

1 **BEFORE THE**  
2 **NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

3 \_\_\_\_\_ )  
4 )  
5 Petitions of Kearsarge Telephone Co., Wilton )  
6 Telephone Co., Hollis Telephone Co. and ) Docket No. DT 07-027  
7 Merrimack County Telephone Co. for Approval of )  
8 Alternate Form of Regulation )  
9 \_\_\_\_\_ )

10 **REBUTTAL<sup>1/</sup> TESTIMONY OF BETH CHOROSER**

11 **INTRODUCTION AND BACKGROUND**

12 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, EMPLOYER AND**  
13 **CURRENT POSITION.**

14 A. My name is Beth Choroser. My business address is One Comcast Center, 50th Floor,  
15 Philadelphia, PA 19103. I am employed as Executive Director of Regulatory  
16 Compliance for Comcast Cable Communications, LLC.

17 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING?**

18 A. I am testifying on behalf of Comcast Phone of New Hampshire, LLC, d/b/a Comcast  
19 Digital Phone (“Comcast Phone”).

20 **Q. PLEASE SUMMARIZE YOUR EDUCATIONAL AND PROFESSIONAL**  
21 **BACKGROUND.**

22 A. I received a Bachelor of Arts degree from Pennsylvania State University and a Master  
23 of Business Administration from Syracuse University. I have worked in various

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<sup>1/</sup> Consistent with the Commission’s June 15, 2009 Letter to the Parties regarding the Scope of this proceeding, this testimony addresses “evidence of any alleged anticompetitive actions that may have occurred since the Commission issued its Order No. 24,852 on April 23, 2008 . . . .” It is captioned as “rebuttal” testimony to the extent that it is submitted in accordance with the Commission’s schedule for filing testimony in rebuttal to the Testimony of Michael Reed filed on January 29, 2009, but Comcast Phone does not address Mr. Reed’s testimony directly herein.

1 capacities in both the communications industry and the electric utility industry. My  
2 experience includes work in the areas of rates, billing, taxation, regulatory reporting,  
3 tariffs, interconnection, numbering, and overall regulatory compliance. From 1985 to  
4 1988, I worked for New England Electric System as a rate analyst and later as staff  
5 assistant to the Chief Operating Officer. In those roles I performed cost of service  
6 studies and fuel cost studies, and testified before the state commission on fuel cost  
7 charges. I also oversaw budgeting for the Chief Operating Officer. From 1997 to  
8 1999, I was with ATX Telecommunications. Initially I had responsibility for billing  
9 specifications and revenue assurance. Subsequently, I managed the end-user taxation  
10 and regulatory functions. I have been with the Comcast organization since 2000.  
11 From 2000 to 2003, I was the Manager of Regulatory Compliance for the company's  
12 start-up commercial voice business, Comcast Business Communications, LLC. I had  
13 responsibility for tariffs, billing compliance, interconnection, regulatory reporting,  
14 end-user taxation, and surcharging. From 2003 to the present, I have held positions  
15 of increasing responsibility in the company's voice business, including promotion to  
16 my current position.

17 **Q. PLEASE DESCRIBE YOUR CURRENT RESPONSIBILITIES WITH**  
18 **COMCAST PHONE.**

19 A. I am responsible for a wide variety of regulatory matters, including compliance with  
20 both state and federal regulatory requirements. This includes oversight of negotiation  
21 of Interconnection Agreements with incumbent local exchange carriers ("ILECs")  
22 consistent with Section 251 of the federal Communications Act of 1934, as amended

1 (“Act”) on behalf of Comcast Phone and its affiliates that provide regulated  
2 telecommunications services. In this capacity, I have been involved with Comcast  
3 Phone’s efforts to introduce competitive voice service to the residents of the service  
4 areas of Kearsarge Telephone Company d/b/a TDS Telecom (“Kearsarge”),  
5 Merrimack County Telephone Company d/b/a TDS Telecom (“Merrimack”) and  
6 Wilton Telephone Company, Inc. d/b/a TDS Telecom (“Wilton”) (collectively,  
7 “TDS” or “the TDS entities”)

8 **Q. PLEASE DESCRIBE THE BUSINESS OF COMCAST PHONE.**

9 A. Comcast Phone is a Delaware limited liability company with its principal place of  
10 business at One Comcast Center, Philadelphia, PA 19103. It is a telecommunications  
11 carrier registered to provide service in the New Hampshire service area of Fairpoint  
12 f/k/a Verizon New England. In addition, although it was not registered in the TDS  
13 service areas at the inception of this docket, Comcast Phone is now registered in these  
14 service areas. However, as I will discuss in greater detail below, if it were not for  
15 TDS’s concerted efforts to preserve its monopoly status and to prevent Comcast  
16 Phone from obtaining its registration in the TDS service areas, Comcast Phone could  
17 have been registered in the TDS service areas by the spring of 2008. Instead, the  
18 proceeding to consider Comcast Phone’s application for registration did not conclude  
19 until this Commission’s Order in Docket No. DT 08-013 in April of this year.  
20 Comcast Phone still cannot offer service in the TDS service areas pending resolution  
21 of the arbitration pending before the Commission in Docket No. DT 08-162, in which  
22 TDS claims no obligation to interconnect with Comcast Phone based upon the very

1 same arguments regarding Comcast Phone's status as a telecommunications carrier  
2 that the Commission has repeatedly rejected in DT 08-013.

3 **Q. WHAT SERVICES DOES COMCAST PHONE OFFER?**

4 A. Comcast Phone currently offers Business Local Service, a single line business  
5 service; Schools and Libraries Network Service, a high-speed T1 voice and data  
6 service to primary and secondary schools, municipal libraries, and other "e-rate"  
7 eligible institutions; Local Interconnection Service, two-way interconnection with the  
8 public switched telephone network ("PSTN") for the exchange of voice traffic, and  
9 administration of numbering resources, local numbering portability, operator services,  
10 911 emergency calling services, and directory listing and directory assistance  
11 services; and Exchange Access Service for which Comcast Phone has more than two  
12 dozen interexchange carrier customers. These services are offered in the Fairpoint  
13 service area in New Hampshire, proposed to be offered in the TDS service area, and  
14 generally the same as those offered by Comcast Phone's telecommunications carrier  
15 affiliates in other states.

16 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?**

17 A. Pursuant to the June 15, 2009 Secretarial letter in this docket, the purpose of my  
18 testimony is to provide a summary of the anti-competitive conduct in which the TDS  
19 entities have engaged since the Commission issued its Order No. 24,852 in this  
20 docket on April 23, 2008.

1 **COMCAST PHONE'S INTERVENTION IN THIS DOCKET**

2 **Q. WHEN AND WHY DID COMCAST PHONE INTERVENE IN THIS**  
3 **DOCKET?**

4 A. Comcast Phone originally intervened in October of 2007 for the limited purpose of  
5 clarifying the evidentiary record and introducing evidence on the extent of voice  
6 competition, or more precisely, the lack thereof, in TDS's New Hampshire exchanges  
7 where Comcast has broadband facilities. Specifically, on October 12, 2007, Comcast  
8 Phone submitted the pre-filed direct testimony of David Kowolenko, who testified  
9 that Comcast Phone offered only video and high-speed data services to residents  
10 within its footprint in the TDS service areas, but no voice service. Of course, as  
11 noted above and discussed in greater detail below, Comcast Phone still is not able to  
12 provide voice service to customers resident within TDS's service areas in New  
13 Hampshire as a direct result of TDS's conduct.

14 **Q. WAS COMCAST PHONE A PARTY TO THE SETTLEMENT AGREEMENT**  
15 **IN THIS DOCKET?**

16 A. No, Comcast Phone was not a party to the settlement agreement. Comcast Phone  
17 took no formal position as to the ultimate issue of whether or not TDS should be  
18 entitled to alternate regulation. Rather, Comcast Phone's intervention was for a  
19 limited purpose, as discussed above, to clarify TDS's characterization of the  
20 competitive voice options in its footprint. For that reason, Comcast Phone was not a  
21 party to the settlement agreement. However, Comcast Phone participated in several

1 technical working sessions in this docket, and based on those technical sessions and  
2 specific elements of the resulting agreement, it did not object to the settlement.

