

# **Confidential Release**

**Case Number:  
93-487-TP-ALT**

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July 30, 2009**

**Testimony of Robert C. Snyder on behalf of Mid-  
East Telephone Answering Service Association-  
Ohio**

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of  
the Ohio Bell Telephone Company for  
Approval of an Alternative Form of  
Regulation.

Case No. 93-487-TP-ALT

In the Matter of the Complaint of the  
Office of the Consumers' Counsel,

Complainant,

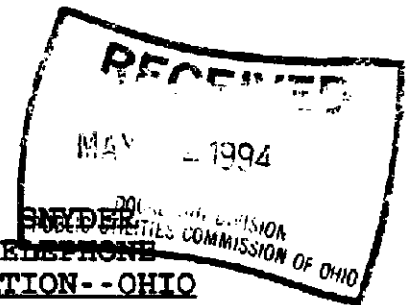
v.

Ohio Bell Telephone Company,

Case No. 93-576-TP-CSS

Respondent,

Relative to the Alleged Unjust and  
Unreasonable Rates and Charges.



TESTIMONY OF ROBERT C. SNYDER  
ON BEHALF OF MID-EAST TELEPHONE  
ANSWERING SERVICE ASSOCIATION--OHIO

1. Q: PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A: My name is Robert C. Snyder. My business address is  
4400 North High Street, Columbus, Ohio 43214.

2. Q: BY WHOM ARE YOU EMPLOYED AND IN WHAT POSITION?

A: I am president of Direct Line Answering, Inc. Direct  
Line Answering, Inc. provides telephone answering  
services and messaging services to residential and  
business customers in the Columbus metropolitan area  
and within the Ohio Bell service territory.

3. Q: ON WHOSE BEHALF ARE YOU PRESENTING TESTIMONY IN THIS PROCEEDING?

A: I am presenting testimony on behalf of Mid-East Telephone Answering Service Association--Ohio ("METAS"). METAS is a not-for-profit trade association of telephone answering service companies, providing service to the public in Ohio. Many METAS member companies in Ohio use the services and equipment of Ohio Bell in connection with the provision of answering service to their respective customers in various communities in Ohio. I am presently chairman of our associations liaison committee and have served in that capacity since 1979.

4. Q: WOULD YOU PLEASE GIVE A BRIEF OVERVIEW OF YOUR TESTIMONY AND METAS' POSITION IN THIS PROCEEDING?

A: While Ohio Bell and the staff have correctly classified many services used by METAS members and their customers in connection with the provision of telephone answering service in Cell 1, certain other services provided by Ohio Bell and used by METAS members and their customers in connection with the provision of telephone answering have been misclassified by Ohio Bell and the staff. In both the Preliminary Objections and our Objections to the Staff Report we have identified the services which

have been misclassified and explained why they should properly be classified in Cell 1 when used in telephone answering service applications. In my testimony, I will again explain why these services when used in telephone answering service applications by METAS members and their customers are used as basic local exchange services that provide access and in many cases have public safety characteristics. METAS members and their customers must obtain these services from Ohio Bell since reasonable and ubiquitous alternatives do not exist. It is the purpose of my testimony and METAS' position that the services which I will be discussing should be classified in Cell 1. We are requesting that the Commission in its order direct the reclassification of these services into Cell 1 when they are used in connection with the provision of telephone answering service.

5. Q: WOULD YOU DESCRIBE THE TELEPHONE ANSWERING SERVICE BUSINESS AND THE SERVICE WHICH METAS MEMBERS PROVIDE TO THEIR CUSTOMERS?

A: Our business and the service which we provide to our customer is to answer calls coming to our customers when they are unable to do so. In Ohio Bell serving areas, our customers are also customers of Ohio Bell.

In order to conduct our business and to provide the service that our customers desire we must have access to and be able to answer calls which are coming to Ohio Bell and our mutual customers over Ohio Bell's network.

6. Q: ARE THERE DIFFERENT WAYS TO PROVIDE TELEPHONE ANSWERING SERVICE?

A: Yes, there are. Before describing some of the different facilities and means to provide telephone answering service, I would point out that the objective, or the end to be accomplished whatever the means, is to give the telephone answering service the ability to answer a call that is coming in over Ohio Bell's network directed to one of our mutual customers at the telephone answering service's office or location.

One of the ways is through the use of facilities such as telephone answering circuits and private lines and telephone answering service equipment including concentrator-identifier equipment. When a call comes in to the Ohio Bell central office serving the customer, calls are bridged at the central office switch so that the call goes out not only the access line to the customer's home or business but also, by means of the

services and facilities that I have identified, to the telephone answering service. Simplistically stated, when a call comes in to the switch the call goes out not only over basic local exchange service access line to the customer's home or business, but it also goes out over an access line to the telephone answering service. If the customer is unable to answer the call it is then answered by the telephone answering service.

