



David Chessler and Associates

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Biographical Information

David Chessler, Ph.D.
President, Project Director, Senior Economist

Dr. David Chessler is president of a telecommunications consulting firm in Bethesda, Maryland. The firm, David Chessler and Associates, does economic analysis of issues of government policy in telecommunications, competition, technology and computerization, addressing the engineering and accounting aspects of these issues as well. Dr. Chessler performs the analyses in support of regulatory policy, and competitive and antitrust analysis. He also advises clients on regulatory accounting and cost accounting for telephone companies, to help develop pricing policies, rate schedules, and tariffs. In formal proceedings, he provides expert support in the fields of economics, statistics, and telecommunications cost accounting and pricing.

COMPETITION, MARKETS AND RATEMAKING

Alternative Forms of Regulation

Dr. Chessler has presented testimony in “alternative forms of regulation” dockets in Maryland, Florida, and Virginia. He has testified on a large number of issues concerning competition, appropriate pricing, anticompetitive tariff provisions, and other regulatory concerns.

Dr. Chessler prepared a report, *The First and Current Competitive Eras in Telecommunications: Lessons from History and Limits of Antitrust Policy Today*, for the NRRI. The report covers consumer protections and pro-competitive protections “beyond conventional regulation” that may continue to be necessary during the transition to competition, or in utilities industries in which some segments may be workably competitive and some may remain with tight oligopolies or dominant firm market structures, or may even remain monopolized.

Competition and Deregulation

Dr. Chessler was at the National Regulatory Research Institute from 1983 to 1986. At NRRI he did research into the new structure of the telecommunications industry, and intercorporate relations in the Bell Regional Holding Companies. He wrote several monographs and articles on the issue of the relations between state commissions and the regional holding companies. He completed reports on the Yellow Pages market (including electronic Yellow Pages), and the non-traditional, unregulated activities of the Bell companies. He also supervised research on “bypass,” “smart buildings,” and the national and state exchange carriers associations.

Dr. Chessler testified before the Virginia Corporation Commission on criteria for determining the extent of a market, and whether a market is competitive. For this assignment he developed a series of checklists that could be used by analysts evaluating a market.

Dr. Chessler prepared a handbook for state commissions addressing competitive issues under the Telecommunications Act of 1996. NRRI published this as *Determining Whether Competition is "Workable": A Handbook for State Commissions Making Assessments Required by the Telecommunications Act of 1996*, and distributed it to all state commissions in July, 1996. Since this publication, Dr. Chessler has been advising the Rhode Island Public Utilities Commission on the implementation of the Telecommunications Act. He has drafted a Notice of Proposed Rulemaking on arbitrations, a Notice of Inquiry on avoided cost and wholesale discounts, and the Commission's comments to the FCC on the Recommended Decision of the Joint Board in the Universal Service Docket, 96-45. He has also assisted the Commission with comments on arbitrations, and on positions taken by various parties. He has also helped advise the commissions in Delaware, the District of Columbia, Kansas, and North Dakota on these issues, assisting Mr. Smith of Larkin and Associates, Certified Public Accountants.

David Chessler wrote the comments of the Separated Staff of the Maine Public Utilities Commission in a docket to determine whether intrastate toll competition should be permitted, and what conditions should be imposed on any such permission. He prepared several studies of extended area local service for the Maryland Public Service Commission. He testified on access charges for the Arizona Residential Utility Office, and on productivity for the Maryland Public Service Commission.

Most recently, Dr. Chessler assisted in the preparation of a report on the engineering and economic aspects of modernizing the telecommunications sector in Egypt. The report covers technical aspects of installing and using a modern fiber-optic network, as well as economic and technical aspects of "unbundling," and the creation of a business plan to permit Telecom Egypt to be a successful "wholesale" supplier to other segments of the industry. It also deals with economic issues concerned with making Egypt a regional "hub" for telecommunications and internet services, and with the application of a "universal service fund" to be created by proposed legislation. The universal service fund will be used to improve "teledensity" (number of telephone lines per hundred population) and "teleaccessibility" (number of residential lines per hundred households).

Universal Service

For the Vermont Public Service Commission, Dr. Chessler recently completed a study of the embedded and incremental costs of basic service in eighty-two exchanges. This study will be the basis for cost estimates when the legislature considers establishing a fund to subsidize service in the high cost, rural exchanges in Vermont.

For the Rhode Island Public Utilities Commission, Dr. Chessler drafted the Commission's comments to the FCC on the Recommended Decision of the Joint Board in the Universal Service Docket, 96-45.

For the staff of the Regulatory Commission of Alaska, Dr. Chessler prepared testimony on the Rate Design of the Matanuska Telephone Association. A major issue was the application of the Universal Service Fund to various services, and permissible and impermissible uses of Universal Service Fund monies for basic and competitive services.

Accounting and Cost of Service

Dr. Chessler was at the Federal Communications Commission for eleven years. At the FCC, he first spent a year studying Western Electric's prices. Dr. Chessler then transferred to the Economics Division of the Common Carrier Bureau, where he headed the group doing research in pricing and the analysis of domestic demand. He then had several assignments with the "Cost Analysis Task Force," and eventually spent three and one-half years developing the new Uniform System of Accounts for Telephone Carriers: he wrote the Notice of Proposed Rulemaking and the First Supplemental Notice. Dr. Chessler's last FCC assignment was with the Enforcement Division of the Common Carrier Bureau, where he helped develop a system of cost accounting as part of the implementation of the Commission's decision in the Second Computer Inquiry. While at the FCC he wrote several published articles on the 1982 Consent Decree and divestiture.

While Dr. Chessler's was at the National Regulatory Research Institute (NRRI) he prepared an extensive analysis of state commission choice of costing methodologies. An abridgement of this study was published by NRRI.

Dr. Chessler prepared a cost study of Anchorage Telephone Utility for the Alaska Public Utilities Commission, and presented testimony on it, as well as issues of competition, CENTREX service, private line service and rate design.

Dr. Chessler completed a major project to develop a new method of performing long run marginal cost studies in the telephone industry. This work was sponsored by the Michigan Divestiture Research Fund, and has been published by the Communications Division of the Michigan Public Utilities Commission.. While at NRRI, Dr. Chessler began a similar project for the California Public Utilities Commission.

More recently, Dr. Chessler prepared two studies of the "avoided costs" of Ameritech Indiana and GTE of Indiana on behalf of the Indiana Office of Utility Consumer Counselor. These studies, which was done on an accounting basis, but using some unique statistical methods (econometric analyses of Ameritech's and GTE's avoided costs), determined the costs that Indiana Bell and GTE of Indiana would avoid if it were to offer its "retail services" at wholesale to resellers as required by the United States Telecommunications Act of 1996. Dr. Chessler prepared written pre-filed testimony on these matters, and on the discount that should be granted to resellers of local exchange services.

For the Maryland Public Service Commission, Dr. Chessler recently completed reviews of Bell Atlantic's local service costs, including the alleged differences in cost between serving residential and business customers, and between serving urban and rural customers.

INTERNATIONAL EXPERIENCE

From 1985 to 1989, Dr. Chessler advised the Board of Commissioners of Public Utilities of Nova Scotia, Canada, on telephone accounting, competition and related matters. His work included negotiating with the telephone carrier, reviewing proposals and studies provided by the company, and writing reports. This work continued for four years, usually involving monthly trips to Halifax, Nova Scotia.

Dr. Chessler prepared a report for a Canadian joint Federal-Provincial inquiry (the "Sherman Inquiry"). The report dealt with competition in the long-distance market in the United States and its effect upon productivity trends, costs, and related matters. The report was published by the Canadian Radio-television and Telecommunications Commission. He has testified regarding his conclusions in Maryland, and made presentations to the NARUC staff subcommittees on communications and economics.

Subsequently, Dr. Chessler has advised Bell Canada on productivity. He prepared a report, and presented it to vice-presidents and regional and departmental chiefs.

Recently Dr. Chessler helped prepare a course on regulatory accounting for the Arab Republic of Egypt National Telephone Organization (ARENTO). This course was directed at helping the Egyptians modernize their accounting systems, convert them from socialist accounting to International Telecommunications Union (ITU) accounting, and prepare for privatization and for international competition. The course was given in Cairo to department heads at ARENTO, and Dr. Chessler personally delivered several of the sessions. The project was financed by the United States Agency for International Development (US AID).

More recently, Dr. Chessler assisted in the preparation of a strategic plan for the Minister for the modernization of the Egyptian telecommunications infrastructure, public and private, in Egypt. He was a sub-contractor to General Dynamics, prime contractor and long-term consulting firm to the Ministry of Communications and Information Technology in Egypt, and also to Telecom Egypt, the telephone company (and successor to ARENTO). The project was financed by the United States Agency for International Development (US AID).

Currently, Dr. Chessler is preparing several reports for implementation of parts of the master plan for telecommunications in Egypt. He is working as a subcontractor to General Dynamics on a project sponsored by US AID.

OTHER RELEVANT EXPERIENCE

Valuation, Merger, and Divestiture

Dr. Chessler prepared direct and surrebuttal testimony for the Arizona Corporation Commission analyzing the effects of the proposed merger of Qwest and U S West upon competition in Arizona. The testimony also covers quality of service, and appropriate measures and incentives for U S West to improve its service quality after the merger. He testified in Phoenix on April 28, 2000. He also assisted in the analysis of U S West's proposal to create an unregulated "broadband" subsidiary to provide services such as television over the local loop.

Dr. Chessler assisted in the review of U S West's divestiture of sixty-eight rural telephone exchanges. He evaluated how the jurisdictionally assigned costs and toll revenues would be affected by their transfer from a large Bell company to a small independent, and how this would affect consumer rates.

While at the FCC, Dr. Chessler participated in the review of the breakup of the Bell System in 1983, paying particular attention to the effects it would likely have on rates for local and toll service under the jurisdictional cost separations procedures then in effect.

Other Related Experience

While at the FCC Dr. Chessler also taught courses in Public Utilities Economics and Government and Business in the Department of Business and Public Administration of the University of Maryland.

While writing his dissertation, and before going to the FCC, he taught economics and statistics at several branches of the City University of New York.

EMPLOYMENT CHRONOLOGY

1986 to present	Independent telecommunications consulting practice. President of David Chessler and Associates.
1983 to 1986	National Regulatory Research Institute. Acting Associate Director for Telecommunications Research and Senior Research Specialist.
1972 to 1983	U.S. Federal Communications Commission. Various positions as Economist, Senior Economist, and Senior Accountant.
1973 to 1980	University of Maryland, University College. Adjunct Lecturer at the Associate Professor Rate.
1970 to 1972	Hunter College, City University of New York. Lecturer in Economics.
1969 to 1970	Lehman College, City University of New York. Lecturer in Economics.
1968 to 1969	Queens College, City University of New York. Part-time Lecturer in Economic Statistics

EDUCATION

David Chessler received his bachelors and doctoral degrees from Columbia University. He wrote his dissertation, *Price Discrimination by Electric Utilities and the Effect of State Commission Regulation on the Rate Structure*, with Professor Donald J. Dewey.

PROFESSIONAL AFFILIATIONS

American Economic Association
Transportation and Public Utilities Group
Omicron Delta Epsilon National Honor Society in Economics
National Economists Club

LANGUAGES

English: native speaker
French: World Bank “advanced” level
German: World Bank “intermediate” level

Publications List

Publications and Presentations:

“Contraception and Female Job Choice and Career Prospects,” *Annals of the New York Academy of Science*, Vol. 175, No. 3 (October, 1970).

Price Discrimination by Electric Utilities and the Effect of State Commission Regulation on the Rate Structure, Columbia University Ph.D. Dissertation (Ann Arbor: University Microfilms, 1974).

“Comment (paper on ‘The Effects of Declining Growth Rates on Resource Allocation in American Educational Systems’),” Atlantic Economic Association (September 13, 1975).

“Comments (three papers on the demand for communications services),” in Harry M. Trebing, ed., *Assessing New Pricing Concepts in Public Utilities* (East Lansing: Division of Research, Graduate School of Business Administration, Michigan State University, 1978).

“Functional Cost Accounting and New Information Systems for Communications Regulation,” NARUC Annual Regulatory Studies Program, Michigan State University (August 4, 1978).

“Comment (paper on ‘Productivity and Vertical Integration in Telecommunications’),” Transportation and Public Utilities Group, American Economic Association (August 29, 1978).

“Comment (three papers on pricing responses to competition in telecommunications),” in Harry M. Trebing, ed., *Challenges for Public Utility Regulation in the 1980s* (East Lansing: Division of Research, Graduate School of Business Administration, Michigan State University, 1981).

“Information Requirements in a Competitive Environment,” in Harry M. Trebing, ed., *Diversification, Deregulation and Increased Uncertainty in the Public Utility Industries* (East Lansing: Division of Research, Graduate School of Business Administration, Michigan State University, 1983).

“The 1982 Consent Decree and the Future of the Telephone Industry,” *Public Utilities Fortnightly*, Vol. 109, No. 5 (March 4, 1982).

“Accounting and Information Changes for Ratemaking and Separations after the 1982 Consent Decree,” in Daniel Z. Czamanski, ed., *Proceedings of the Third NARUC Biennial Regulatory Information Conference* (Columbus: National Regulatory Research Institute, 1982).

Publications and Presentations (continued):

“Jurisdictional Issues in the 1982 Consent Decree,” Transportation and Public Utilities Group, American Economic Association (December 28, 1982).

Comments on the NYPSC/NECPUC Investigation of Relations Among Bell Operating Companies, Their Regional Holding Companies and the Central Services Organization (Columbus: National Regulatory Research Institute, 1984).

“Suggestions for a Sample Project Plan for an Investigation by a State Commission into Relations Among A Bell Operating Company, the Central Services Organization, and Certain Other Entities,” Report to the NARUC Committee on Communications (Columbus: National Regulatory Research Institute, 1984).

“Appropriate Strategies for Regulating the Bell Regional Holding Companies and Bell Communications Research, Inc.,” in *New Directions: State Regulation of Telecommunications: Symposium Proceedings* (Olympia: Washington State Legislature, Joint Select Committee on Telecommunications and University of Washington, Graduate School of Public Affairs, 1984).

“Emerging Issues in Telecommunications Investment Decisions,” in Raymond W. Lawton, ed., *Proceedings of the Fourth NARUC Biennial Regulatory Information Conference, Vol. II* (Columbus, Ohio: National Regulatory Research Institute, 1984), with Anthonios Conostas.

“The Bypass Controversy in Telecommunications,” New Mexico State University and New Mexico Public Service Commission, Seventh Annual Utilities Conference (September 28, 1984).

“New Directions in Structural Regulation In Telecommunications,” Transportation and Public Utilities Group, American Economic Association (December 29, 1984).

Options in Accounting for Telephone Service Costs: Report to the Board of Commissioners of Public Utilities of Nova Scotia (Columbus: National Regulatory Research Institute, 1985).

“The Choice Between Accounting and Structural Approaches to Regulation,” Institute of Internal Auditors (October 7, 1985).

“Access Charges and Bypass,” *Communications Networks '86* (January 29, 1986), reprinted by National Regulatory Research Institute (Columbus: National Regulatory Research Institute, 1986).

Publications and Presentations (continued):

“Yellow Pages Subsidiaries of the Bell Regional Holding Companies,” *National Regulatory Research Institute Quarterly Bulletin*, Vol. 7, no. 1 (January, 1986).

Unregulated Enterprises of the Bell Regional Holding Companies (Columbus: National Regulatory Research Institute, 1986), with Brian K. Clark and Li-Kung Ferng.

Proceedings of: The Future of the Public Switched Network, reported with Michael Dworkin for The Communications Committee of the National Association of Regulatory Utility Commissioners and the Amos Tuck School of Business Administration, April 7–11, 1986 (Montpelier, Vermont: Vermont Public Service Board, 1986).

State Commission Choice of Costing Methods for Telecommunications: Widespread Acceptance of the Marginal Cost Concept; Limited Acceptance of Marginal Cost Studies, with Li-Kung Ferng (Bethesda, Md.: David Chessler and Associates, 1986). Abridged as “On the Limited Acceptance of Marginal Cost Pricing in Telephone Regulation,” in Jane L. Racster, ed., *Issues in Regulating Imperfectly Competitive Telecommunications Markets* (Columbus: National Regulatory Research Institute, 1986).

“The Public Interest and the Affiliates of the Bell Regional Holding Companies,” Utah Public Service Commission, Third Annual Conference on State Utility Regulation, Salt Lake City (February 2, 1987).

“Evaluating Alternative Non-traffic-sensitive Recovery Plans, Pooling, and Nationwide Rate Averaging from an Economist’s Perspective”, in Richard L. Wallace, ed., *Proceedings of the Thirteenth Annual Rate Symposium: Pricing Electric, Gas and Telecommunications Services, Today and For the Future*, February 10, 1987 (Columbia, Mo.: Institute for the Study of Regulation and University of Missouri—Columbia, 1987).

“The Public Interest and Diversification by the Bell Regional Holding Companies,” Phillips Publishing, *Cashing in on Diversification: Winning Strategies in the New Telecommunications Marketplace* (April 23, 1987).

The Long Run Marginal Costs of the Michigan Bell Telephone Company: A statistical and econometric analysis, with Dr. Boyd L. Nelson (Lansing: Communications Division, Michigan Public Service Commission, 1991).

Determining Whether Competition is “Workable”: A Handbook for State Commissions Making Assessments Required by the Telecommunications Act of 1996 (Columbus, Ohio: The National Regulatory Research Institute, 1996.)

Publications and Presentations (continued):

“Telephone Accounting,” Presentation for Arab Republic of Egypt Telephone Organization (ARENTO), with Roger Guichard and Farouk Haridy (Cairo, Egypt: United States Agency for International Development (US AID), January, 1997).

The First and Current Competitive Eras in Telecommunications: Lessons from History and Limits of Antitrust Policy Today, Report 02–06 (Columbus, Ohio: The National Regulatory Research Institute, March, 2002). Available at: <http://www.nrri.ohio-state.edu/phpss113/search.php?focus=02-06&select=Publications>

Reports for Clients:

Data Services: Regulation, Deregulation, Costing and Accounting, Report to the Board of Commissioners of Public Utilities of Nova Scotia (Bethesda, Md.: David Chessler and Associates, October 15, 1987).

CENTREX Service: Decline, Regrowth, Markets, Costing, and Accounting, Report to the Board of Commissioners of Public Utilities of Nova Scotia (Bethesda, Md.: David Chessler and Associates, January 5, 1988).

The Effect of Toll Competition on Prices, Costs and Productivity of the Telephone Industry in the United States, Report to the Canadian Radio-television and Telecommunications Commission and the Joint Federal-Provincial Examination of Competition in Public Long Distance Telephone Service (Hull, Que.: Canadian Radio-Television and Telecommunications Commission, December, 1988, and Bethesda, Md.: David Chessler and Associates, January, 1989).

Strategic Plan: Egyptian Telecommunications Infrastructure Master Plan. With Mr. Ahmed Abdelal, Dr. Ahmed Abdelmonem, Mr. Haidar Chamas, Dr. Aly Elrefaie, Mr. Hossam Elsherif, Dr. Mohamed L. Elsayed, Mr. Hussein Elsayed, Ms. Maryam Kermani, Dr. Mohammad Meky, Mr. Hassan Omar, and Dr. Tarek Saadawi. Report to the Minister of Communications and Information Technology of the Arab Republic of Egypt. (Paterson, NJ: Infocom Technologies, Inc., July, 2000.) <http://www.ahram.org.eg/weekly/2000/493/ec2.htm>

Documents and Testimony:

First Supplemental Notice of Inquiry, Docket 20003 (Economic Effects of Policies on Competition), Appendix B, 50 FCC 2nd 544 (December 17, 1974).

Recommended Decision of the Chief of the Common Carrier Bureau, Docket 18128 (Private Line Rate Cases), 41 FR 4320 (January 29, 1976).

First Report, Docket 20003, 61 FCC 2nd 766 (September 27, 1976).

Notice of Proposed Rulemaking, CC Docket 78-196 (Revision of the Uniform System of Accounts), 70 FCC 2nd 719 (July 21, 1978).

First Supplemental Notice of Proposed Rulemaking, CC Docket 78-196, FCC mimeo 79-479 (August 9, 1979).

Documents and Testimony (continued):

Second Report and Order, Docket 20003, 75 FCC 2nd 506 (January 29, 1980).

Comments of the Commission Staff, Maine Public Utilities Commission, Docket 85-197 (Investigation of Competition in Telecommunications Industry in Maine), (October 17, 1986).

Reply Comments of the Commission Staff, Docket 85-197 (November 21, 1986).

Cost Trends in the Telephone Industry, Testimony on Behalf of the Division of Rate Research and Economics, Maryland Public Service Commission, Case No. 8106 (June 6, 1988).

Extended Area Service in Maryland: Analysis of C&P's Report and Supplemental Report to the Commission Dated February, 1989, and April 21, 1989, with Recommendations, with William Fenton, Richard Gabel, and Dr. Boyd L. Nelson. Maryland Public Service Commission Case Number 8026, Staff Comments (May 5, 1989).

Rate Structures for Access Charges Paid by Interexchange Carriers, Testimony on Behalf of the Arizona Residential Utility Consumers Office, Arizona Corporation Commission, Case No. U-1954-88-184 (May 9, 1989).

Comments of the Commission Staff, Maryland Public Service Commission Case Number 8026 (March 23, 1990).

Direct Testimony on Behalf of American Association of Retired Persons on Productivity, Rate Caps, Competition, Extended Area Service, Rate Design, Florida Public Service Commission Docket No. 920260-TL (Southern Bell Telephone Company) (November 16, 1992).

Prefiled Testimony on Cost of Service, Rate Design, Cost Measurement, Fixed and Variable Costs, and other issues, on behalf of the Staff of the Alaska Public Utilities Commission, In the Matter of the Consideration of the Cost-of-Service Studies and Rate Design of the Municipality of Anchorage d/b/a Anchorage Telephone Utility, Docket U-92-6 (November 18, 1992).

Prefiled Supplemental Testimony on CENTREX Service, Alaska Public Utilities Commission, Docket U-92-6 (December 11, 1992).

Prefiled Supplemental Testimony on Private Line Service, Alaska Public Utilities Commission, Docket U-92-6 (January 15, 1993).

Prefiled Testimony, Developing and Preparing Criteria for Determining Whether Services are "Competitive" under the Provisions of the Code of Virginia, Virginia State Corporation Commission, Case Number PUC920029 (November 4, 1993).

Documents and Testimony (continued):

Review of Bell Atlantic's Incremental and Embedded Cost Studies of the Differences in Cost of Providing Basic Local Service to Urban and Rural Counties and to Business and Residential Customers, Maryland Public Service Commission, In Response to Order No. 71155, Case No. 8584, Phase II, (October 26, 1995), with Boyd L. Nelson.

Analysis of NYNEX's Embedded Cost of Local Exchange Service in Eighty-two Exchanges in Vermont in Support of the Development of a High Cost Fund for Vermont (January 15, 1996), with Boyd L. