

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
IOWA UTILITIES BOARD

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IN RE:

QWEST COMMUNICATIONS INT'L, INC.  
AND CENTURYTEL, INC.

DOCKET NO. SPU-2010-0006

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1  
2 **TESTIMONY OF ROGER MOSS ON BEHALF OF MCC TELEPHONY OF IOWA**  
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4  
5 ***BACKGROUND***

6  
7 **Q. PLEASE STATE YOUR NAME, TITLE AND EMPLOYER FOR THE RECORD.**

8  
9 **A.** My name is Roger Moss, and I am employed by Mediacom as and Director, Voice  
10 Services Operations. In this role, I have business responsibilities for Mediacom's  
11 residential and commercial telephony services and provide Carrier Relations Services in  
12 our interconnect partnerships. It is my role to assure smooth operations between  
13 Mediacom and other telephone companies in the areas of local service ordering and  
14 provisioning. I am testifying in this matter on behalf of MCC Telephony of Iowa.

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16 **Q. WHAT IS THE RELATIONSHIP BETWEEN MEDIACOM AND MCC  
17 TELEPHONY OF IOWA?**

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19 **A.** MCC Telephony of Iowa is a wholly-owned indirect subsidiary of Mediacom  
20 Communications Corporation. I say "indirect" because there are other corporate entities  
21 between MCC Telephony of Iowa and the ultimate parent Mediacom Communications

1 Corporation. MCC Telephony is the local operating subsidiary providing the telecom  
2 product under the brand name Mediacom. In this testimony, I will refer to MCC  
3 Telephony as “Mediacom.”

4  
5 **Q. CAN YOU BRIEFLY DESCRIBE YOUR EMPLOYMENT AND EDUCATIONAL**  
6 **BACKGROUND**

7 **A.** I have 18 years of experience in the telecommunications industry. Prior to joining  
8 Mediacom in May 2010, I served as Senior Director of Network Optimization for  
9 Worldcom for 12 years. In this role, I planned and managed switched long distance  
10 networks in the US and overseas, planned and built cost management information  
11 systems, and managed interexchange carrier relationships. For 6 years prior to that, I was  
12 Director of Cost Management for MFS Intelenet where I negotiated interconnection  
13 agreements, and managed margins on local and long distance products.

14  
15 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY TODAY?**

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17 **A.** I am testifying to express concerns that Mediacom has about the proposed merger of  
18 Qwest and CenturyLink. Specifically, I describe Mediacom’s current status in Iowa and  
19 our experience in entering the Iowa market, the concerns Mediacom has about negative  
20 impacts on our ability to provide robust competition in Iowa if the Qwest wholesale and  
21 competitive processes to which we are accustomed are degraded, and I ask the Board to  
22 obtain firm commitments from the Applicants to ensure that the merger does not harm  
23 competitors or competitive choices for Iowa consumers.

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1 **MEDIACOM'S ENTRY IN IOWA**

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3 **Q. DESCRIBE MEDIACOM'S ROLE IN THE IOWA MARKETPLACE.**

4  
5 **A.** I would be pleased to do so. Mediacom has been, since its 1999 purchase of the AT&T  
6 Broadband system in Iowa, the largest cable video provider in Iowa. Upon our entry into  
7 Iowa, we began investing heavily in upgrading facilities not only to provide innovative  
8 video offerings like high-definition digital video, digital video recording, and On  
9 Demand services, but also to ensure the availability of high speed data services and  
10 reliable, quality voice service throughout our network in Iowa. In 2004, Mediacom  
11 obtained conditional approval from the Board of its application to provide Voice-over-  
12 Internet Protocol service. Mediacom applied with the promise of bringing robust  
13 competition to Qwest, Iowa Telecom (now Windstream) and many other incumbent  
14 providers in Iowa across a range of services and geographic territories that was unique.  
15 Consumers have responded positively to the choices we have provided: we believe  
16 Mediacom is now the third-largest provider of landline-based telephone service in Iowa  
17 behind Qwest and Windstream.

18  
19 **Q. GOING FROM MARKET ENTRY TO THIRD-LARGEST PROVIDER IS A**  
20 **SIGNIFICANT ACCOMPLISHMENT – DID THAT GROWTH GO**  
21 **SMOOTHLY?**

22  
23 **A.** Unfortunately, no. Despite the Board approving our application in April 2004, we were  
24 not able to roll out our first market in Iowa until August 2005. As the Board is aware,  
25 getting into the market required several rounds of litigation, both before the Board and in  
26 the courts. Some of those disputes, and some that never rose to the level of a complaint  
27 case, involved delays and errors in provisioning and other tactics to limit or complicate  
28 customer choices. To its credit, however, none of those cases involved Qwest. As the

1 Board knows, many did involve Iowa Telecom. From our vantage point, CenturyTel has  
2 a profile that is more like Iowa Telecom was in that it is both much larger in terms of  
3 resources than most non-RBOC rural incumbents, and yet it has much less exposure to  
4 wholesale and enterprise operations, or large-scale competition, than Qwest does. Our  
5 entry was much easier in Qwest markets in Iowa than in those of, for example, Iowa  
6 Telecom.