7. Q: WOULD YOU PLEASE DESCRIBE ANOTHER TYPICAL MEANS BY WHICH METAS MEMBERS PROVIDE TELEPHONE ANSWERING SERVICE TO THEIR CUSTOMERS?

A: Another means is through the use of Custom Calling Services and Direct Inward Dialing (DID) Services of Ohio Bell. The telephone answering service customer subscribes to one or more of Ohio Bell's custom calling services such as Call Forwarding and Call Waiting, and/or Central Office Optional Line Features, such as Alternative Answering, Busy Line Transfer, Customer Control Option, Easy Call, Multiple Call Option, Message Waiting Tone and Multi-Ring Service and/or Remote Call Forwarding. By means of these Ohio Bell services the customer can transfer calls coming in over Ohio Bell's network to a telephone answering service to be answered. The telephone answering service must

obtain from Ohio Bell DID trunks, DID trunk terminations, and DID numbers. The telephone answering service assigns the customer a DID number which is a telephone number which the customer forwards his or her telephone to when he or she is going to be unavailable. When a call comes in, it is then carried to the telephone answering service on the DID trunks so that it can be answered.

8. Q: CAN METAS MEMBERS AND THEIR RESPECTIVE CUSTOMERS OBTAIN THESE SERVICES FROM VENDORS OTHER THAN OHIO BELL?

A: No. No reasonable and/or ubiquitous alternatives exist in today's marketplace. Within Ohio Bell serving area, METAS members and their respective customers must obtain services from Ohio Bell to accomplish the purpose of having the telephone answering service answer calls from third parties coming in over Ohio Bell's network.

9. Q: IN YOUR TESTIMONY YOU PREVIOUSLY INDICATED THAT OHIO BELL HAD PROPERLY CLASSIFIED SOME OF THE SERVICES IN CELL 1. WHICH OF THE SERVICES THAT YOU HAVE DESCRIBED HAVE BEEN PROPERLY CLASSIFIED IN CELL 1?

A: I would refer the Attorney Examiner and the Commission to Attachment 24.1 to Mr. McKenzie's testimony. On

page 1 of his attachment containing Cell 1 services, please note that analog private lines, telephone answering service circuits, central office concentrator service, concentrator-identifier equipment, and direct inward dialing service are classified in Cell 1. Page 2 of his attachment which also contains Cell 1 services, please note that telephone answering service equipment and facilities are classified in Cell 1.

10. Q: DID MR. MCKENZIE REFERENCE SOME OF THE SERVICES USED IN TELEPHONE SERVICE APPLICATIONS IN HIS TESTIMONY?

A: Yes, he did. In the answer that appears at the bottom of page 8 and extends on to page 9 of Mr. McKenzie's testimony he states in part as follows:

"Private line circuits for alarm services are in Cell 1 because they have public safety characteristics and telephone answering services are in Cell 1 because they are used by the answering service patrons as basic local exchange services that provide access."

11. Q: DO YOU AGREE WITH MR. MCKENZIE'S STATEMENT AS IT PERTAINS TO PRIVATE LINE CIRCUITS USED FOR TELEPHONE ANSWERING SERVICES?

A: Yes, I do. As I previously described in my testimony private line circuits, telephone answering circuits and associated telephone answering service equipment such as concentrator-identifier equipment are used to



provide access to the network to give the telephone answering service access to answer the call.

12. Q: DO THE VARIOUS CUSTOM CALLING SERVICES WHICH YOU HAVE IDENTIFIED, THE VARIOUS CENTRAL OFFICE OPTIONAL LINE FEATURES THAT YOU HAVE IDENTIFIED, AND REMOTE CALL FORWARDING ALSO PROVIDE ACCESS WHEN USED IN TELEPHONE SERVICE APPLICATIONS?

A: Yes, they do. As I previously indicated they are used to provide the telephone answering service access to the customer's call just the same as telephone answering service private line circuits provide access to the customer's call. They are a different means to the same end.

13. Q: FOR THE RECORD, WOULD YOU PLEASE IDENTIFY SERVICES WHICH YOU BELIEVE SHOULD HAVE BEEN CLASSIFIED AS CELL 1 BY OHIO BELL AND THE STAFF THAT HAVE BEEN CLASSIFIED IN SOME OTHER CELL?

A: I would again reference Mr. McKenzie's Attachment 24.1. At page 5 of that attachment, he classifies as Cell 3 services as the following services:

(1) Customer calling services including call forwarding, call waiting and three-way calling;

- (2) Central office optional line features including alternative answering, busy-line transfer, customer control option, easy call, multiple call option, message waiting tone and multi-ring service; and
- (3) Remote call forwarding.

For the reasons that I have already indicated and will indicate, each of these services should properly be classified in Cell 1 when used in telephone answering service applications by METAS members and their respective customers.

