

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Consideration of the
Rescission, Alteration, or Amendment of the
Certificate of Authority of All American to
Operate as a Competitive Local Exchange
Carrier within the State of Utah

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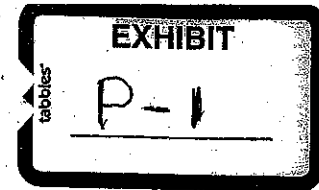
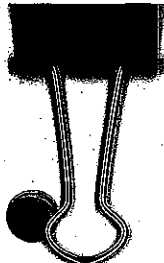
DOCKET NO. 08-2469-01

EXHIBIT LIST FROM MARCH 3, 2010
HEARING

ISSUED: March 4, 2010

For the benefit of the parties, the following attachments are the front page of each exhibit admitted at the hearing March 3, 2010.

- Petitioner's Exhibit 1
- Petitioner's Exhibit 2
- URTA Exhibit 1
- AT&T Exhibit 1
- Qwest Exhibit 1
- Qwest Exhibit 2
- Office of Consumer Services Exhibit 1
- Office of Consumer Services Exhibit 1-D
- Division of Public Utilities Exhibit 1
- Division of Public Utilities Exhibit 2
- Division of Public Utilities Exhibit 3
- Division of Public Utilities Exhibit 4
- Division of Public Utilities Exhibit 5
- Division of Public Utilities Exhibit 6
- Division of Public Utilities Exhibit 7
- Division of Public Utilities Exhibit 8



David W. Goodale
Docket No. 08-2469-01
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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE PETITION OF)
ALL AMERICAN TELEPHONE CO.,)
INC. FOR A *NUNC PRO TUNC*)
AMENDMENT OF ITS CERTIFICATE)
OF AUTHORITY TO OPERATE AS A)
COMPETITIVE LOCAL EXCHANGE)
CARRIER WITHIN THE STATE OF)
UTAH.)

Docket No. 08-2469-01

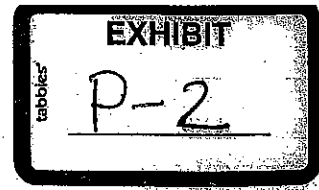
PRE-FILED DIRECT TESTIMONY OF

DAVID W. GOODALE

ON BEHALF OF

ALL AMERICAN TELEPHONE COMPANY, INC.

January 19, 2010



David W. Goodale
Docket No. 08-2469-01
Page 1

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE PETITION OF)	
ALL AMERICAN TELEPHONE CO.,)	Docket No. 08-2469-01
INC. FOR A <i>NUNC PRO TUNC</i>)	
AMENDMENT OF ITS CERTIFICATE)	
OF AUTHORITY TO OPERATE AS A)	
COMPETITIVE LOCAL EXCHANGE)	
CARRIER WITHIN THE STATE OF)	
UTAH.)	
)	

PRE-FILED REBUTTAL TESTIMONY OF

DAVID W. GOODALE

ON BEHALF OF

ALL AMERICAN TELEPHONE COMPANY, INC.

February 26, 2010

BEFORE PUBLIC SERVICE COMMISSION OF UTAH

URTA-1

UTAH PUBLIC
SERVICE COMMISSION

In the Matter of the Petition of All American Telephone Co., Inc. for a Nunc Pro Tunc Amendment of its Certificate of Authority to Operate as a Competitive Local Exchange Carrier Within the State of Utah	2008 FEB 16 A 10:48 DOCKET NO. 08-2469-01 RECEIVED 272721
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DIRECT TESTIMONY OF
DOUGLAS DUNCAN MEREDITH
ON BEHALF OF THE
UTAH RURAL TELECOM ASSOCIATION

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

At & T
Ex. 1

IN THE MATTER OF THE PETITION OF)
ALL AMERICAN TELEPHONE CO.,)
INC. FOR A *NUNC PRO TUNC*)
AMENDMENT OF ITS CERTIFICATE)
OF AUTHORITY TO OPERATE AS A)
COMPETITIVE LOCAL EXCHANGE)
CARRIER WITHIN THE STATE OF)
UTAH)

Docket No. 08-2469-01

DIRECT TESTIMONY OF
JACK HABIAK ON BEHALF OF
AT&T COMMUNICATIONS OF THE MOUNTAIN STATES, INC. AND TCG UTAH

February 11, 2010

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Qwest - EX. 1

In the Matter of the Consideration of the
Rescission, Alteration, or Amendment of the
Certificate of Authority of All American to
Operate as a Competitive Local Exchange
Carrier within the State of Utah