3 **Q. WHY DID COMCAST PHONE EXPRESS NO OBJECTION TO THE**  
4 **SETTLEMENT AGREEMENT?**

5 A. Comcast Phone believed that the settlement agreement would benefit consumers in  
6 the TDS service areas because it removed potential barriers to entry for competitive  
7 voice service providers such as Comcast Phone. Specifically, under the terms of the  
8 agreement, which was filed with the Commission on December 3, 2007, TDS agreed,  
9 among other things: (1) not to oppose “certification or registration of any company  
10 seeking to do business as a competitive local exchange carrier (“CLEC”) in the  
11 service territories of” TDS; (2) to waive the rural telephone company exemption  
12 under Section 251(f)(1) of the Communications Act of 1934; and (3) to negotiate in  
13 good faith and in an expedited fashion with any CLEC requesting an interconnection  
14 in the TDS service areas. The Commission ultimately approved these terms as to  
15 Wilton and Hollis. In denying Kearsarge’s and Merrimack’s alternate regulation  
16 petition, the Commission urged TDS, on page 30 of Order No. 24,852, “to reduce  
17 market barriers by not opposing CLEC registrations, waiving the rural exemption and  
18 expediting interconnection negotiations, as proposed in the settlement.” It was  
19 Comcast Phone’s belief that these terms would benefit it and consumers in the TDS  
20 service areas by ensuring Comcast Phone, as “any company seeking to do business as  
21 a CLEC” in the TDS service areas, an expedient entry into those service areas. It has  
22 since become clear, however, that TDS had no intention of abiding by these terms of

1 the settlement agreement, at least as to Comcast Phone. As discussed below, TDS  
2 has done exactly the opposite of what the Commission required of Wilton and Hollis  
3 and encouraged of Kearsarge and Merrimack. Instead of removing obstacles to  
4 competition, the TDS companies are taking great efforts to prevent Comcast Phone  
5 from entering into the TDS service areas.

6 **CERTIFICATION EFFORTS**

7 **Q. WHAT EFFORTS HAS COMCAST PHONE UNDERTAKEN TO PROVIDE**  
8 **COMPETITIVE VOICE SERVICES IN THE TDS SERVICE AREAS?**

9 A. On December 12, 2007, Comcast Phone applied for approval of its Form CLEC-10  
10 registering it to provide service in the TDS Companies' service area. Typically,  
11 consideration of a Form CLEC-10 is a streamlined review process lasting only a  
12 matter of weeks pursuant to PUC Rule 431.01 before authorization is granted.  
13 Comcast Phone's application resulted in the opening of Commission Docket No. DT  
14 08-13.

15 **Q. WHAT, IF ANYTHING, DID THE TDS ENTITIES DO AFTER COMCAST**  
16 **PHONE FILED ITS FORM CLEC-10 IN DOCKET NO. DT 08-13?**

17 A. Kearsarge and Merrimack – later joined by Wilton – opposed Comcast's efforts to  
18 obtain certification in the TDS territories. The Commission, in Order No. 24,843,  
19 issued an Order *Nisi* Granting Application, which granted to Comcast Phone the  
20 authority it requested on April 4, 2008. The TDS Companies immediately sought a  
21 stay of Comcast Phone's authorization pending resolution of their petitions for  
22 alternate form of regulation in this docket, and then along with the New Hampshire

1 Telecommunications Association (“NHTA”), of which TDS is a member, opposed  
2 the Order *Nisi* on the basis that the application required extensive factual  
3 investigation. On May 2, 2008, Comcast Phone’s authorization was suspended by  
4 Order 24,854 pending further investigation.

5 **Q. DID ANY FURTHER FACTUAL INVESTIGATION ACTUALLY TAKE**  
6 **PLACE?**

7 A. For all intents and purposes, no. TDS’s claim that factual investigation was needed  
8 proved to be a ruse solely to prolong the hearing schedule. Indeed, after a technical  
9 session, the parties reached agreement on a set of narrow stipulated issues for hearing  
10 by the Commission, waiving an evidentiary hearing. TDS then focused only on two  
11 primarily legal arguments: First, that granting Comcast Phone’s registration did not  
12 serve the public good on the theory Comcast Phone was not a *bona fide*  
13 telecommunications carrier offering services to the public; and second, TDS  
14 continued to advocate that the Commission consider the regulatory status of the  
15 interconnected VoIP service provided by Comcast Phone’s affiliate as part of DT 08-  
16 013, despite the fact that the Commission repeatedly stated that it would not do so in  
17 that docket. Yet TDS continued to claim that the issue required resolution prior to the  
18 allowance of Comcast Phone’s registration.

