

1 BEFORE THE
2 STATE OF ALABAMA
3 PUBLIC SERVICE COMMISSION
4
5

6 IN RE: LIBERTY-BELL TELECOM, LLC,
7 D/B/A DISH NETWORK PHONE
 and INTERNET

8 DOCKET NO: 31698
9
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12 TESTIMONY AND PROCEEDINGS, taken
13 before the Honorable John Garner,
14 Administrative Law Judge, in the Carl L.
15 Evans Chief Administrative Law Judge Hearing
16 Complex, RSA Union Building, 100 North Union
17 Street, Suite 900, Montgomery, Alabama, on
18 Tuesday, September 13, 2011, commencing at
19 approximately 10:40 a.m. and reported by
20 Gwendolyn P. Timbie, Court Reporter and
21 Commissioner for the State of Alabama at
22 Large.

23 * * * * *

1 APPEARANCES

2 ADMINISTRATIVE LAW JUDGE:

3 Mr. John Garner
 4 Administrative Law Judge
 5 ALABAMA PUBLIC SERVICE COMMISSION
 6 Suite 850
 7 100 North Union Street
 8 Montgomery, Alabama 36130

9 FOR THE PUBLIC SERVICE COMMISSION:

10 Mr. Bill Cook
 11 ALABAMA PUBLIC SERVICE COMMISSION
 12 Suite 850
 13 100 North Union Street
 14 Montgomery, Alabama 36130

15 FOR LIBERTY-BELL TELECOM:

16 Mr. James H. McLemore
 17 CAPELL & HOWARD
 18 Attorneys at Law
 19 150 South Perry Street
 20 Montgomery, Alabama 36104

21 ALSO PRESENT:

22 Mr. Nigel Alexander

23 * * * * *

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30

1 ALJ GARNER: For the record,
2 we're here this morning on
3 September the 13th, 2011, in the
4 matter of Docket 31698, which
5 concerns the application of
6 Liberty-Bell Telecom, LLC, d/b/a
7 DISH Network Phone and Internet,
8 for approval of a certificate of
9 public convenience and necessity
10 to provide competitive local
11 exchange and interexchange
12 telecommunication services in the
13 state of Alabama.

14 The application was filed
15 with the Commission on or about
16 August 8th of 2011. Interested
17 parties were made aware of today's
18 proceeding pursuant to Commission
19 notice, dated August 11th of
20 2011.

21 Let the record reflect
22 that the Commission did not
23 receive any petitions to intervene

1 in this matter.

2 For the record, let's go
3 ahead and take appearances at this
4 time. Who will be appearing on
5 behalf of the applicant?

6 MR. McLEMORE: Good Morning,
7 Your Honor. I'm James McLemore.
8 I practice law here in Montgomery
9 with Capell & Howard, 150 South
10 Perry Street. And the telephone
11 number is area code (334)241-8000.

12 I'll be representing the
13 applicant today. And the
14 representative testifying for the
15 applicant with me is Mr. Nigel
16 Alexander.

17 ALJ GARNER: Thank you, sir.

18 MR. ALEXANDER: Nigel
19 Alexander, president and CEO of
20 Liberty-Bell Telecom, LLC, 2460
21 West 26th Avenue, Suite 380C,
22 Denver, Colorado 80211. Telephone
23 (303)831-1977.

1 ALJ GARNER: Thank you, sir.

2 Further appearances?

3 MR. COOK: Bill Cook,

4 Telecommunications Division,

5 Commission staff.

6 ALJ GARNER: Is there anyone

7 else who needs to enter an

8 appearance?

9 (No response)

10 ALJ GARNER: Let the record

11 reflect that no one has come

12 forward.

13 Regarding preliminary

14 matters, any changes to the

15 application or anything else we

16 need to address before we proceed,

17 Mr. McLemore?

18 MR. McLEMORE: Your Honor, the

19 only change to the application

20 would be the addition of the

21 number of states in which the

22 applicant is authorized to provide

23 telecommunication services. And

1 we'll get into that in the
2 testimony.