Docket No. 08-2469-01

RESPONSIVE TESTIMONY

OF

LISA HENSLEY ECKERT

FOR

QWEST CORPORATION

FEBRUARY 12, 2010

Qwest Ex. 2

Summary for Lisa Hensley Eckert

- There are no public interest reasons why the Commission should change the existing CLEC certificate for All American and expand it to include the service territory of Beehive Telephone. First, such an action would break with past Commission precedent regarding the Utah rural exemption in Utah Statute 54-8b-2.1 and All American has failed to meet the burden of proof that this is in the public interest. Second, to do so does not facilitate competition but instead allows All American to continue to perpetuate its traffic pumping scheme.
- None of the reasons given by All American provide any public interest support or public benefit. All American has provided no reasons why they should be exempt from the statute, particularly since they have tacitly admitted they exclusively serve only one out-of-state customer – Joy Enterprises. Instead the facts show there is evidence of a traffic pumping scheme that is being perpetuated through the alliance of Beehive Telephone, All American and Joy Enterprises. There is no public interest reason for this Commission to enable a traffic pumping scheme and expand All American's CPCN, and given the nature of much of Joy Enterprises' traffic, there are compelling public interest reasons to deny this modification
- All American has been engaging in unauthorized operations outside its Commission-approved service territory. This is a relevant issue in determining whether expanding All American's CPCN is in the public interest. All American carries the burden in this docket of justifying the requested amendment of its CPCN. It also carries the burden of explaining its apparent and admitted violation of its current certificate by conducting operations in Beehive's service territory.
- Commission precedent requires that All American justify why it deserves a waiver of the Commission's current policy on enforcing the rural exemption. All American has yet to establish that it actually has the ability to "provide public telecommunications services to any customer or class of customers who request[s] service within the local exchange" (54-8b-2.1(4)).
- All American has a previous history of operating fraudulently in Utah well in advance of this proceeding. In 2004, All American requested the removal of fraud blocks from 72 Beehive numbers, which Qwest granted, per Qwest's fraud policy. On June 6, 2007, All American sent a letter to the FCC, claiming that two additional Utah numbers were being blocked by a number of IXCs. The two numbers which All American claimed were their numbers were: 435-855-3333 and 435-855-5555. Both of these numbers are assigned in the Beehive exchange of Garrison, and are in TELCODATA as Beehive ILEC blocks of numbers. This is proof that All American was operating in the Beehive Territory, with Beehive's collusion. The 435-855-3XXX and 5XXX series of numbers have been long standing "party lines"- a euphemism for adult chat lines. The numbers assigned to All American currently in TELCODATA are 435-777-XXXX numbers- which are also located in Garrison UT, in the Beehive territory.

QWEST EX 2



Utah Department of Commerce
Division of Corporations & Commercial Code
160 East 300 South, 2nd Floor, S.M. Box 146705
Salt Lake City, UT 84114-6705
Phone: (801) 530-4849
Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: <http://www.commerce.utah.gov>

OCS-1

Registration Number: 7003384-0151
Current Status: ACTIVE
Business Name: JOY ENTERPRISES
Registered Date: APRIL 25, 2008

February 24, 2010

THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE ("DIVISION") HEREBY CERTIFIES THAT

JOY ENTERPRISES, INC. (JEI)
(A NEVADA CORPORATION)

DOES NOT CURRENTLY APPEAR ON ANY COMPUTER RECORDS IN THIS OFFICE AS A BUSINESS QUALIFIED OR AUTHORIZED TO TRANSACT BUSINESS IN THE STATE OF UTAH. A SIMILAR NAME OF

JOY ENTERPRISES 7003384-0151
A DBA (SOLE PROPRIETOR) ACTIVE

JOY ENTERPRISES, INC. 5568634-0142
A CORPORATION-DOMESTIC-PROFIT EXPIRED MAY 18, 2005

IS REGISTERED IN THIS OFFICE, AS APPEARS OF RECORD IN THE OFFICES OF THE DIVISION.

Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code

Dept. of Professional Licensing (801)530-6628	Real Estate (801)530-6747	Public Utilities (801)530-6651	Securities (801)530-6600	Consumer Protection (801)530-6601
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UTAH PUBLIC
SERVICE COMMISSION

2010 FEB 11 P 4:42

OCS 1-D M. BECK

272690

OCSI-D

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Consideration of
the Rescission, Alteration or
Amendment of the Certificate of
Authority of All American Telephone
Co., Inc. to Operate as a Competitive
Local Exchange Carrier Within the
State of Utah

