICES AND
ALTERNATIVE OPERATOR SERVICES
WITHIN THE STATE OF ARIZONA

NOTICE OF FILING

Utilities Division ("Staff") of the Arizona Corporation Commission hereby files the
Rebuttal Testimony of Del Smith.

RESPECTFULLY SUBMITTED this 5th day of August 2005.



Timothy J. Sabo

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The original and thirteen (13) copies of the foregoing
were filed this 5th day of August 2005 with:

Docket Control
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1200 West Washington Street
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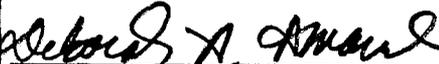
1 Copies of the foregoing were mailed this
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15
16 
17 Deborah A. Amaral, Secretary to
Timothy J. Sabo

BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER
Chairman
WILLIAM A. MUNDELL
Commissioner
MARC SPITZER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

IN THE MATTER OF THE APPLICATION OF)
OCMC, INC. TO OBTAIN A CERTIFICATE OF)
CONVENIENCE AND NECESSITY FROM ONE)
CALL COMMUNICATIONS, INC. DBA)
OPTICOM TO PROVIDE)
TELECOMMUNICATIONS SERVICES AS A)
PROVIDER OF RESOLD INTEREXCHANGE)
SERVICES AND ALTERNATIVE OPERATOR)
SERVICES WITHIN THE STATE OF ARIZONA)

DOCKET NO. T-04103A-02-0274
T-02565A-02-0274

REBUTTAL

TESTIMONY

OF

DEL SMITH

UTILITIES ENGINEER SUPERVISOR

UTILITIES DIVISION

ARIZONA CORPORATION COMMISSION

AUGUST 5, 2005

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EXECUTIVE SUMMARY
OCMC, INC.
DOCKET NOS. T-04103A-02-0274 & T-02565A-02-0274

The purpose of Staff's rebuttal testimony is to respond to the issues raised by the Administrative Law Judge in his Procedural Orders dated June 24, 2005 and July 15, 2005. Staff will also respond to the Direct Testimony of David Hill that was filed on behalf of OCMC, Inc. ("OCMC" or "Company") on July 27, 2005.

While Mr. Hill testified that he had conducted test calls and found that Qwest Communications ("Qwest") times were longer, he did not provide any detailed information regarding the results of those test calls. Attached as Exhibit DS-1 is a table comparing the call data OCMC had previously reported with data Qwest reported. The call processing times reported by Qwest are shorter than the times reported by OCMC.

As depicted in the tables contained in the attached Exhibit DS-2, the facilities and procedures used by OCMC and Qwest are comparable. Based on this analysis Staff believes that OCMC has the capability to process zero-minus calls at a level of accuracy and reliability that is equal to that provided by Qwest. Staff further believes that the fact an OCMC operator remains connected for the duration of the call instead of dropping off after the call is connected to an emergency service provider, in addition to differences in how the companies time the calls, may account for some of the processing time difference.

Staff continues to support the recommendation set forth in its memorandum dated June 10, 2005. Staff recommends that OCMC's waiver of A.A.C. R14-2-1006.A be extended indefinitely. Staff further recommends that the Company be required to file within forty-five (45) days an application to continue its waiver of the zero-minus rules if:

- OCMC's average zero-minus call processing times increase above the levels set forth by the Company in this proceeding; or,
- OCMC fails to file annually a letter confirming that its call processing times adhere to the levels established (a letter of attestation).

Staff further recommends that beginning December 31, 2005, and on December 31 each year thereafter, for a period of three (3) years, OCMC file with Docket Control a letter of attestation signed by an Executive of the Company.

1 **Introduction**

2 **Q. Please state your name and business address.**

3 A. My name is Del Smith. My business address is 1200 West Washington Street, Phoenix,
4 Arizona 85007.

5
6 **Q. By whom are you employed and what is your position?**

7 A. I am employed by the Arizona Corporation Commission ("Commission") in its Utilities
8 Division. My title is Utilities Engineer Supervisor.

9
10 **Q. Briefly describe your responsibilities as a Utilities Engineer Supervisor.**

11 A. In my capacity as a Utilities Engineer Supervisor, I provide recommendations and
12 technical assistance to the Commissioners and to other staff members on matters that
13 come before the Commission involving telecommunications service providers operating in
14 the State. In addition, I am responsible for supervising other staff members who work in
15 the Engineering Section of the Utilities Division.