3 ALJ GARNER: Very good.

4 Did you have any
5 preliminary matters, Mr. Cook?

6 MR. COOK: No, sir.

7 ALJ GARNER: Hearing none, let
8 me go ahead and swear
9 Mr. Alexander in, and we'll get
10 you to make a presentation in
11 support of the application.

12 NIGEL ALEXANDER

13 The witness, having first been duly
14 sworn or affirmed to speak the truth, the
15 whole truth and nothing but the truth,
16 testified as follows:

17 ALJ GARNER: All right,
18 Mr. McLemore. I'll turn it over
19 to you to make the presentation of
20 your case.

21 MR. McLEMORE: Yes, sir.

22

23

1 DIRECT EXAMINATION

2 BY MR. McLEMORE:

3 Q. Mr. Alexander, would you state your full
4 name, business address, and title for
5 the record, please?

6 A. Nigel Alexander, president and chief
7 executive officer of Liberty-Bell
8 Telecom, 2460 West 26th Avenue, Suite
9 380C, Denver, Colorado 80211.

10 Q. And what is your position with the
11 applicant?

12 A. President and CEO.

13 Q. And the name of the applicant is what?

14 A. Liberty-Bell Telecom, LLC, and we do
15 business as DISH Network Phone and
16 Internet.

17 Q. Have you read and are you familiar with
18 the application that's been filed in
19 this matter?

20 A. Yes.

21 Q. I've mentioned to the Hearing Officer
22 that we'll be amending the application
23 with respect to the identification of

1 the states where you're authorized to do
2 business.

3 But other than that, is the
4 application true and correct?

5 A. It is. The only other change would be
6 that we've appointed counsel now, and we
7 hadn't at the time we did the
8 application.

9 Q. Thank you.

10 And are you familiar with the two
11 tariffs that have been filed with the
12 application?

13 A. Yes.

14 Q. Are they true and correct?

15 A. Yes.

16 Q. Briefly describe to the Court your
17 background in telecommunications.

18 A. I have 16 years of experience in the
19 telecommunications field. I was the
20 founder and president of Multi Link
21 Telecommunications, which was a provider
22 of enhanced messaging services, from
23 1995 to 2006, at which time Multi Link

1 acquired Liberty-Bell Telecom, which is
2 a Denver-based competitive local
3 exchange carrier. And we changed our
4 name to reflect Liberty-Bell.

5 From 2006 until now, I've been the
6 president of Liberty-Bell, during which
7 period we've acquired two other CLEC
8 companies in Colorado and expanded our
9 service area to 14 states.

10 Liberty-Bell was acquired in January
11 of 2011 by DISH Network, the third
12 largest pay TV provider in the United
13 States. I continue to be the president
14 of Liberty-Bell and to lead DISH
15 Network's entry into the competitive
16 telecom arena across the United States.

17 Q. All right. And what is the purpose for
18 your testimony today in support of this
19 application?

20 A. I'm here to describe and answer
21 questions about Liberty-Bell Telecom,
22 which does business as DISH Network
23 Phone and Internet, and to address

1 financial, managerial, technical
2 abilities to provide the services for
3 which we're seeking authority.

4 Q. And briefly describe to the Hearing
5 Officer what type of authority you seek
6 today.

7 A. We would like to become a competitive
8 local exchange carrier, providing local
9 dial tone and long distance toll
10 service.