19 **Q. WAS THERE A FURTHER HEARING ON THE COMCAST CLEC-10**  
20 **APPLICATION?**

21 No. Based on the stipulated facts and briefing, on August 18, 2008, in Order 24,887  
22 the Commission again found that Comcast Phone had met the requirements of the



1 CLEC-10 application and again rejected the TDS and NHTA position on the need to  
2 review regulation of VOIP, stating on page 6 of the Order that “regulatory status of  
3 Comcast IP’s digital voice service is not the subject of this docket and does not bear  
4 on whether we should expand Comcast’s authority to operate in New Hampshire.”  
5 However, the Commission did order a subsequent hearing on whether the  
6 authorization was in the public good. As a result, the parties filed additional  
7 testimony on “public good” pursuant to RSA 374.26. After additional briefing<sup>2</sup>, the  
8 Commission – for the third time – considered Comcast’s CLEC 10 application and  
9 whether it was in the public good.

10 **Q. HOW DID THE COMMISSION RESPOND TO TDS’S ARGUMENTS ON**  
11 **WHETHER COMCAST PHONE’S AUTHORIZATION WAS IN THE**  
12 **PUBLIC GOOD?**

13 A. The Commission again rejected the TDS arguments and affirmatively found that  
14 Comcast Phone’s authorization was in the public good. On February 6, 2009, the  
15 Commission, in Order No. 24,938, for the third time granted authority to Comcast to  
16 offer services in the TDS Companies service areas. On March 6, 2009, Kearsarge  
17 and Merrimack as well as the New Hampshire Telecommunications Association  
18 (“NHTA”) – joined for the first time by Wilton, in contradiction to the terms of the  
19 settlement agreement to which Wilton was bound as a result of the Commission’s  
20 Order No. 24,852 – sought to further delay issuance of Comcast Phone’s certification

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<sup>2</sup> A hearing was ultimately waived by TDS, as reflected by the September 22, 2008 Secretarial letter cancelling the hearing and setting the briefing schedule.

1 by moving for rehearing in a brief that simply rehashed the arguments made and  
2 rejected previously that Comcast Phone was a *bona fide* telecommunications carrier  
3 and again raising concerns about the regulatory status of VoIP.

4 **Q. HOW DID THE COMMISSION ULTIMATELY RESPOND TO THE TDS**  
5 **MOTION FOR REHEARING?**

6 A. The Commission, in Order No. 24,958, denied the motion for rehearing on April 21,  
7 2009, acknowledging on page 12 of that order that “the arguments raised by the [TDS  
8 entities] have either been previously raised and addressed in the Order or are mere  
9 reformulations of previous arguments with no new, previously unavailable evidence  
10 proffered.” This final Order was issued a full 16 months from the time Comcast  
11 Phone filed to register pursuant to the Commission’s streamlined CLEC registration  
12 rules. Ultimately, TDS did not appeal this decision.

13 **Q. IS COMCAST PHONE PRESENTLY OFFERING VOICE SERVICES IN THE**  
14 **TDS COMPANIES SERVICE AREA?**

15 A. No, not yet. Although it is now authorized by the Commission to provide service in  
16 the TDS service areas, Comcast Phone must still enter into an interconnection  
17 agreement with the TDS entities before it can effectively provide a voice service to  
18 customers in the TDS service areas.

**INTERCONNECTION**

1  
2 **Q. WHAT EFFORTS HAS COMCAST PHONE TAKEN TO OBTAIN AN**  
3 **INTERCONNECTION AGREEMENT WITH THE TDS ENTITIES?**

4 A. In April of 2008, Comcast Phone requested to negotiate an interconnection agreement  
5 with TDS pursuant to Section 251 of the Communications Act of 1934 (the “Act”).  
6 Comcast Phone and TDS agreed to use, as the basis for negotiations, the fully  
7 negotiated, executed and approved interconnection agreement between their operating  
8 affiliates for the state of Vermont. Intermittent, but mostly productive negotiations  
9 continued for the next several months. In October 2008, however, after technical  
10 issues related to interconnection had been resolved, TDS raised questions about  
11 Comcast Phone’s telecommunications carrier status. TDS subsequently suspended  
12 negotiations and refused to execute the agreement the parties had negotiated.

