

1 ALABAMA PUBLIC SERVICE COMMISSION

2 MONTGOMERY, ALABAMA

3

4 IN RE:

5 CROSSTEL TANDEM, INCORPORATED DOCKET NO. 32127

6 APPLICATION FOR A CERTIFICATE OF PUBLIC
7 CONVENIENCE AND NECESSITY TO PROVIDE
8 TELECOMMUNICATIONS SERVICES IN THE STATE OF
9 ALABAMA

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15 TESTIMONY AND PROCEEDINGS before the
16 Honorable G. Scott Morris, Administrative Law
17 Judge, at the Carl L. Evans Chief Administrative
18 Law Judge Hearing Complex, Ninth Floor, RSA
19 Union Building, 100 North Union Street,
20 Montgomery, Alabama, on Wednesday, January 22,
21 2014, commencing at approximately 10:02 a.m.;
22 and reported by Katie Ross, Court Reporter and
23 Commissioner for the State of Alabama at Large.

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1 APPEARANCES

2 AS ADMINISTRATIVE LAW JUDGE:

3 Mr. G. Scott Morris
4 Administrative Law Judge
5 ALABAMA PUBLIC SERVICE COMMISSION
6 100 North Union Street, Suite 836
7 RSA Union Building
8 Montgomery, Alabama 36104

9 FOR THE APPLICANT:

10 Mr. John D. Feehan
11 CROSSTEL TANDEM, INC.
12 Vice President and General Manager
13 1791 O.G. Skinner Drive, Suite D
14 West Point, Georgia 31833

15 FOR THE PUBLIC SERVICE COMMISSION:

16 Ms. Laneeta Moore Roberts
17 Public Utility Analyst III
18 Telecommunications Division
19 ALABAMA PUBLIC SERVICE COMMISSION
20 100 North Union Street, Suite 922
21 RSA Union Building
22 Montgomery, Alabama 36104

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1 ALJ MORRIS: Okay. Let's go on the
2 record. Today's date is Wednesday, January
3 22nd, 2014. We're here for Docket 32127.
4 The applicant is Crosstel Tandem,
5 Incorporated. They have an application for
6 approval of a certificate of public
7 convenience and necessity to provide
8 telecommunication services in the state of
9 Alabama.

10 This application was filed on or
11 about December 6th, 2013, and notice of
12 today's hearing was published on January
13 the 6th, 2014. And for the record, there
14 has been no intervention in this matter.

15 Let's begin by taking
16 appearances, first on behalf of the
17 applicant. If you would state your name,
18 your position with the company, and the
19 business address.

20 MR. FEEHAN: Yes, sir. My name is
21 John Feehan. I'm the vice president,
22 general manager of Crosstel Tandem. My
23 business address is 1791 O.G. Skinner

1 Drive, Suite D, in West Point, Georgia
2 31833.

3 ALJ MORRIS: And for the staff.

4 MS. ROBERTS: I'm Laneeta Roberts,
5 commission staff.

6 ALJ MORRIS: Thank you, Ms. Roberts.

7 Is there anyone else that needs
8 to enter an appearance?

9 Let the record reflect that no
10 one else has come forward.

11 Let's see. Mr. Feehan, are
12 there any preliminary matters or anything
13 that we need to address before we get
14 started, any changes to the application or
15 any updated information?

16 MR. FEEHAN: No, sir.

17 ALJ MORRIS: Okay. All right.

18 MR. FEEHAN: Actually, there's --
19 probably the only update -- it's a minor
20 one. We've referenced an application
21 pending in Tennessee. We've since been
22 certified.

23 ALJ MORRIS: Okay. All right. We'll

1 note that for the record.