16
17 **Q. Please describe your educational background and professional experience.**

18 A. I graduated from Arizona State University in 1976 with a Bachelor of Science Degree in
19 Engineering Technology. Prior to joining the Commission in 1985 as a Utilities
20 Consultant, I had worked for a telephone operating company for twelve years where I held
21 positions in network planning and design. Since joining the Commission, I have worked
22 on hundreds of issues that have come before this Commission including the subject
23 OCMC, Inc. ("OCMC") application.

24

1 **Q. What involvement have you had in Staff's review of OCMC's application?**

2 A. OCMC requested a waiver to Arizona Administrative Code R14-2-1006 (the "zero-minus
3 rule"). The proposed waiver would allow OCMC to complete zero-minus calls, including
4 emergency calls, over its telecommunications network instead of the originating local
5 exchange carrier ("LEC"). I was the staff member assigned to review this waiver request.
6 As a result, I have been the originator of the reports that have been filed on Staff's behalf
7 regarding OCMC's waiver. Also, I attended the Open Meeting where the Commission
8 granted OCMC's application for authority to provide competitive resold interexchange
9 and interLATA and intraLATA alternative operator services (Decision No. 67444, dated
10 December 3, 2004). The Commission's Decision also granted OCMC a six (6) month
11 waiver of the zero-minus rule. On April 28, 2005, OCMC filed a "Request to Make
12 Waiver Permanent", by which OCMC requested a permanent waiver of A.A.C. R14-2-
13 1006.A.

14
15 **Purpose of Testimony and Rule R14-2-1006**

16 **Q. What is the purpose of your rebuttal testimony?**

17 A. Staff will attempt to respond to the issues raised by the Administrative Law Judge in his
18 Procedural Orders dated June 24, 2005 and July 15, 2005. Staff will also respond to the
19 Direct Testimony of David Hill that was filed on behalf of OCMC on July 27, 2005.

20
21 **Q. Please define the term "zero-minus" as it applies to Rule R14-2-1006.**

22 A. The term "zero-minus" refers to calls by individuals who dial "0," and wait for the
23 operator to assist in completing the call. The Commission adopted AAC R14-2-1006.A,
24 which requires the Alternative Operator Service ("AOS") provider to route all zero-minus
25 calls to the originating LEC. The Commission also provides for a waiver from the

1 requirement upon a showing that the AOS provider could provide the caller with equally
2 quick and reliable service.

3
4 AAC R14-2-1006.B provides for a waiver to subsection A "if the AOS provider has
5 clearly and convincingly demonstrated that it has the capability to process such calls with
6 equal quickness and accuracy as provided by the LEC".

7
8 **Comparative Analysis**

9 **Q. In previous filings Staff's position has been that OCMC has not demonstrated that it**
10 **can complete calls as quickly as Qwest Communication ("Qwest"), the predominant**
11 **Incumbent Local Exchange Carrier ("ILEC") in Arizona. Has Staff's position**
12 **changed as a result of Mr. Hill's recent testimony?**

13 A. No. While Mr. Hill testified that he had conducted test calls and found that Qwest's times
14 were longer he did not provide any detailed information regarding the results of those test
15 calls. Attached as Exhibit DS-1 is a table comparing the call data OCMC had previously
16 reported with data Qwest reported. The call processing times reported by Qwest are
17 shorter than the times reported by OCMC. Staff understands that the call processing times
18 reported by Qwest are based on actual call data collected through the use of mechanized
19 recording. The call processing times reported by OCMC do not appear to be based on
20 actual complete call data and therefore are viewed by Staff as being more subjective.

21
22 **Q. Do the call processing times reported by Qwest only include zero-minus emergency**
23 **calls?**

24 A. No. The call processing times reported by Qwest and included in Exhibit DS-1 also
25 include non-emergency zero-minus calls. The types of calls that are included in Qwest's

1 average operator work time of 25 seconds are alternatively billed calls requiring operator
2 assistance, dialing instructions, time of day, etc.

3

4 **Q. Is it Staff's understanding that these are the same types of calls that OCMC reported**
5 **are included in its 44.6 second time and which OCMC suggests may be the reason for**
6 **its longer reported time?**

7 A. Yes.

8

9 **Q. Has Staff prepared a comparative analysis of the facilities and call completion**
10 **procedures OCMC and Qwest employ to process zero-minus calls?**

11 A. Yes. As depicted in the tables contained in the attached Exhibit DS-2 the facilities and
12 procedures used by OCMC and Qwest are comparable. Based on this analysis Staff
13 believes that OCMC has the capability to process zero-minus calls at a level of accuracy
14 and reliability that is equal to that provided by Qwest. Staff further believes that the fact
15 an OCMC operator remains connected for the duration of the call instead of dropping off
16 after the call is connected to an emergency service provider, in addition to differences in
17 how the companies time the calls, may account for some of the processing time difference.