11 Q. What state is your company organized?

12 A. Colorado.

13 Q. And are you qualified and registered to
14 do business in the state of Alabama?

15 A. Yes. We have filed and been approved as
16 a foreign corporation.

17 Q. And your registered name is what again?

18 A. The name of the company is Liberty-Bell
19 Telecom, LLC.

20 Q. Do you intend to operate in Alabama
21 under any trade names or fictitious
22 names?

23 A. We operate as DISH Network Phone and

1 Internet.

2 Q. All right. And on your bills, is your
3 registered corporate name going to be
4 listed as well?

5 A. Yes. The largest identifying mark on
6 the bills is the DISH Network logo. And
7 at the bottom of every bill and every
8 communication with customers of all
9 types is the phrase "Telecom services
10 are provided by Liberty-Bell Telecom,
11 LLC, a subsidiary of DISH Network."

12 Q. Identify those states in which the
13 company is presently authorized to
14 provide telecommunication services.

15 A. We are authorized in Colorado, New
16 Mexico, Utah, Minnesota, Washington,
17 Oregon, South Dakota, North Dakota,
18 Wyoming, Arizona, Nebraska, Montana,
19 Idaho, and Iowa.

20 Q. And as I understand it, in addition to
21 those states, you presently have
22 applications pending in additional
23 states; is that correct?

1 A. Yes, we do. We have applications
2 pending in Florida, Indiana, Missouri,
3 North Carolina, Oklahoma, South
4 Carolina, and Michigan. And we're in
5 the process of applying in all of the 49
6 states, excluding Alaska and Hawaii.

7 Q. And in which states is your company
8 actually operating?

9 A. We're operating in all the states where
10 we've been approved. Colorado, New
11 Mexico, Utah, Minnesota, Washington,
12 Oregon, South Dakota, North Dakota,
13 Wyoming, Arizona, Nebraska, Montana,
14 Idaho, and Iowa.

15 Q. And has your company ever been denied an
16 application for certification?

17 A. No.

18 Q. Has your company's certification ever
19 been revoked?

20 A. No.

21 Q. Has the company or any principals or
22 officers with the company ever been
23 indicted for a crime or charged with a

1 serious regulatory breach?

2 A. No.

3 Q. Have you or any of the company officers
4 or principals been convicted of a
5 felony?

6 A. No.

7 Q. Is your company currently under
8 investigation for a regulatory breach?

9 A. No. We did reach a settlement with the
10 Federal Communications Commission for
11 some oversights during the acquisition
12 of Liberty-Bell by Multi Link.

13 Q. All right. And I want to ask you to
14 tell the Hearing Officer a little bit
15 about that. But you had some previous
16 regulatory proceedings involving an
17 infraction that's been resolved; is that
18 correct?

19 A. That's correct.

20 Q. And describe to the Hearing Officer what
21 that was about.

22 A. So when my company, Multi Link, acquired
23 Liberty-Bell in 2006, we had an

1 unregulated entity taking over a
2 regulated entity, and we failed to seek
3 and receive FCC approval for that
4 transaction.

5 And then later on, when we acquired
6 two competitive local exchange carriers
7 in Colorado, we had different legal
8 counsel. And we did seek FCC approval
9 on the domestic wire line bureau, but we
10 were not advised that we needed to seek
11 a separate approval from the
12 international wire line bureau.

13 So consequently there were three
14 infractions of Section 214 dealing with
15 changes of control.

16 In May of 2010, we were advised of
17 these breaches. We voluntarily made a
18 disclosure to the Federal Communications
19 Commission and received -- through a
20 process of a consent decree, we paid a
21 small fine to the FCC. And those
22 matters were dealt with completely and
23 fully in December of 2010. We have

1 never had any regulatory issues in
2 dealing with our in-user customers of
3 any --

4 Q. And there are no pending regulatory
5 investigations currently; is that
6 right?

7 A. Not in any state or the FCC.

8 Q. And, again, if you would, describe
9 briefly the services that the company
10 intends to offer in Alabama.

11 A. Local exchange service, long distance
12 toll service. We will also offer
13 unregulated broadband Internet service
14 and bundle these with DISH Network's
15 satellite television services.