7  
8 ***SPECIFIC CONCERNS ABOUT THE PROPOSED QWEST-CENTURYLINK MERGER***

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10 **Q. WHAT CONCERNS DOES YOUR EXPERIENCE IN IOWA CAUSE YOU TO**  
11 **HAVE ABOUT THE PROPOSED QWEST-CENTURYLINK MERGER?**

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13 **A.** One of the lessons from the comparison of our entry into Qwest and non-Qwest markets  
14 in Iowa is that there are still many ways incumbents can frustrate competition,  
15 intentionally or otherwise. For ordering, provisioning, porting and other intercarrier  
16 operations, Mediacom continues to face a wide range of approaches and process.  
17 Varying degrees of automation impact speeds and volumes; different interfaces impact  
18 complication and costs; porting or provisioning intervals and firm-order commitments  
19 impact customer satisfaction and rate of market entry, and flexibility and responsiveness  
20 as opposed to rigidity and resistance can be the difference between economic success  
21 and failure, between competing the market versus competing in a complaint case. Qwest  
22 has wholesale processes and support systems that have been long developed and tested  
23 through extensive use. We know that Qwest can and has handled the transition of  
24 customers are high-volumes over Mediacom's rapid growth in Iowa with relatively few  
25 issues. To the best of my knowledge, CenturyLink has been unwilling or unable to give  
26 firm, specific assurances that Mediacom will continue to see the same service quality

1 levels and timely porting or provisioning that we have had from Qwest. That is a real  
2 concern for Mediacom, and should be a red flag for the Board and the Consumer  
3 Advocate as well.

4  
5 **Q. DO YOU HAVE A SPECIFIC EXAMPLE RELEVANT TO THE PROPOSED**  
6 **MERGER?**

7  
8 **A.** Perhaps the clearest example is porting. While Mediacom, owning many of its own local  
9 facilities, has less exposure to certain types of provisioning delays than other competitive  
10 local exchange carriers, we still have to work with the incumbent on porting of customers  
11 that choose Mediacom. As I discussed above, despite our success in Iowa we remain  
12 fairly new to the telephone market here, and we continue to experience and anticipate  
13 significant growth. As a result, we still require frequent, timely, coordinate porting of  
14 customers and phone numbers to meet customer demands. We have flexible, coordinated,  
15 one-day porting from Qwest. It is highly automated, we have never had a volume  
16 constraint, and it has worked well in real-world practice for years now. So it was  
17 disheartening to see – on June 7, 2010, shortly after the merger application was filed with  
18 this Board – CenturyLink file a petition with the FCC to waive its one-day porting  
19 deadline.<sup>1</sup> In that petition, CenturyLink explicitly argues that it requires relief because it  
20 has not yet finished integrating the systems of CenturyTel and Embarq. It is troubling  
21 that CenturyLink believes it appropriate to take on the even bigger task of integrating the  
22 larger carrier, Qwest, before it has completed the integration required by its *last* merger.  
23 CenturyLink is behind the industry, particularly for a carrier of its size, in its inability to  
24 provide one-day porting. Mediacom’s concern, which the Board hopefully shares, is that

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<sup>1</sup> Attached as Exhibit **RM-1**. The FCC provided partial relief in an order released on August 2, 2010.

1 the post-merger CenturyLink-Qwest entity will not use the integration excuse to degrade  
2 the one-day porting where it already exists, as in the Qwest territories in Iowa.

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4 **Q. WHAT IS MEDIACOM ASKING THE BOARD TO DO IN THIS PROCEEDING?**

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6 **A.** Mediacom is asking the Board to protect competition in Iowa. A larger, more dominant  
7 ILEC is in a position to cause greater harm than Qwest is today, and CenturyLink's  
8 record on issues like porting is troubling. A larger ILEC should mean lower costs, better  
9 support, faster service – but there are reasons to believe that may not be the case here.  
10 CenturyLink appears to be taking a substantial time to integrate the smaller CenturyTel  
11 and Embarq. Mediacom believes the concerns about integration degrading the  
12 intercarrier relations that competition relies on is a real issue that the Board should take  
13 very seriously.

14  
15 Specifically, Mediacom respectfully asks that the Board obtain firm, specific  
16 commitments from the Applicants that the merged entity would provide wholesale and  
17 competition-facilitating processes like porting on a basis no less favorable to CLECs than  
18 Qwest provides today, pre-merger. That is, throughout Qwest's Iowa territories, the  
19 merged entity should provide one-day porting, and engage in other provisioning and  
20 order processing with no additional time, no additional costs, no additional forms or  
21 required information, and no loss of flexibility or responsiveness from what Qwest  
22 requires today. Anything less would represent a step backward in a state that has  
23 traditionally been very progressive with regard to competition, choice and service for its  
24 citizens.

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1 **Q. DOES THAT CONCLUDE YOUR TESTIMONY?**

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3 **A.** Yes, and I appreciate the Board's consideration of Mediacom's concerns.