13 **Q. WHAT WAS THE SINGLE ISSUE PRESENTED FOR ARBITRATION?**

14 A. The issue in the arbitration in Docket No. DT 08-162 is whether Comcast Phone is a  
15 telecommunications carrier entitled to interconnection rights with TDS under  
16 Sections 251(a)-(b) of the Act. Simply put TDS’s refusal to execute the otherwise  
17 fully-negotiated interconnection agreement is based on the very same argument that  
18 was fully litigated and rejected in Docket No. DT 08-13.

19 **Q. HAS TDS PREVIOUSLY RECOGNIZED COMCAST PHONE’S**  
20 **TELECOMMUNICATIONS CARRIER STATUS?**

21 A. Yes. TDS has recognized Comcast Phone's status as a telecommunications carrier.  
22 Specifically, Comcast Phone requested interconnection with TDS pursuant to Section

1 251 of the Act, and TDS participated in Interconnection Agreement negotiations  
2 under the Act. Indeed, in the letters attached to the Comcast Phone arbitration  
3 Petition as Exhibit A and B, TDS agreed that it was engaging in negotiations with  
4 Comcast Phone for purposes of establishing an Interconnection Agreement under  
5 Section 251 of the Act pursuant to the process outlined in Section 252. It was only  
6 after several months of negotiations to resolve all technical interconnection issues that  
7 TDS raised, in New Hampshire as well as a handful of other states, its argument  
8 about Comcast Phone's status. TDS affiliates have actually entered into  
9 Interconnection Agreements with Comcast Phone's competitive local exchange  
10 carrier affiliates in Tennessee, Indiana, and most recently in Vermont. The Vermont  
11 agreement, which the Vermont Public Service Board approved in August 2008, states  
12 expressly that it was entered into pursuant to Section 251 of the Act. In addition, the  
13 Michigan Public Service Commission recently rejected arguments similar to those  
14 raised by TDS in this proceeding and approved an interconnection agreement  
15 between the TDS and Comcast affiliates in that state. Thus, TDS has already  
16 stipulated that Comcast Phone is a telecommunications carrier entitled to  
17 interconnection and Comcast Phone has taken actions in reliance on that stipulation.

18 **Q. WHAT IS THE CURRENT STATUS OF THE ARBITRATION?**

19 A. The arbitration has been fully briefed, and the parties are awaiting a decision by the  
20 Commission.

1 **Q. IS COMCAST A TELECOMMUNICATIONS CARRIER?**

2 A. Yes. Comcast Phone has fully briefed the matter in Docket No. DT 08-162, and those  
3 are legal arguments I will not repeat here. It should be noted, however, that the  
4 Commission itself issued its Order No. 23,088 in Docket DE 98-208 in which it  
5 approved the certification of Comcast Phone's predecessor to provide service in what  
6 is now Fairpoint territory. It is under this authority that Comcast Phone offers service  
7 in that territory. In addition, in Order No. 24,141 in Docket No. DT 03-012, the  
8 Commission has approved a Section 251 Interconnection Agreement between  
9 Comcast Phone and FairPoint in the state. As discussed above, Comcast Phone  
10 recently registered for and received from the Commission authority to provide service  
11 in the service areas of the TDS entities in Docket No. DT 08-013. Moreover, the  
12 FCC has also determined that Comcast Phone is a telecommunications carrier for the  
13 purposes of Section 222(b) of the Act, which references the rights and obligations of  
14 the very same *telecommunications carriers* (a term defined under the Act) who also  
15 have interconnection rights and obligations under Section 251 of the Act. In addition  
16 to the affirmation of Comcast's Michigan and Vermont CLECs as  
17 telecommunications carriers by the respective state commissions, more than a half  
18 dozen additional states and the United States Court of Appeals for the Eight Circuit  
19 have affirmed the interconnection rights of other telecommunications carriers  
20 similarly situated to Comcast. In light of this overwhelming precedent, one cannot  
21 take seriously TDS's refusal to enter into an interconnection agreement on the basis  
22 that Comcast Phone is not a telecommunications carrier. It is clear that TDS makes

1 this argument solely to preserve the status quo and enjoy its monopoly status for as  
2 long as possible, and not because it genuinely believe in the merits of its claims.