16 Q. Is the company presently doing business
17 in Alabama?

18 A. No.

19 Q. Does the company own or operate any
20 facilities in Alabama?

21 A. No.

22 Q. Does it intend to have any facilities in
23 Alabama?

1 A. No.

2 Q. Will the company have a point of
3 presence or employees in Alabama?

4 A. No.

5 Q. Who does the company plan to use as its
6 underlying carrier?

7 A. Its underlining carrier is going to be
8 AT&T and CenturyLink.

9 Q. Describe for us the telecommunications
10 experience of the individuals that are
11 generally responsible for the day-to-day
12 management of the company.

13 A. I've already described my own
14 experience. Our chief operating officer
15 has over 20 years in the
16 telecommunications business. We have a
17 staff in our Denver office of 40
18 people. And DISH Network maintains call
19 centers in multiple locations, with over
20 15,000 employees, some of whom will be
21 cross-trained to deal with
22 telecommunications issues.

23 We also have a specialized call

1 center in Iowa with approximately 40
2 people currently handling customer
3 service inquiries.

4 Q. Does your company plan to have any
5 marketing activities in Alabama?

6 A. Yes. We will advertise our services
7 both to existing customers of DISH
8 Network and to others through all normal
9 marketing and communications.

10 Q. Will that marketing activity be
11 conducted by your company, or will you
12 contract with another company to do
13 that?

14 A. We do both. We have direct marketing
15 and call centers which are fully owned
16 by the company and controlled by the
17 company. We also have a network of
18 retail agents who sell DISH Network
19 satellite services who will be invited
20 to participate in telecom products.

21 In all cases, we have very, very
22 strict policies and agreements with
23 these retailers dealing with how they do

1 business and the consequences of failing
2 to abide by regulations and policies.

3 Q. And with respect to your -- or marketing
4 efforts to enroll customers, do you
5 have -- did you bring today a script for
6 marketers to use when they're speaking
7 with perspective subscribers?

8 A. We do. We have two layers of scripts
9 which deal with how subscribers -- once
10 they've agreed to purchase services, are
11 taken through very specific wording
12 confirming their agreement to purchase,
13 and a third-party verification service
14 in which they specify the services
15 they've agreed to purchase and the
16 prices they've agreed to pay.

17 Q. And you've provided me a copy of those
18 scripts?

19 A. I have.

20 MR. McLEMORE: And, Mr. Cook,
21 I'd be glad to make those
22 available to you.

23 MR. COOK: Please.

1 Q. Does the company intend to bill for its
2 services on a monthly basis? And if so,
3 how?

4 A. The company maintains a sophisticated
5 billing system which has been in place
6 for nine years now, which we render
7 monthly invoices to customers both on
8 paper and by electronic means, at the
9 customer's option. We bill monthly
10 service charges in advance and toll
11 services and per use services in
12 arrears.

13 Q. But unless the customer directs
14 otherwise, you send them a paper bill,
15 correct?

16 A. Yes, sir.

17 Q. And you do your own billing? You don't
18 hire that out to a third party?

19 A. No. We do all of our own billing.

20 Q. And we covered it before. But does your
21 company's name, Liberty-Bell, appear on
22 the bill?

23 A. It does.

1 Q. Is there a toll-free number that will
2 also appear on the bill by which the
3 customer can contact your company?

4 A. There is.

5 Q. What is that number?

6 A. It's (855)347-3474.

7 Q. And in the event that a customer wanted
8 to contact the company about a complaint
9 or other grievance, is that the
10 telephone number they should call?

11 A. Yes.

12 Q. Does the company have a website?

13 A. The company has two websites.

14 Www.libertybelltelecom.com. And then we
15 have a new website reflecting our new
16 parentage with Dish,
17 <http://bundles.dish.com>.

18 Q. Let's go back. With respect to a
19 customer that has a complaint and calls
20 that telephone number or otherwise
21 contacts the number, how are complaints
22 handled?

23 A. So relatively simple complaints are

1 dealt with at the call center level.

2 All call center agents are empowered to
3 provide credits or reach other
4 accommodations with customers.

5 If they are unable to reach a
6 satisfactory conclusion with a customer,
7 the complaint is elevated to a Tier II
8 group in Denver and ultimately to our
9 chief operating officer if a complaint
10 is not resolved satisfactorily.

11 Q. Let me ask you. With respect to persons
12 with the company, who should the
13 Commission contact at your company about
14 matters involving whatever the
15 Commission is interested in? And you've
16 got someone listed in your application,
17 and we want to confirm whether that
18 would be the same person.

19 A. Well, Misti McCants is our accounting
20 manager. She would handle routine
21 reporting with the Commission. If the
22 Commission had something more serious
23 and consequential, they would speak with

1 me or the chief executive.

2 Q. Now, if they wanted to contact Misti
3 McCants, what is her telephone number?

4 A. (303)831-1977.

5 Q. And you say they could also contact
6 you. And what number should they use to
7 contact you?

8 A. (303)831-1977.

9 Q. That same number?

10 A. Yes.

11 Q. Where will the company's books and
12 records be kept?

13 A. At our head office in Denver, Colorado.

14 Q. Will you maintain accurate and
15 up-to-date tariffs on file with the
16 Commission?

17 A. Yes.

18 Q. Will your company abide by all the rules
19 and regulations of the Federal
20 Communications Commission and the laws
21 of the United States?

22 A. Yes.

23 Q. Will the company abide by all the rules

1 and regulations of the State of Alabama
2 and Alabama Public Service Commission?

3 A. Yes.

4 Q. Will the company abide by federal and
5 state slamming and cramming laws?

6 A. Yes.

7 Q. Have any formal complaints been levied
8 against the company with respect to
9 slamming or cramming?

10 A. No.

11 Q. If such complaints were made and if it
12 had occurred, would the company
13 immediately stop the action and engage
14 appropriate discipline of the relevant
15 personnel?

16 A. Yes.

17 Q. Are you aware that the company must file
18 with the Public Service Commission the
19 interconnection agreement associated
20 with your company?

21 A. Yes.

22 Q. Are you aware that your company must
23 file annually a supervision and

1 inspection report and pay applicable
2 fees, and will your company comply with
3 that requirement?

4 A. Yes.

5 Q. Are you aware that the company must file
6 annually a financial report, and will
7 you comply with that requirement?

8 A. Yes, sir.

9 MR. McLEMORE: That's all I
10 have.

11 ALJ GARNER: Mr. Cook?

12 CROSS-EXAMINATION

13 BY MR. COOK:

14 Q. Mr. Alexander, my compliments to your
15 attorney. I just have a few questions
16 that were -- I would like to clear up.

17 You said that you were going -- your
18 target customer was going to be current
19 Dish companies, people that subscribe to
20 DISH Network satellite?

21 A. And others.

22 Q. And others.

23 A. So we'll offer our services to existing

1 DISH Network customers and to new
2 customers who will potentially buy all
3 three services from us.

4 Q. Now, in a hypothetical situation, if a
5 person has subscribed to DISH Network
6 satellite and if the signal is coming in
7 from, of course, the satellite, but --
8 and it's on a Bell -- or AT&T line, is
9 your company seeking to get their line?
10 Do you understand what I'm saying?

11 A. No.

12 Q. If a customer has DISH Network --

13 A. Yes.

14 Q. -- and it's coming in with -- under an
15 AT&T line, is your company going to try
16 to get the whole --

17 A. No. No. The customer would continue to
18 get its broadcast television through the
19 satellite and its phone and/or Internet
20 services through the hard wire lines.