Docket No. 08-2469-01

DIRECT TESTIMONY OF MICHELE
BECK FOR THE UTAH OFFICE OF
CONSUMER SERVICES

February 12, 2010

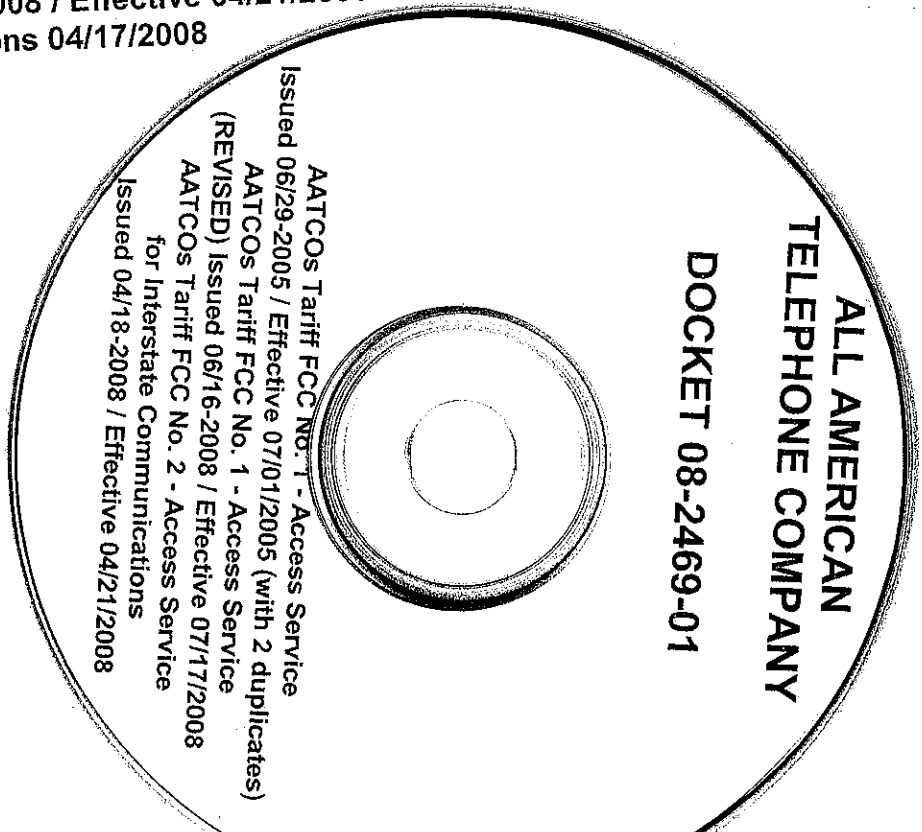
ALL AMERICAN TELEPHONE COMPANY

DOCKET 08-2469-01

1
2
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4
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CONTENTS OF CD

- 1 All American Telephone Company Tariff FCC No. 1 - Access Service
State of Nevada - Issued 06/29/2005 / Effective 07/01/2005
- 2 All American Telephone Company Tariff FCC No. 1 - Access Service
State of Nevada - Issued 06/29/2005 / Effective 07/01/2005
1ST Duplicate
- 3 All American Telephone Company Tariff FCC No. 1 - Access Service
State of Nevada - Issued 06/29/2005 / Effective 07/01/2005
2ND Duplicate
- 4 All American Telephone Company Tariff FCC No. 1 - (REVISIONS)
Access Service - State of Nevada -
Issued 06/16/2008 / Effective 07/17/2008
FCC Remittance Advice - dated 06/13/2008
Cover Letter - Womble, Carlyle, Sandridge & Rice - dated 06/13/2008
- 5 All American Telephone Company Tariff FCC No. 2 - Access Service
for Connection to Interstate Communications Facilities for Interstate
Customers Within the Operating Territory of All American Telephone
Company - Issued 04/18/2008 / Effective 04/21/2008
Cover Letter - CHR Solutions 04/17/2008