2 Okay. I'm going to go ahead and
3 swear you in.

4 MR. FEEHAN: Okay.

5 ALJ MORRIS: We're going to do the
6 formalities. You can just -- if you would,
7 just raise your right hand.

8 MR. FEEHAN: Sure.

9 JOHN FEEHAN

10 The witness, having first been duly
11 sworn or affirmed to speak the truth, the whole
12 truth and nothing but the truth, testified as
13 follows:

14 MR. FEEHAN: Yes, sir

15 ALJ MORRIS: Okay. I'm going to let
16 you make a brief presentation about the
17 authority you're seeking and give us some
18 background on the company and your
19 officers' experience in the
20 telecommunications business. Then
21 Ms. Roberts is going to have a whole lot of
22 questions for you.

23 MR. FEEHAN: Okay.

1 MS. ROBERTS: Okay. I better work on
2 those.

3 MR. FEEHAN: I won't -- I'm not going
4 to give you long.

5 MS. ROBERTS: Okay.

6 MR. FEEHAN: As I mentioned, my name
7 is John Feehan. I'm the -- the vice
8 president, general manager of both Crosstel
9 Tandem, Inc., the applicant, as well as
10 Crosstel Tandem, the parent company.

11 We've -- Crosstel, Inc., has
12 been in business since about 2005,
13 providing VOIP and long distance services
14 through a partnership arrangement with a --
15 a VOIP -- excuse me -- a broadband service
16 provider up in West Point, Georgia. We've
17 also done a lot of work in software
18 development related to the systems that we
19 provide services on.

20 We've been responsible for the
21 operations and engineering and software
22 development for those -- provision of those
23 services. And our -- our partner at the

1 time, Knology, Inc., was -- was primarily
2 responsible for sales and customer service.

3 We're certified in -- and
4 currently, Crosstel Tandem is certified in
5 Georgia, Florida, North Carolina,
6 Louisiana, and, as I mentioned, Tennessee
7 now.

8 Combined, the management team
9 at -- at Crosstel and Crosstel Tandem have
10 about 80 years of telecommunications
11 experience throughout the world, literally.
12 I personally have been in the phone
13 business virtually all my life. My family
14 owned an incumbent local exchange carrier
15 company in a town up in upstate New York.
16 I have held positions with various
17 consulting firms and -- and operating
18 companies virtually my adult life. And the
19 group that I work with are a group of
20 telecom engineers with IT background, so
21 they're very well versed in -- in all
22 aspects of the communications provision.

23 And then we have access to

1 customer service folks that -- that handle
2 our wholesale customers, which is our
3 primary business at this point. And then
4 we use industry consulting firms to do some
5 of the regulatory work. As I say, I have a
6 strong regulatory background, but I rely on
7 them to keep up with all the regulatory
8 requirements.

9 ALJ MORRIS: Okay.

10 MR. FEEHAN: That's what we intend to
11 do.

12 So with that said, I hope I gave
13 you enough time to come up with some
14 questions, Ms. Roberts. And if you don't,
15 you won't offend me.

16 ALJ MORRIS: Ms. Roberts, it's all
17 yours.

18 MS. ROBERTS: Okay. I have a few
19 questions. Could you describe to us the
20 type of services that you're proposing to
21 offer?

22 MR. FEEHAN: Yes, ma'am. As a --
23 excuse me. As -- as is stated in the

1 application, as I mentioned earlier, our --
2 our initial foray into the business will be
3 on a wholesale basis to other service
4 providers. So incumbent ILECs, CLECs --
5 other CLECs, municipalities, cable
6 companies that -- that want to provide
7 phone services, we'll -- we'll use our
8 assets and abilities to provide phone
9 services to their customers on their
10 network. Our initial goal is to provide
11 facilities-based services, again, to other
12 network providers. And in some instances,
13 if -- if the business makes sense, we'll --
14 we'll offer retail services, again, on a
15 facilities based -- on a facilities basis.

16 MS. ROBERTS: So you'll be a
17 carrier's carrier initially, starting out.

18 MR. FEEHAN: Initially, a carrier's
19 carrier. And, again, as opportunities
20 arise and -- and, you know, can -- can
21 support themselves, we'll -- we'll offer
22 retail services. The way we go about
23 offering services, however, is a little

1 different than most out there. We provide
2 the interconnect facilities into the
3 incumbent territories so that it's -- it's
4 hardened facilities between us and the --
5 and the local exchange carrier that we're
6 competing with.