21 Q. So you wouldn't be in trying to knock
22 out AT&T or --

23 A. No.

1 Q. -- whoever has got the phone service?

2 A. No.

3 Q. Now, you said you were going to try to
4 get existing customers. What --

5 A. So DISH Network has an existing customer
6 base --

7 Q. Right.

8 A. -- of 14 million subscribers around the
9 country.

10 Q. I'm one of them.

11 A. So we'll offer them -- we'll offer them
12 phone and Internet services in addition
13 on a bundled basis.

14 Q. On a bundled basis?

15 A. On a bundled basis. Yes. So they would
16 receive discounts for their phone and
17 Internet services for the fact that they
18 were a TV subscriber.

19 Q. Do you have a marketing or sales staff
20 located in Alabama?

21 A. No, sir.

22 Q. Any of your marketing staff, will any of
23 them be contract or independent agents?

1 A. Yes.

2 Q. Will you have full control over those
3 independent agents and contract
4 employees?

5 A. Yes. DISH Network has extremely tight
6 contracts with its agents and other
7 employees. And any mishandling of
8 customer information or any failure to
9 adopt strict sales policies is dealt
10 with harshly.

11 Q. You have complete control over it?

12 A. I do.

13 Q. Have you made initial contact with AT&T
14 and CenturyTel about your
15 interconnection to reach that
16 agreement?

17 A. We have made contact with CenturyLink.
18 CenturyLink recently acquired Quest,
19 where we've been operating for many
20 years. And we've made contact with
21 CenturyLink. We've not yet made contact
22 with AT&T.

23 Q. So you do not anticipate having any

1 problems with getting an agreement?

2 A. It's a very open-ended question. I'm
3 sure it will be an interesting
4 negotiation. DISH Network is a major
5 player. So it will be an interesting
6 conversation.

7 ALJ GARNER: You will have
8 certain recourse if you can't
9 voluntarily get an agreement.

10 Q. You may have answered this. But will
11 your company's name appear on the
12 bill --

13 A. Yes.

14 Q. -- customer's bill?

15 A. Yes.

16 Q. Are you aware that this Commission must
17 be notified if there are any changes in
18 key contact personnel, company ownership
19 via merger, transfers, acquisitions,
20 and/or mailing address?

21 A. Yes.

22 Q. And if anybody at the Commission has any
23 questions, the lady you mentioned as for

1 reporting requirements -- any other
2 questions, we would go to you?

3 A. That would be the starting point.

4 Q. The starting point. You will direct us
5 where we need to go?

6 A. Yeah.

7 MR. COOK: I have no further
8 questions, Your Honor.

9 ALJ GARNER: All right. I
10 would -- if you have a standard
11 agreement that you execute as far
12 as any independent sales agents
13 that you utilize, we'd like to get
14 a copy of that for the record.

15 MR. ALEXANDER: We don't have
16 that agreement as yet, Your Honor.
17 DISH Network in its satellite
18 business has that agreement with
19 its agents. We have not yet
20 developed it for the telecom
21 agents.

22 ALJ GARNER: Will it be the
23 same template that -- or something

1 similar that you'd be utilizing?

2 MR. ALEXANDER: In broad
3 terms, I would imagine we would
4 use the same base agreement and
5 add a section dealing with telecom
6 services and the procedures for
7 selling telecom services.

8 ALJ GARNER: If you will, just
9 provide us with a copy of that DISH
10 Network agreement.

11 MR. ALEXANDER: No problem.

12 ALJ GARNER: That would be
13 helpful. And we'll understand
14 that you would just augment that a
15 bit for your telecom services, but
16 you'll use similar standards as --
17 you'll be required to, I'm sure,
18 corporate policy.

19 MR. ALEXANDER: Yes, sir.

20 ALJ GARNER: And is there an
21 extensive training provided for any
22 retail agents or independent sales
23 agents --

1 MR. ALEXANDER: There is.

2 ALJ GARNER: -- to market your
3 services?

4 To say that your
5 financial condition was healthy
6 would probably be an
7 understatement. It is dated
8 December 31, 2010. Just for good
9 measure, let me ask you if you are
10 still in the same or similar
11 financial condition or better at
12 this point in time as to what your
13 financials reflected at the end of
14 December 31, 2010.

15 MR. ALEXANDER: On January the
16 1st, pursuant to the acquisition,
17 DISH Network invested a further
18 \$12 million in capital into the
19 company. And we benefit from all
20 of the financial resources of our
21 parent, which has about 13 billion
22 in revenue and three billion in
23 net cash flow.

1 ALJ GARNER: Significant
2 resources.

3 MR. ALEXANDER: Yes, sir.

4 ALJ GARNER: I sort of figured
5 that was the answer to the
6 question, but I had to ask it.

7 And you indicated that
8 your issues with the FCC had been
9 resolved and that you had no
10 pending issues. I take it you
11 also had no intervening issues
12 after you resolved your prior, I
13 guess, transactional issues, I'll
14 call it, in December of 2010?

15 MR. ALEXANDER: None. None
16 before, none after.

17 ALJ GARNER: And none ever
18 involving customers?

19 MR. ALEXANDER: The only one
20 in our history. None ever
21 involving customers.

22 ALJ GARNER: Anything further,
23 Mr. Cook?

1 MR. COOK: No, sir.

2 ALJ GARNER: The tariff is in
3 good shape?

4 MR. COOK: The tariff is
5 fine.

6 ALJ GARNER: All right. And I
7 believe you indicated you would
8 provide us with the telemarketing
9 script.

10 MR. McLEMORE: Yes, sir.

11 ALJ GARNER: If you'll provide
12 us with -- I think there's
13 multiple scripts.

14 MR. ALEXANDER: Just for
15 clarification. It's not a
16 telemarketing script; it's the
17 script which takes place after a
18 customer has agreed to purchase.
19 It's the verification script.

20 ALJ GARNER: Verification
21 script.

22 MR. ALEXANDER: There is no
23 telemarketing script. We don't have

1 telemarketer services.

2 ALJ GARNER: So the call
3 centers are strictly for
4 verification and follow-up?

5 MR. ALEXANDER: They make a
6 sale, but they're inbound calls.
7 Customers call us. The complexity
8 of the bundle service with
9 satellite TV, phone, and Internet
10 doesn't allow the use of a
11 predetermined script. It's a
12 fairly free-flowing conversation.

13 ALJ GARNER: Too many options.

14 MR. ALEXANDER: Yeah.

15 ALJ GARNER: I understand.
16 And that answers any question we
17 would have about the process. If
18 you'll just get us the -- just
19 that sample agreement, with the
20 understanding that it would be
21 augmented to cover your
22 telecommunication services and
23 then the scripts that we

1 discussed. That's all I have as
2 far as you providing information
3 posthearing.

4 Anything you want to clarify,
5 Mr. McLemore?

6 MR. McLEMORE: No, sir.
7 That's it.

8 ALJ GARNER: All right. Thank
9 you, Mr. Alexander. That will
10 conclude the hearing.

11 (Proceedings concluded at
12 11:06 a.m.)

13 * * * * *

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1 REPORTER'S CERTIFICATE

2 STATE OF ALABAMA

3 MONTGOMERY COUNTY

4 I, Gwendolyn P. Timbie, Certified
5 Court Reporter and Commissioner for the
6 State of Alabama at Large, hereby certify
7 that on Tuesday, September 13, 2011, I
8 reported the TESTIMONY AND PROCEEDINGS in
9 the matter of the foregoing cause, and that
10 pages 3 through 35 contain a true and
11 accurate transcription of said proceedings.

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

16 This 21st day of September, 2011.

17

18

19 /s/Gwendolyn P. Timbie
20 GWENDOLYN P. TIMBIE, Court
Reporter and Commissioner for the
State of Alabama at Large
21 CCR 172, Expires 09/30/11

22 MY COMMISSION EXPIRES: 3/10/2013

23

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