18

19 **Q. How does OCMC ensure that its operators have numbers for the appropriate**
20 **emergency service provider to which a caller should be connected?**

21 A. OCMC maintains a database of emergency agency numbers and caller location
22 information that is available to the operator when an emergency call is received. Staff
23 understands that this information is updated and its accuracy verified on a regular basis.
24 OCMC operators are trained to follow specific procedures to ensure that zero-minus
25 emergency calls are handled efficiently and are routed to the appropriate emergency
26 service provider.

1 Q. Do Qwest operators also route emergency calls directly to an emergency service
2 provider?

3 A. Yes.
4

5 **Additional Issues Raised in Procedural Order**

6 Q. Are you aware of any other AOS providers that have been granted a similar waiver?

7 A. I am only aware of two other providers that were granted waivers to the zero-minus rule.
8 The one other waiver I worked on and vaguely remember used similar criteria to what
9 Staff has utilized in the OCMC request.
10

11 Q. Was Staff aware that OCMC completes zero-minus calls in Arizona that originate in
12 other ILEC territories? If so, why didn't Staff analyze the call data for these
13 carriers?

14 A. It was Staff's understanding that OCMC provided its service throughout the state. Staff
15 did not analyze the call data for these other carriers for several reasons. First, because
16 Qwest is the predominate provider in Arizona and serving the major population centers,
17 Staff assumed that the vast majority of OCMC's customers would be located in areas
18 served by Qwest. Second, Staff is familiar with Qwest operations and that of the other
19 ILEC's serving Arizona and would expect their facilities and procedures to be very similar
20 to that of Qwest except probably on a smaller scale. Staff would expect OCMC to
21 compare favorably to the other ILECs if it is proven to be equal to Qwest in these areas.
22 Finally, Staff did not believe it prudent to expend significant Staff and Utility resources
23 obtaining and then verifying data for service areas where the zero-minus emergency call
24 volumes would probably be negligible.
25

1 **Q. Does Staff believe that the transient nature of AOS end-user customers would tend to**
2 **minimize the number of complaints from such customers for zero-minus calls that**
3 **are handled by the AOS provider?**

4 A. I would agree that payphone and hotel/motel end-user customers would be less likely to
5 complain about poor service. According to a representative I spoke with in the
6 Commission's Consumer Services Section, consumers frequently assume that any
7 telephone service provided from a hotel or motel is not regulated.

8
9 **Q. Mr. Hill's in his testimony indicates that it is common for a providers like OCMC to**
10 **conduct test calls to evaluate and measure the quality of its operators, to ensure calls**
11 **are being completed within industry standards, and to see what competitors are**
12 **doing. Does Staff believe that it would be beneficial to conduct test calls to compare**
13 **zero-minus emergency call processing times for OCMC and Qwest?**

14 A. Only if the Commission decides that this type of comparative analysis is needed to grant a
15 permanent waiver. Strict procedures would need to be followed and specific detailed
16 information recorded for each test call to provide a meaningful evaluation of the
17 reasonableness and validity of any test call data collected. Exhibit DS-3 is Staff's attempt
18 to define the parameters of a test call plan for OCMC.

19
20 **Conclusions and Recommendations**

21 **Q. What is Staff's recommendation regarding OCMC's request for a waiver of the zero-**
22 **minus rule?**

23 A. Staff continues to support the recommendation set forth in its memorandum dated June 10,
24 2005. Staff recommends that OCMC's waiver of A.A.C. R14-2-1006.A be extended
25 indefinitely. Staff further recommends that the company be required to file within forty-
26 five (45) days an application to continue its waiver of the zero-minus rules if:

1
2
3
4
5
6
7
8
9
10

- OCMC's average zero-minus call processing times increase above the levels set forth by the Company in this proceeding; or,
- OCMC fails to file annually a letter confirming that its call processing times adhere to the levels established (a letter of attestation).

Staff further recommends that beginning December 31, 2005, and on December 31 each year thereafter, for a period of three (3) years, OCMC file with the Utilities Division Compliance Section a letter of attestation signed by an Executive of the Company.

Q. Does this conclude your Rebuttal Testimony?

A. Yes, it does.

COMPARISON OF CALL PROCESSING SEQUENCES AND PROCESSING TIMES

OCMC and Qwest provided the following information on their operator handled call processing sequences and completion times.