7 MS. ROBERTS: Okay. And you said
8 you're going to have facilities in Alabama?

9 MR. FEEHAN: Yes, ma'am.

10 MS. ROBERTS: Okay.

11 MR. FEEHAN: We would -- we would
12 provide services likely over other people's
13 facilities, so other network providers,
14 other network owners.

15 MS. ROBERTS: So you have an
16 interconnection agreement with different
17 carriers already?

18 MR. FEEHAN: We would -- we would
19 have those in place. We've got a
20 interconnection agreement pending with AT&T
21 for -- for the states that I mentioned --

22 MS. ROBERTS: Uh-huh.

23 MR FEEHAN: -- earlier. As soon as

1 we're certified in -- in Alabama, we'll --
2 we'll update that to include the -- the
3 Alabama -- state of Alabama for
4 interconnect services with AT&T. We've
5 started discussions with CenturyTel for a
6 multistate agreement inclusive of -- of
7 Alabama as soon as we're certified.

8 MS. ROBERTS: Okay. So CenturyTel
9 and CenturyTel or CenturyLink, whatever.

10 MR. FEEHAN: Yes, ma'am.

11 MS. ROBERTS: And AT&T.

12 MR. FEEHAN: Yes, ma'am.

13 MS. ROBERTS: Okay. And both of
14 those are pending?

15 MR. FEEHAN: Correct.

16 MS. ROBERTS: Okay. So you -- your
17 physical address will be located in
18 Alabama?

19 MR. FEEHAN: Our --

20 MS. ROBERTS: The office?

21 MR. FEEHAN: Our headquarters is in
22 West Point, Georgia, actually --

23 MS. ROBERTS: Would be West Point,

1 Georgia.

2 MR. FEEHAN: -- just across the --
3 the border into Georgia.

4 MS. ROBERTS: So that's where all
5 your books and records --

6 MR. FEEHAN: Correct.

7 MS. ROBERTS: -- will be kept.

8 MR. FEEHAN: Yes, ma'am.

9 MS. ROBERTS: Okay. You mentioned
10 that you have a total of almost 80 years'
11 experience --

12 MR. FEEHAN: Yes, ma'am.

13 MS. ROBERTS: -- with the employees
14 that you have with your company?

15 MR. FEEHAN: Just the -- just the
16 management team, on that side.

17 MS. ROBERTS: Just the management
18 team.

19 MS. ROBERTS: Okay. So you don't
20 have any employees at this particular time?

21 MR. FEEHAN: We -- we have about --
22 we're at -- right now at about a dozen
23 full-time staff.

1 MS. ROBERTS: Full-time, not contract
2 employees?

3 MR. FEEHAN: Correct. Correct.

4 MS. ROBERTS: Okay. So you're going
5 to provide services for the cable
6 companies, municipalities, and what have
7 you. So how do you propose to market those
8 services to those customers?

9 MR. FEEHAN: We attend industry trade
10 shows. We have active sales channels
11 looking for folks that are in need of
12 services.

13 MS. ROBERTS: Uh-huh.

14 MR. FEEHAN: We have quite a few
15 friends in the industry that -- that know
16 we exist and -- and are -- are actively
17 seeking opportunities for us to serve.

18 MS. ROBERTS: But at this particular
19 time, you're not going to be offering to
20 just regular business customers and to
21 local residential customers?

22 MR. FEEHAN: Not -- not initially.

23 And, again, it's -- it's wholesale versus

1 retail, not business versus residential.

2 As -- as -- as we roll out services to
3 other service providers --

4 MS. ROBERTS: Uh-huh.

5 MR. FEEHAN: -- we encourage them
6 to -- to serve both residential and
7 business customers. And, quite frankly,
8 they start with the residential customers.

9 MS. ROBERTS: Okay. So will you have
10 a sales or marketing team?

11 MR. FEEHAN: Yes, ma'am.

12 MS. ROBERTS: And will you provide
13 them with a script that they use in
14 soliciting customers?

15 MR. FEEHAN: Yes. We -- we train
16 them on -- excuse me -- what services we
17 have available.

18 MS. ROBERTS: Uh-huh.

19 MR. FEEHAN: And obviously, our
20 target customers, wholesale customers, are
21 service providers.

22 MS. ROBERTS: Okay. Could you --

23 MR. FEEHAN: So they know going in.

1 MS. ROBERTS: Could you provide us a
2 copy of the script, if it's -- if it's a
3 standard script?

4 MR. FEEHAN: It's -- it's not a --
5 you know, I do have it written down. It's
6 a -- we have meetings with them and -- and
7 train them up on our services and just let
8 them know that this is -- this is the
9 service offering we provide. And it's --
10 it's basically what's described in the
11 application.

12 MS. ROBERTS: Okay. In the states
13 that you are certified, are you currently
14 providing any type of services?

15 MR. FEEHAN: Not yet, ma'am.

16 MS. ROBERTS: Okay. So you never --
17 under the name Crosstel, you've never
18 operated as a provider of services under
19 that name or any other name?

20 MR. FEEHAN: We -- we have -- no.
21 The answer is -- the quick answer is no.
22 We have provided support services to
23 Knology, who was providing services in

1 Alabama, Georgia, a number of states.

2 MS. ROBERTS: Okay. So you've never
3 been denied or had --

4 MR. FEEHAN: No, ma'am.

5 MS. ROBERTS: -- a certificate
6 revoked?

7 MR. FEEHAN: No, ma'am. No, ma'am.

8 MS. ROBERTS: Okay.

9 MR. FEEHAN: Absolutely not.

10 MS. ROBERTS: Okay. And you -- at
11 this particular time, you're certified in
12 Georgia, Tennessee, Florida. And was there
13 one --

14 MR. FEEHAN: North Carolina and
15 Louisiana.

16 MS. ROBERTS: North Carolina. Okay.
17 And you're not -- and you are not providing
18 any type of services in those states at
19 this time?

20 MR. FEEHAN: No.

21 MS. ROBERTS: Okay. And your company
22 has never had a -- been involved in any
23 type of bankruptcy proceedings?

1 MR. FEEHAN: No, ma'am.

2 MS. ROBERTS: Any indictments of the
3 officers or any --

4 MR. FEEHAN: No, ma'am.

5 MS. ROBERTS: -- people affiliated
6 with the company?

7 Will your company -- since
8 initially, you will start out providing
9 services to major corporations and
10 municipalities, when you start providing
11 services to business or residential
12 customer, will you also offer the lifeline
13 services?

14 MR. FEEHAN: Yes, ma'am.

15 MS. ROBERTS: Okay. Will you waive
16 the installation fee for those lifeline
17 customers?

18 MR. FEEHAN: If -- if it's --
19 certainly, if that's a requirement. And,
20 likely, given our company's mission and
21 what not, we would, definitely.

22 MS. ROBERTS: Okay. Would you also
23 be offering the 911 services?

1 MR. FEEHAN: Yes, ma'am.

2 MS. ROBERTS: Okay. Are you aware of
3 the -- through the code -- the Code of
4 Alabama Title 11-98-1, that section that
5 deals with emergency telephone service
6 requirement that stipulates charges be
7 imposed on each access line provided by the
8 company?

9 MR. FEEHAN: Yes, ma'am.

10 MS. ROBERTS: Okay. And you agree to
11 impose those services?

12 MR. FEEHAN: Yes, ma'am.

13 MS. ROBERTS: Are you also aware that
14 under the emergency telephone service fees,
15 they have to be collected and remitted to
16 the communication -- the emergency
17 communication district on a monthly basis?

18 MR. FEEHAN: Yes, ma'am.

19 MS. ROBERTS: And your company agrees
20 to do those?

21 MR. FEEHAN: Yes, ma'am.

22 MS. ROBERTS: Are you aware -- aware
23 of the 911 -- Alabama 911.org? Okay.

1 MR. FEEHAN: Not specifically.

2 MS. ROBERTS: And provides the
3 contact and rates -- rate information
4 regarding the charges for the emergency
5 telephone service. I can provide you that.

6 MR. FEEHAN: Okay. Thank you.

7 MS. ROBERTS: Are you aware that CLEC
8 must provide access, switching, and routing
9 for telephone relay service?

10 MR. FEEHAN: Yes, ma'am.

11 MS. ROBERTS: Okay. Are you also
12 aware that carriers are required to engage
13 in ongoing education and outreach programs
14 to publicize the availability of this TRS?

15 MR. FEEHAN: Yes, ma'am.

16 MS. ROBERTS: Okay. And you agree to
17 the monthly charges supported in the
18 dual-party fund being -- will be imposed
19 and collected from each access line
20 provided by your company. Are you aware of
21 that?

22 MR. FEEHAN: Yes, ma'am.

23 MS. ROBERTS: Okay. And you agree to

1 provide the Commission with documentation
2 within 30 days of operation that you are
3 going to collect and remit those 911 and
4 711 fees?

5 MR. FEEHAN: Yes, ma'am.

6 MS. ROBERTS: Uh-huh. Will your
7 company provide a telephone directory to
8 your customers?

9 MR. FEEHAN: We will provide copies
10 of the directories through the
11 interconnection arrangement in the process,
12 yes.

13 MS. ROBERTS: Okay. How would you
14 handle customer complaints?

15 MR. FEEHAN: We'll -- as I say, on
16 the -- on the wholesale service offering,
17 our -- our partner will provide the -- the
18 conduit for customers to -- to handle
19 complaints. They'll deal with directly
20 with their enduser subscribers.

21 MS. ROBERTS: Uh-huh.

22 MR. FEEHAN: We will support them in
23 providing any information or fixes or

1 anything else like that.

2 MS. ROBERTS: Okay.

3 MR. FEEHAN: To the extent that we
4 get into retail service offerings, we'll --
5 we'll have a customer service line
6 available for them to call and make
7 complaints or, you know, we -- we keep an
8 open-door policy in our company; so if they
9 have a complaint, they can call me
10 directly.

11 MS. ROBERTS: Okay. Do you have --

12 MR. FEEHAN: But we do have a
13 customer support group available for that.

14 MS. ROBERTS: Okay. Do you have a
15 800 number?

16 MR. FEEHAN: We have an 800 number.
17 We would set one up separately for the
18 retail service offering.

19 MS. ROBERTS: Okay. For handling
20 complaints?

21 MR. FEEHAN: Yes, ma'am.

22 MS. ROBERTS: Okay. Would you
23 provide that to us also?

1 MR. FEEHAN: I can do that when
2 it's -- when it's set up.

3 MS. ROBERTS: When it's set up.

4 MR. FEEHAN: Yes, ma'am.

5 MS. ROBERTS: And also do you have a
6 web address at this particular time?

7 MR. FEEHAN: The -- the -- Crosstel,
8 Inc., does have it. It's www.crosstel.com.

9 MS. ROBERTS: Okay. Could you
10 explain how you would bill your customers?

11 MR. FEEHAN: In the -- the case of a
12 retail service offering --

13 MS. ROBERTS: Uh-huh.

14 MR. FEEHAN -- or in wholesales?

15 MS. ROBERTS: In both.

16 MR. FEEHAN: Okay. In the wholesale
17 offering, the -- since the service provider
18 has a billing system generally available
19 that they bill their other services on, we
20 would provide the -- the backup and support
21 for the phone service charges. And that's
22 where the -- the -- they would just bill
23 those charges on their regular monthly bill

1 to their subscribers.

2 MS. ROBERTS: Okay.

3 MR. FEEHAN: That can either be done
4 though a -- a separate billing system
5 that -- that they have on their own, or we
6 do have a billing system module associated
7 with our billing and OSS system.

8 MS. ROBERTS: Okay.

9 MR. FEEHAN: So when -- when we offer
10 retail services, we will use our own
11 billing system for -- for providing the
12 customer subscriber bills.

13 MS. ROBERTS: Okay. Do you charge
14 for a paper invoice? Is there a fee
15 associated with that?

16 MR. FEEHAN: No. We don't intend to.

17 MS. ROBERTS: Okay. And your company
18 name will appear on the customer bill?

19 MR. FEEHAN: Yes, ma'am. Yes, ma'am.

20 MS. ROBERTS: Are you familiar with
21 the commission rules and regulations
22 regarding inspection and supervision,
23 please?

1 MR. FEEHAN: I was made familiar with
2 it, yes, through our consultant. I won't
3 say I know it cover to cover.

4 MS. ROBERTS: Okay. And you agree to
5 provide them in a timely manner?

6 MR. FEEHAN: Yes, ma'am.

7 MS. ROBERTS: Are you aware also,
8 that anytime you make any changes to your
9 company, be it through a merger,
10 acquisition, transfer of company personnel,
11 you have to notify the Commission?

12 MR. FEEHAN: Yes, ma'am.

13 MS. ROBERTS: Okay. And you're
14 familiar -- as you stated before, you're
15 familiar with the commission rules and
16 regulations?

17 MR. FEEHAN: Yes, ma'am.

18 MS. ROBERTS. Okay. There was a
19 question I had in -- concerning a section
20 in your tariff, and it had to deal with --
21 let's see here. I think it said something
22 to the effect that if a customer decide to
23 change -- I don't know if it's transferring

1 the service over to another customer.

2 MR. FEEHAN: Uh-huh.

3 MS. ROBERTS: Then you have to be
4 notified. Could you explain that to me? I
5 didn't understand about the transferring of
6 one service from one customer to another
7 customer by the customer itself.

8 MR. FEEHAN: Okay. I'm not sure
9 which section specifically you're
10 referencing.

11 MS. ROBERTS: It's under the transfer
12 assignment. It's under establishes service
13 on 4.2.5. And it says that service
14 previously furnished to one customer may
15 not be assumed by a new customer without
16 overlapping additional service and that the
17 new customer will have to execute a new
18 service arrangement.

19 MR. FEEHAN: Okay.

20 MS. ROBERTS: I didn't quite
21 understand that.

22 MR. FEEHAN: If -- if you don't mind,
23 please --

1 MS. ROBERTS: Yes.

2 MR. FEEHAN: -- review the language.

3 MS. ROBERTS: It's at the top.

4 MR. FEEHAN: Okay. That's just to --
5 to make sure that we have the -- the proper
6 information from the new customer taking
7 over service, you know, credit checks and
8 things of that nature that we -- you would
9 basically turn down the service and turn up
10 the new customer versus just a name change
11 on the account.

12 MS. ROBERTS: Okay. So you have a --
13 you have a standard LOA, a letter of
14 agreement?

15 MR. FEEHAN: We do.

16 MS. ROBERTS: Are residential
17 customers required to sign an LOA?

18 MR. FEEHAN: In the case of -- in the
19 case of transferring services, yes. They
20 would have an LOA that would grant us the
21 permission to turn up services for them.

22 MS. ROBERTS: Okay. Could you
23 provide us -- when you -- that come

1 available, would you provide us with a copy
2 of that, please.

3 MR. FEEHAN: Okay.

4 MS. ROBERTS: Okay. I think that's
5 all I have for now.

6 ALJ MORRIS: Okay.

7 MS. ROBERTS: Okay.

8 ALJ MORRIS: Everything looks okay on
9 my end. I do have one question. Could you
10 explain just in a little more detail the
11 relationship between Crosstel, Inc., and
12 Crosstel Tandem?

13 MR. FEEHAN: Yes. Yes, sir.

14 Crosstel Tandem, as I said, was formed in
15 2005 as a -- a engineering operations
16 and -- and software development firm to
17 support the -- the business that we're
18 providing for -- for Knology. That
19 partnership and -- and provision of those
20 services has -- has evolved over time
21 where we were going to assume the -- the
22 control of that business in its entirety.
23 We jointly own the assets with -- with

1 Knology. Those have since been transferred
2 over to our control.

3 Crosstel Tandem was set up as a
4 separate entity for the certificate holding
5 primarily. It's a holding subsidiary of
6 Crosstel, Inc.

7 ALJ MORRIS: Okay. Okay. That
8 answers that question. Let's see. A
9 couple of -- oh, one other thing. Right --
10 I understand you've got this whole list of
11 all the authorities you're seeking, but
12 your testimony is that you initially plan
13 to just offer the wholesale --

14 MR. FEEHAN: Yes, ma'am. Yes -- yes,
15 sir.

16 ALJ MORRIS: -- service?

17 Laneeta, you may need to help me
18 out on this. I know when our -- our
19 certificates, when we grant them, we
20 usually -- there's like a one-year period
21 for them to --

22 MS. ROBERTS: For the CLEC.

23 ALJ MORRIS: For the -- for the CLEC.

1 MS. ROBERTS: Because they're still
2 in negotiation on the interconnection
3 agreement --

4 ALJ MORRIS: Right.

5 MS. ROBERTS: -- so the CLEC tariff
6 will have to be filed within one year,
7 because we don't have rates at this time
8 for those services.

9 ALJ MORRIS: Okay. So, generally,
10 what -- when we grant -- I'm mean, we're --
11 we'll give you all this authority; but,
12 typically, you've got a year to start using
13 it or it will lapse. So for whatever
14 reason --

15 MR. FEEHAN: Right.

16 ALJ MORRIS: -- you know, you're not
17 doing it and then subsequently, you know,
18 two years down the road, you get to that
19 point, you want to come back and -- and
20 just let us double-check and make sure that
21 we've got --

22 MR. FEEHAN: Sure.

23 ALJ MORRIS: Probably -- probably

1 wouldn't -- at that point, it's not -- most
2 likely not going to involve another
3 hearing.

4 MR. FEEHAN: Uh-huh.

5 ALJ MORRIS: But it may involve, you
6 know, some -- some other documents.

7 MR. FEEHAN: Now, is that the
8 provision of -- of retail services or
9 wholesale services?

10 ALJ MORRIS: Retail.

11 MS. ROBERTS: Retail.

12 ALJ MORRIS: Now, I understand you're
13 going to start wholesale right away.

14 MR. FEEHAN: Yes.

15 MS. ROBERTS: Uh-huh.

16 ALJ MORRIS: And -- and, you know,
17 that's generally --

18 MR. FEEHAN: Okay.

19 ALJ MORRIS: -- a carrier's carrier.

20 MR. FEEHAN: Right.

21 ALJ MORRIS: You know, we'll go ahead
22 and put that in. And I understand -- I
23 would assume that most of your carrier's

1 carriers would be on a contractual basis
2 rather than a tariff.

3 MR. FEEHAN: Yes. Yes.

4 ALJ MORRIS: That's -- that's typical
5 and normal for what we see in this. So I
6 think you're going -- you're going to be
7 fine there. But for whatever reason, once
8 the order's issued, if it goes beyond a
9 year and you have not started to provide
10 those retail services, generally, that
11 authority is going to lapse.

12 MR. FEEHAN: Okay.

13 ALJ MORRIS: So you would need to
14 come back in and just touch base with
15 Laneeta and see what we need to do at that
16 point to -- to reactivate that. It's --
17 it's probably -- like I said, it's most
18 likely not going to involve another hearing
19 at that point.

20 MR. FEEHAN: Okay.

21 ALJ MORRIS: So with that -- Laneeta,
22 I understand -- at least on my list, I've
23 got that you need a copy of that letter of

1 agreement.

2 MS. ROBERTS: Yes.

3 ALJ MORRIS: Do you -- do you have
4 that already? Is that something that's
5 already drawn up, or is that something that
6 you're going to as part of the --

7 MR. FEEHAN: It's -- it's
8 something that's -- that's already drawn
9 up. I'd have to look at it to see if
10 it's -- we're going to use it in the --
11 the -- you know, this situation going
12 forward.

13 ALJ MORRIS: Okay.

14 MR. FEEHAN: I want to just -- just
15 check and make sure that it complies with
16 all the requirements.

17 ALJ MORRIS: Okay. Okay. If you
18 would, if you could just go ahead and
19 provide us --

20 MR. FEEHAN: Sure.

21 ALJ MORRIS: -- a copy with what you
22 have.

23 MR. FEEHAN: Sure.

1 ALJ MORRIS: And that way we can just
2 move this forward. And, of course, if you
3 update it, you can provide us that.

4 MS. ROBERTS: Uh-huh.

5 MR. FEEHAN: Okay.

6 ALJ MORRIS: So what we need
7 posthearing is a copy of the letter of
8 agreement.

9 And let me look at my date here.
10 We're going to be pushed on up into
11 February. This one is probably not going
12 to make it until the March --

13 MS. ROBERTS: Probably.

14 ALJ MORRIS: -- commission meeting.
15 That's -- where are we? On the 4th?

16 MS. ROBERTS: Uh-huh.

17 ALJ MORRIS: Let's see. Let me look
18 at this one. We got nine more days left in
19 this month.

20 MS. ROBERTS: Yeah. We're closing
21 out.

22 ALJ MORRIS: We're closing out.

23 Yeah. So I know our agenda is due next

1 Tuesday.

2 MS. ROBERTS: Uh-huh.

3 ALJ MORRIS: So is that going to
4 present any kind of problem if -- if this
5 is not done until the March meeting?

6 MR. FEEHAN: The sooner the better.

7 ALJ MORRIS: Sooner the better?

8 MR. FEEHAN: Certainly, for -- for
9 purposes of -- again, the interconnection
10 process is -- is sort of waiting on this.
11 So whatever -- you know, I'll get -- I can
12 get you a copy of the LOA, you know, as
13 soon as I get back to the office.

14 ALJ MORRIS: Okay. Okay.

15 MR. FEEHAN: If that will -- if that
16 will help move it along.

17 ALJ MORRIS: Okay. I would -- yeah.
18 I will try -- if you can do that, I will
19 see what I can do. I can go ahead and --
20 and put it on there. I don't think -- I
21 always wait for the transcripts on these,
22 but generally, they're --

23 MR. FEEHAN: Sure.

1 ALJ MORRIS: -- our contract calls
2 for -- for 10 days. And that kind of puts
3 us over. But I think I can get it on the
4 agenda. And then, if for whatever reason,
5 we have a problem, I can pull it off and
6 put it on the next month.

7 MR. FEEHAN: We certainly --
8 certainly appreciate that.

9 ALJ MORRIS: So we'll do that.

10 Okay. With that, we will take
11 this under advisement, and this hearing is
12 concluded. Thank you very much.

13 MR. FEEHAN: All right. Thank you.

14 (The proceeding ended at 10:28
15 a.m.)

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1 REPORTER'S CERTIFICATE

2 STATE OF ALABAMA
3 ELMORE COUNTY

4 I, Katie Ross, Court Reporter, Commissioner
5 for the State of Alabama at Large, hereby
6 certify that on Wednesday, January 22, 2014, I
7 reported the TESTIMONY and PROCEEDINGS in the
8 matter of the foregoing cause and that pages 3
9 through 35 contain a true and accurate
10 transcription of said proceedings.

11 I further certify that I am neither of kin
12 nor of counsel to any of the parties to said
13 cause, nor in any manner interested in the
14 results thereof.

15

16

17

18

19 /s/ Katie Ross _____

20 KATIE ROSS, Court Reporter
21 Commissioner for the
22 State of Alabama at Large
ABCR TL2028, Expires 05/24/15

23

MY COMMISSION EXPIRES: 10/24/17

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