

May 2, 2024

VIA EMAIL

State of Utah Public Service Commission
160 East 300 South, 4th Floor
Salt Lake City, UT 84111

Re: Stratus Networks, Inc. – Application for CPNC to Provide Local Exchange Telecommunications Service (Docket No. 24-2648-01); Verification.

Dear Sir or Madam,

On behalf of Stratus Networks, Inc. (“Stratus”) please find enclosed for filing the Testimony of Stratus’ VP of Operations, Tyler Evans for the above referenced application. Along with this submission, Stratus requests informal adjudication to satisfy the filing requirements for informal adjudication of the application.

If there are any questions concerning this transmittal, please do not hesitate to contact us.

Respectfully submitted,



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Counsel for Stratus Networks, Inc.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of
Stratus Networks, Inc.,
for a Certificate of Public Convenience and

DOCKET No. 24-2648-01

DIRECT TESTIMONY OF TYLER EVANS

1 **Q. PLEASE STATE YOUR NAME, POSITION AND BUSINESS ADDRESS.**

2 A. My name is Tyler Evans. I am the Vice President of Operations for Stratus Networks, Inc.
3 (“Stratus Networks” or “Applicant”). My business address is 4700 N Prospect Rd. Peoria,
4 Illinois 61616.

5 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THIS COMMISSION?**

6 A. No, I have not.

7 **Q. ARE YOU FAMILIAR WITH THE APPLICATION FILED BY STRATUS**
8 **NETWORKS?**

9 A. Yes. I assisted in the preparation of the Application.

10 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

11 A. The purpose of my testimony is to describe the technical, managerial, and financial fitness
12 of Stratus Networks to provide local exchange telecommunications services within the
13 State of Utah. This testimony will also describe the service to be provided by Stratus
14 Networks. Finally, my testimony will show that the public interest will be served by the
15 approval of Stratus Networks Application.

16 **Q. ARE ALL OF THE STATEMENTS IN STRATUS NETWORKS’ APPLICATION**
17 **CORRECT AND TRUE TO THE BEST OF YOUR KNOWLEDGE,**
18 **INFORMATION AND BELIEF?**

1 A. Yes.

2 **Q. DO YOU WISH TO INCORPORATE BY REFERENCE ANY DOCUMENTS INTO**
3 **THIS TESTIMONY?**

4 A. Yes. I wish to incorporate, by reference, Stratus Networks' underlying Application filed
5 in this proceeding and its associated exhibits.

6 **Q. DO YOU RATIFY AND CONFIRM THE STATEMENTS AND**
7 **REPRESENTATIONS MADE IN THAT APPLICATION AND ALL EXHIBITS**
8 **THERE TO?**

9 A. Yes.

10 **Q. HAS APPLICANT REGISTERED TO DO BUSINESS IN UTAH?**

11 A. Yes. Stratus Networks received authorization to transact business in Utah as a foreign
12 corporation on September 5, 2007. A copy was attached as **Exhibit A** to the Application.

13 **Q. HAS APPLICANT OBTAINED AUTHORITY FROM THIS COMMISSION**
14 **PREVIOUSLY?**

15 A. No.

16 **Q. DESCRIBE THE AUTHORITY THAT STRATUS NETWORKS SEEKS BY ITS**
17 **APPLICATION.**

18 A. Stratus Networks seeks additional authority to provide local exchange telecommunications
19 services to customers throughout the State of Utah.

20 **Q. DESCRIBE THE SERVICES STRATUS NETWORKS PROPOSES TO OFFER IN**
21 **THE STATE OF UTAH.**

22 A. Stratus intends to offer facilities-based local exchange services and unregulated services to
23 enterprise customers. The services will be provided by 1) Stratus's own facilities, (2)

1 commercial wholesale agreements with incumbents, or 3) a combination thereof. Stratus
2 plans to offer “Local Exchange Service” as defined in UT ST § 54-8b-2(11) and/or
3 “Telephone Exchange Service” as defined in or Section 3(54) of the federal
4 Communications Act of 1934, as amended (“Act”), 47 U.S.C. § 153(54). The
5 determination of whether a call is provided pursuant to this definition is based on the end
6 points of such call, using the locations of the originating and terminating telephone
7 numbers, as required by the Federal Communications Commission (“FCC”).