<u>Call Processing Sequence</u>	<u>OCMC</u>	<u>Qwest</u>
after reaching the automated operator caller can press "0" and be connected to a live operator immediately	✓	✓
live operator verifies that the call received is an emergency and the nature of the emergency	✓	✓

<u>Call Processing Times (in seconds)</u>	<u>OCMC</u>	<u>Qwest</u>
After being connected to the automated operator the average/typical time reported for the caller to be connected with a live operator	10	7.9 – 9.6
After being connected with the live operator the average/typical time reported for the caller to be connected with an emergency service provider	44	25
The total average call processing time reported	54	32.9 – 34.6

Notes:

- 1) From 2003 through June 2004 the monthly call processing time for Qwest was between 7.92 and 9.64 seconds with an average work time of 25 seconds.
- 2) OCMC responded that it examined the data for call processing times beginning December 1, 2004, and ending April 30, 2005, and verified that the times remain at the level set forth in previous responses to Staff discovery.
- 3) Ten seconds is the maximum time for OCMC to process this segment of the call.

Exhibit DS-2

COMPARISON OF FACILITIES AND CALL COMPLETION PROCEDURES

OCMC and Qwest provided the following information regarding their respective facilities and zero-minus call completion procedures. As depicted in the Tables below the facilities and procedures used by OCMC and Qwest are comparable:

Facilities

	<u>OCMC</u>	<u>Qwest</u>
authorized to provide zero-minus emergency call completion and operator assisted services in other states	✓	✓
provides 24-hour, seven day a week operator services over its telecommunications network which is equipped with emergency back-up power and redundant equipment	✓	✓
switches have adequate capacity and are monitored at all times and 24-hour on-call technicians are available for needed repairs	✓	✓
live operator centers are staffed to meet seasonal, daily and hourly peak traffic on network	✓	✓
telecommunications network is engineered and maintained for a P.01 grade of service or better	✓	✓

Call Completion Procedures

<u>OCMC</u>	<u>Qwest</u>
uses the same zero-minus call completion procedures that it uses in other states	uses the same procedures in other jurisdictions it serves
customers are required to provide emergency phone number information that will be tested at least semi-annually to verify its accuracy	uses automatic number identification information to determine the appropriate emergency phone number information
with a single keystroke the operator equipment provides the operator with the information needed to process an emergency call; the operator need only press a single number to initiate call placement to the emergency service provider requested	the operator equipment provides the operator with the information needed to process an emergency call
the operator remains on the line until the emergency call is successfully completed; the operator will provide location information to the emergency service provider in the event the caller hangs up, is hysterical, or is otherwise non-communicative	the operator provides the caller's number to the emergency service provider and waits for the conversation to begin, the call is then placed on hold, when either or both parties hang up the operator verifies that the call has ended
records are kept on all emergency calls	records are kept on all emergency calls

OCMC TEST CALL PLAN
August 2005

1. OCMC shall perform 0- emergency test calls on its Arizona network and manually record the following call handling response times:
 - a) Elapsed time between when a test call first reaches the automated agent and the time an OCMC operator answers.
 - b) Elapsed time between when an OCMC operator is first heard and the time that a 911 center/PSAP operator is connected and heard.
 - c) Total duration of the test call (sum of a and b).
2. In addition to the timing information specified in number 1 above, the test call log shall indicate:
 - a) Date of the test call.
 - b) Time of the test call.
 - c) Where the test call originated.
 - d) The 911 center/PSAP the test call was made to.
 - e) The geographic location of the OCMC operator center handling the test call.
 - f) An indication whether the test call successfully completed to the correct 911 center/PSAP or failed and, if necessary,
 - g) Any pertinent comments regarding the results of the test call.
3. OCMC shall provide the script that was utilized to communicate with the OCMC operator and the 911 center/PSAP operator.
4. OCMC shall provide an explanation of the process that was followed to ensure the accuracy of its test call timing and reporting.
5. OCMC shall perform the test calls on different days during the week, including weekends, and at varying times during the day and at night.
6. OCMC shall perform the test calls to multiple 911 centers/PSAPS within the state.
7. OCMC shall make a minimum of thirty (30) test calls within a one week period.
8. OCMC shall provide its test call log and a report summarizing the results of its test calls. The report shall provide the average for each of the timing intervals specified in number 1 above.
9. OCMC shall repeat numbers 1 through 8 above for test calls on the Arizona networks of Qwest Corporation, Citizens Utilities Rural Company, Citizens Communication Company of the White Mountains and Navajo Communications Company.
10. OCMC shall provide a report comparing its results, as reported in number 8 above and the individual results for the four local exchange companies ("LEC"), as reported in number 9 above. For any instance where OCMC durations are longer than those of a particular LEC, OCMC shall provide what it believes is the reason for the difference.