3 **Q. DO YOU THINK THAT TDS HAS ACTED APPROPRIATELY, GIVEN THE**  
4 **COMMISSION’S URGING THAT TDS SHOULD “REDUCE MARKET**  
5 **BARRIERS BY NOT OPPOSING CLEC REGISTRATIONS, WAIVING THE**  
6 **RURAL EXEMPTION AND EXPEDITING INTERCONNECTION**  
7 **NEGOTIATIONS, AS PROPOSED IN THE SETTLEMENT?”**

8 A. No. Based on the events as described above, TDS did not heed the Commission’s  
9 advice. The Commission left this docket open for one year for the purpose of  
10 allowing TDS to introduce new evidence into the record establishing the availability  
11 of competitive alternatives to residents in the Merrimack and Kearsarge service areas.  
12 On page 30 of Order No. 24,852, the Commission clarified that “[a]t any time during  
13 that year, Kearsarge and Merrimack may update their testimony on availability and  
14 the level of competition, if, for example, additional competitors enter those service  
15 territories, or if existing competitors increase their market presence.” TDS did not  
16 submit any evidence of the type envisioned by the Commission in the above quoted  
17 statement, for the simple reason that there is no such evidence to provide. Rather, the  
18 evidence submitted here overwhelmingly establishes that TDS prevented access by  
19 competitors into the Kearsarge and Merrimack territories.

1 **Q. SHOULD THE SETTLEMENT AGREEMENT ENTERED INTO AND**  
2 **APPROVED BY THE COMMISSION IN THIS DOCKET FOR HOLLIS AND**  
3 **WILTON BE EXTENDED TO KEARSARGE AND MERRIMACK?**

4 A. No. TDS' actions in continuing to oppose Comcast Phone's entry into its service  
5 territories based on its unfounded assertions that Comcast Phone is not a  
6 telecommunications provider means – without a doubt – that it is TDS's position that  
7 the terms of the settlement agreement, in particular those guaranteeing reduced  
8 barriers market entry to CLECs, do not apply to Comcast Phone. Permitting TDS to  
9 obtain reduced regulation as a result would be a grave mistake – one that harms not  
10 only Comcast Phone, but consumers in the TDS service territories seeking  
11 competitive alternatives.

12 **CONCLUSION**

13 **Q. DO YOU HAVE ANY FURTHER COMMENTS FOR THE COMMISSION?**

14 A. Comcast Phone is committed to bringing the benefits of its voice service to all areas  
15 in which its broadband service is available, not just customers in highly populated  
16 areas. To that end, Comcast Phone has, for the past 16 months, expended  
17 considerable time and money to extend into the TDS service areas in order to provide  
18 residents who have long had only one choice for telephone service with a competitive  
19 alternative. Rather than focus on upgrading its facilities and services to meet the  
20 competition that is coming from Comcast Phone—and perhaps others—head on, TDS  
21 has instead sought to maintain its monopoly for as long as (and by any means)  
22 possible. As a result, consumers in the TDS areas in New Hampshire lose out on the

1 competitive voice service that their fellow New Hampshire residents have long been  
2 able to obtain in Fairpoint's service area in the state.

3 Throughout this proceeding and others, TDS has argued at length that  
4 Comcast Phone and other providers of VoIP service enjoy an unfair competitive  
5 advantage because they are regulated differently from TDS. Yet when given the  
6 opportunity to receive an alternate form of regulation in order to alleviate some of the  
7 burdens TDS claims are placed upon it, TDS seeks all the benefits of such alternate  
8 regulation without showing any willingness to accept the burden of competition.  
9 New Hampshire law, specifically RSA 374:3-b(III), establishes the presence of  
10 competition and the "promot[ion] . . . of innovative telecommunications services in  
11 the state" as prerequisites to any alternate regulation plan. TDS cannot on the one  
12 hand obtain alternate regulation and on the other hand stifle Comcast Phone's entry  
13 into its service areas. If TDS continues to insist on retaining its monopoly status,  
14 there is no ground for the Commission to grant TDS's petition in this docket.

15 **Q. DOES THAT CONCLUDE YOUR DIRECT TESTIMONY?**

16 A. Yes it does.