8 Stratus plans to offer “Exchange Access” as referenced in S.C. Code Ann. § 58-9-280
9 and/or Section 3(20) of the Act, 47 U.S.C. § 153(20). The FCC’s call end points policy
10 will be used to determine whether a call is provided pursuant to this definition.

11 **Q. DOES STRATUS NETWORKS PROPOSE TO OFFER**
12 **TELECOMMUNICATIONS SERVICES TO BOTH RESIDENTIAL AND**
13 **BUSINESS/COMMERCIAL CUSTOMERS?**

14 A. Stratus Networks markets its services primarily to enterprise, governmental, and other
15 business customers. The flexibility, scalability, and functionality of Stratus Networks
16 services provide the greatest advantages for non-residential users. Accordingly, Stratus
17 Networks will not provide retail residential local exchange services in the State of Utah at
18 this time.

19 **Q. DO THE PRINCIPALS AND EMPLOYEES OF STRATUS NETWORKS HAVE**
20 **PREVIOUS TELECOMMUNICATIONS EXPERIENCE?**

21 A. Yes. The resumes for Darren Feder, CEO, Ben Russell, CTO, and Bruce Skellie, CFO
22 were provided as **Exhibit B** of the Application. Accordingly, these resumes demonstrate

1 that each officer of Stratus Networks has extensive experience in providing
2 telecommunications services.

3 **Q. PLEASE DESCRIBE STRATUS NETWORK'S FINANCIAL QUALIFICATIONS**
4 **TO PROVIDE TELECOMMUNICATIONS SERVICES IN UTAH.**

5 A. As set forth in the financial statements found at Confidential **Exhibit D** to the Application,
6 Stratus Networks has access to sufficient capital to provide telecommunications services
7 in Utah. This capital, along with the expected revenues of Stratus Networks, will be
8 available to meet future capital needs of Stratus Networks' Utah operations.

9 **Q. HOW DOES APPLICANT BILL FOR ITS SERVICES?**

10 A. Stratus Networks will bill customers directly. Stratus Networks will bill customers on a
11 monthly basis for recurring monthly charges for the services provided. Non-recurring
12 charges will be billed in the first billing cycle following completion of the work that
13 generated the charge, or as agreed to by the customer. The billing statement will contain
14 details of usage and applicable fees, including any state, local, and federal taxes, and any
15 applicable universal service charges.

16 **Q. HOW ARE TROUBLE REPORTS AND CUSTOMER COMPLAINTS HANDLED?**

17 A. Stratus Networks will maintain a toll-free number (800-990-9093), and an email address
18 (noc@stratusnet.com), for customer complaints and inquiries, which will be staffed during
19 Stratus Networks' normal business hours. After-hours complaints and inquiries will be
20 forwarded to a voicemail system, and will be handled on the next business day. Inquiries
21 regarding service or billing may also be made in writing. To the extent that a customer
22 complaint cannot be resolved by the customer service staff, the complaint will be elevated

1 to a supervisor. A managerial level employee will supervise the resolution of such elevated
2 complaints.

3 **Q. HOW WILL STRATUS NETWORKS MARKET ITS SERVICES?**

4 A. Stratus Networks intends to solicit customers for its telecommunications services from its
5 existing customer base, and through business-to-business marketing (*e.g.*, professional
6 trade shows). All information regarding such services, including the applicable rates,
7 terms, and conditions, can be found on Stratus Networks' website: www.stratusnet.com

8 **Q. HAS STRATUS NETWORKS OBTAINED AUTHORITY TO PROVIDE ITS
9 SERVICES IN ANY OTHER STATES?**

10 A. Yes. Stratus Networks is presently authorized or applying for authorization to provide
11 telecommunications services in the following jurisdictions: Alabama, Arkansas, Arizona,
12 California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas,
13 Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana,
14 Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota,
15 Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, South Dakota, Tennessee, Texas,
16 Utah, Washington, Wisconsin, Wyoming, and West Virginia.