Subsequently in my testimony, I will be describing why AUTOTAS concentrators should also be classified in Cell 1. At page 4 of Mr. McKenzie's Attachment 24.1 AUTOTAS concentrators have been classified by Ohio Bell in Cell 2.

14. Q: IN MR. MCKENZIE'S TESTIMONY THAT YOU PREVIOUSLY CITED HE INDICATED THAT THE PRIVATE LINE CIRCUITS USED FOR ALARM SERVICES WERE CLASSIFIED IN CELL 1 BECAUSE THEY HAVE PUBLIC SAFETY CHARACTERISTICS. DO ALL OF THE SERVICES WHICH YOU HAVE REFERRED TO WHEN USED IN CONNECTION WITH TELEPHONE ANSWERING SERVICE APPLICATIONS ALSO HAVE PUBLIC SAFETY CHARACTERISTICS?

A: Yes, they do. Let me describe some of Direct Line's customers and the types of calls which we answer. Direct Line answers calls for the Ohio Emergency Management Agency, which I am sure the Attorney Examiner and the Commission are aware, is the state's front line agency for disasters such as tornados. That agency also monitors several nuclear power plants. We also answer calls for the Secret Service. Another one of our customers is the Franklin County Board of Health. We answer crisis calls for the League Against Child Abuse. We also answer calls from numerous customers providing medical services and related emergency services. Among those medical customers are donor and transplant hotlines. On a daily basis, our answering service and other METAS members are answering calls that have public safety characteristics.

15. Q: Is an AUTOTAS concentrator a piece of equipment that is used by telephone answering services?

A: Yes, it is.

16. Q: ARE THERE OTHER VENDORS OF CONCENTRATOR EQUIPMENT SIMILAR IN FUNCTION TO THE AUTOTAS CONCENTRATOR EQUIPMENT?

A: Yes, there are. There is, however, a significant difference when one obtains AUTOTAS concentrator

equipment from Ohio Bell. If an answering service obtains the equipment from Ohio Bell it is physically located in Ohio Bell's central office facilities. If a telephone answering service obtains similar equipment from another vendor, Ohio Bell will not allow that equipment to be physically located in the Ohio Bell's central office. If concentrator equipment is not physically located in the central office, the telephone answering service must then incur additional costs to extend private line or channel facilities from the Ohio Bell's central office to the remote location of the concentrator. This results in the telephone answering service incurring additional costs for those facilities which must be paid to Ohio Bell. In my opinion, "equal", competitive alternatives do not exist. As can be seen from Mr. McKenzie's Attachment 24.1, Ohio Bell has classified other concentrator-identifier equipment in Cell 1 and we believe that the AUTOTAS concentrator should be classified in Cell 1 as well.

17. Q: IS IT YOUR TESTIMONY AND METAS' POSITION THAT THE VARIOUS SERVICES THAT YOU HAVE IDENTIFIED IN YOUR TESTIMONY SHOULD BE CLASSIFIED IN CELL 1 WHEN USED IN TELEPHONE ANSWERING SERVICE APPLICATIONS?

A: Yes, it is. We are not taking a position and it may or may not be appropriate to classify these services in

Cell 1 or some other cell when used in other applications.

18. Q: IF THE COMMISSION AGREES THAT IT IS APPROPRIATE TO CLASSIFY THE SERVICES IN CELL 1 WHEN USED IN CONNECTION WITH TELEPHONE ANSWERING SERVICE HOW WOULD THIS BE HANDLED IN OHIO BELL'S TARIFF?

A: I am obviously not the one to answer that. However, it may require two separate offerings in the tariff for those services, i.e., one for telephone answering service applications and one for other applications. While that be some small administrative burden on Ohio Bell, it is a necessary result in light of the circumstances.

19. Q: IS THE RECLASSIFICATION OF THE SERVICES YOU HAVE IDENTIFIED TO CELL 1 THE RELIEF WHICH METAS IS ASKING TO BE GRANTED BY THE COMMISSION IN THIS PROCEEDING?

A: Yes, it is.

20. Q: IS THERE ANY ALTERNATIVE THAT MIGHT BE ACCEPTABLE TO METAS AND ITS MEMBERS OTHER THAN THE CELL 1 RECLASSIFICATION?

A: It is my understanding that the staff report indicates that it is appropriate for Ohio Bell to enter into

contracts with customers for Cell 3 services if unique circumstances exist. If Ohio Bell were willing to enter into contracts with METAS members providing Cell 1 type protections for all of the services which have been identified whether used by METAS members or their customers and the Commission recognized the unique circumstances exist for these services when used in telephone answer service applications, that could potentially be an acceptable alternative. It is my understanding that a waiver would have to be granted by the Commission if these types of contracts were used and that waiver would have to be granted if this were to be an acceptable alternative. The better alternative is for the Commission to properly reclassify the services in Cell 1 when used in telephone answering service applications.

21. Q: DOES THAT COMPLETE YOUR TESTIMONY?

A: Yes, it does.