DOCKET 08-2469-01

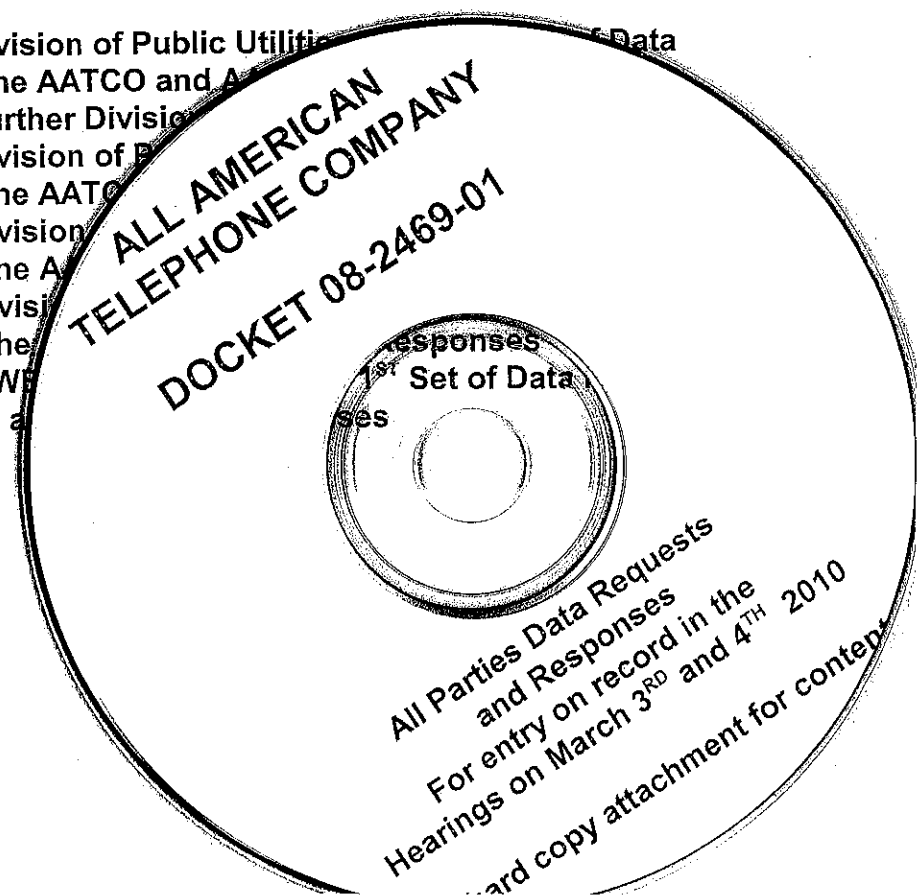
DPU 2

In the Matter of the Petition of All American Telephone Co. Inc., for a NUN PRO TUNC Amendment of its Certificate of Authority to Operate as a Competitive Local Exchange Carrier within the State of Utah

All Party's Data Requests and Party's Responses in the above Titled Proceeding

Contents of Data Request / Data Response CD

- Attachment 1 08-2469-01 AATCO's 1ST Set of Data Requests to the Division of Public Utilities and the Division's Responses
- Attachment 2 08-2469-01 AATCO's 1ST Set of Data Requests to the Office of Consumer Services and the Offices's Responses
- Attachment 3 08-2469-01 AATCO's 1ST Set of Data Requests to the Utah Rural Telephone Association and the URTA's Responses
- Attachment 4 08-2469-01 Office of Consumer Services's (OCS fka CCS) 1ST Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 5 08-2469-01 Office of Consumer Services's (OCS fka CCS) 2ND Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 6 08-2469-01 Office of Consumer Services's (OCS fka CCS) 3RD Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 7 08-2469-01 Division of Public Utilities (DPU) 1ST Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 8 08-2469-01 Division of Public Utilities (DPU) 1ST Set of Data Requests to the Beehive Telephone and Beehive Telephone's Responses
- Attachment 9 08-2469-01 Division of Public Utilities (DPU) 1ST Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 10 08-2469-01 Division of Public Utilities (DPU) 1ST Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 11 08-2469-01 Division of Public Utilities (DPU) 1ST Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 12 08-2469-01 Division of Public Utilities (DPU) 1ST Set of Data Requests to the AATCO and AATCO's Responses
- Attachment 13 08-2469-01 QWER to the AATCO and AATCO's Responses



All American Telephone Company

Docket 08-2469-01

DPU 3

Annual Report for 2008

Annual Report for 2007 (received on 2/8/10 in response to 2nd set of data requests from OCS)

Revised Annual Report for 2007 (received on 3/2/10)

Report of Gross Revenue for 2008

Report of Gross Revenue for 2007

2008 Regulation Fee Assessment and payment

2007 Regulation Fee Assessment and payment

8/7/08 E-Mail to DPU from Michael Ginsberg

USF Reports

JANET I. JENSON (Bar No. 4226)
GARY R. GUELKER (Bar No. 8474)
JENSON & GUELKER, LLC
747 East South Temple Street, Suite 130
Telephone: (801) 579-0800
Facsimile: (801) 579-0801
Attorneys for Petitioners

DPU-4

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of All)	
American Telephone Co., Inc. For a <i>Nunc</i>)	Docket No. 08246901
<i>Pro Tunc</i> Amendment of Its Certificate)	
of Authority to Operate as a Competitive)	<u>Petitioner's Responses to the Division's</u>
Local Exchange Carrier Within the)	<u>First Set of Data Requests</u>
State of Utah.)	
)	

Petitioner, All American Telephone Co., Inc, hereby responds to the Division of Public Utilities' First Set of Data Requests as follows:

1.1 Please describe in detail all of the wholesale or retail services that All American Telephone Co. (AATCO) is now providing in Beehive Telephone's area and to whom is AATCO providing it. Include in this answer any services being provided by Beehive Telephone or Beehive Telco under the terms of the interconnection agreement approved by operation of law.