17 **Q. PLEASE DESCRIBE THE PROPOSED TARIFF FILED BY STRATUS
18 NETWORKS.**

19 A. Stratus Networks filed as **Exhibit E** to the Application its proposed competitive local
20 exchange telecommunications tariff. That tariff contains the applicable rules and
21 regulations for the provision of such services. I believe that Stratus Networks' tariff will
22 comport with all applicable Commission Rules and Orders, and Stratus Networks agrees
23 to make all changes that may be necessary to comply with applicable authority.

1 **Q. WILL GRANTING STRATUS NETWORKS A CERTIFICATE TO PROVIDE**
2 **LOCAL EXCHANGE SERVICES SERVE THE PUBLIC INTEREST OF UTAH**
3 **CONSUMERS?**

4 A. Yes. A decision by the Commission to grant Stratus Networks authority to provide
5 competitive local exchange telecommunications service is in the public interest. The public
6 interest will be served by expanding the availability of competitive telecommunications
7 services and enhanced telecommunications infrastructure in the State of Utah, thereby
8 facilitating economic development. Authorizing Stratus Networks to enter the local
9 exchange telecommunications services market will increase the competitive choices
10 available, and in turn create incentives for all carriers to lower prices, provide new and
11 better quality services, and be more responsive to customer issues and demands.

12 **Q. WILL THE SERVICE PROVIDED BY STRATUS NETWORKS MEET ALL**
13 **SERVICE STANDARDS THAT THE COMMISSION MAY ADOPT?**

14 A. Yes, it will.

15 **Q. WILL THE PROVISION OF SERVICE BY STRATUS NETWORKS ADVERSELY**
16 **IMPACT THE AVAILABILITY OF AFFORDABLE LOCAL EXCHANGE**
17 **SERVICE IN UTAH?**

18 A. No. The service provided by Stratus Networks will not adversely impact the availability of
19 affordable local exchange service in Utah.

20 **Q. WILL STRATUS NETWORKS PARTICIPATE IN THE SUPPORT OF**
21 **UNIVERSALLY AVAILABLE TELECOMMUNICATIONS SERVICE AT**
22 **AFFORDABLE RATES?**

1 A. Yes. To the extent that Stratus Networks provides services subject to universal service and
2 related requirements in Utah, it will participate in the support of universally available
3 telecommunications services at affordable rates.

4 **Q. WHO IS KNOWLEDGEABLE ABOUT STRATUS NETWORKS OPERATIONS**
5 **AND WILL SERVE AS THE COMMISSION’S/ORS’S REGULATORY AND**
6 **CUSTOMER SERVICE CONTACT?**

7 A. As stated in the Application, all ongoing compliance matters should be directed to

8 Tyler Evans
9 VP, Operations
10 4700 N. Prospect Rd.
11 Peoria, IL 61616
12 Phone: (309) 417-3291
13 Fax: (309) 345-8909
14 Email: tevans@stratusnet.com
15

16 **Q. WILL STRATUS NETWORKS COMPLY WITH ALL OF THE APPLICABLE**
17 **RULES, REGULATIONS AND ORDERS OF THE COMMISSION?**

18 A. Yes.

19 **Q. DOES THIS COMPLETE YOUR TESTIMONY?**

20 A. Yes.

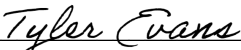
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VERIFICATION OF DIRECT TESTIMONY OF TYLER EVANS

The undersigned attests he has reviewed the Direct Testimony filed on behalf of Stratus Networks, Inc. in the above-referenced proceeding; that it was prepared by him and/or under his direction and that it is true and correct to the best of his knowledge and belief.



Tyler Evans
Vice President Operations

Dated: May 2, 2024