RESPONSE: AATCO interconnects to Beehive Telephone Co. ("BTC") under NECA Tariff No. 4 meet point billing arrangements. AATCO takes delivery of traffic terminating to its customers from BTC. BTC is one of several transiting carriers transporting this traffic.

1.2 Is AATCO offering any retail or wholesale service in the Qwest service area through any Beehive Telephone or Beehive Telco facilities or under the terms of the interconnection

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DPU-5

ALL AMERICAN TELEPHONE
COMPANY, INC., ET AL.,

Plaintiffs,

v.

AT&T CORP.,

Defendant.

No 1 :07-cv-00861-WHP
ECF CASE

**ALL AMERICAN TELEPHONE COMPANY, INC.'S OBJECTIONS
AND RESPONSES TO AT&T CORP.'S FIRST SET OF INTERROGATORIES**

Plaintiff, All American Telephone Company, Inc. ("All American" or "Plaintiff"), by and through counsel and pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the local rules for the United States District Court for the Southern District of New York, hereby responds to AT&T Corp.'s ("AT&T" or "Defendant") First Set of Interrogatories as follows:

INTRODUCTION

The answers supplied herein are not necessarily based upon the knowledge of the executing individual, but may include the knowledge of Plaintiff's agents, representatives and attorneys, unless privileged. The word usage and sentence structure contained herein does not purport to be the exact language of the executing individual. Plaintiff expressly reserves the right to supplement any and all of her responses if, as and when additional responsive information becomes known.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DPU-6

-----X
ALL AMERICAN TELEPHONE COMPANY, : No. 1:07-cv-00861-WHP
INC., ET AL., :
 : ECF CASE
 :
 Plaintiffs, :
 :
 v. :
 :
 AT&T CORP., :
 :
 Defendant. :
-----X

**ALL AMERICAN'S RESPONSE TO
AT&T CORP.'S SECOND SET OF INTERROGATORIES**

Plaintiff, All American Telephone Company, Inc. ("All American" or "Plaintiff"), pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the local rules for the United States District Court for the Southern District of New York, hereby responds to AT&T Corp.'s ("AT&T" or "Defendant") Second Set of Interrogatories as follows:

INTRODUCTION

The answers supplied herein are not necessarily based upon the knowledge of the executing individual, but may include the knowledge of Plaintiff's agents, representatives and attorneys, unless privileged. The word usage and sentence structure contained herein does not purport to be the exact language of the executing individual. Plaintiff expressly reserves the right to supplement any and all of its responses if, as and when additional responsive information becomes known.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ALL AMERICAN TELEPHONE COMPANY, : No. 1:07-cv-00861-WHP
INC., ET AL., :
 : ECF CASE
 :
 Plaintiffs, :
 :
 v. :
 :
 AT&T CORP., :
 :
 Defendant. :
-----X

DPV-7

**ALL AMERICAN'S RESPONSE TO
AT&T CORP.'S THIRD SET OF INTERROGATORIES**

Plaintiff, All American Telephone Company, Inc. ("All American" or "Plaintiff"), pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the local rules for the United States District Court for the Southern District of New York, hereby responds to AT&T Corp.'s ("AT&T" or "Defendant") Second Set of Interrogatories as follows:

INTRODUCTION

The answers supplied herein are not necessarily based upon the knowledge of the executing individual, but may include the knowledge of Plaintiff's agents, representatives and attorneys, unless privileged. The word usage and sentence structure contained herein does not purport to be the exact language of the executing individual. Plaintiff expressly reserves the right to supplement any and all of its responses if, as and when additional responsive information becomes known.

UTAH PUBLIC
SERVICE COMMISSION
- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

DPU-8

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In the Matter of the Consideration
of the Rescission, Alteration or
Amendment of the Certificate of
Authority of All American
Telephone Co., Inc. to Operate as a
Competitive Local Exchange Carrier
Within the State of Utah)

RECEIVED

DOCKET NO. 08-2469-01
DPU Exhibit 1.0

Direct Testimony of
Casey J. Coleman

DIVISION OF PUBLIC UTILITIES
DEPARTMENT OF COMMERCE

February 11, 2010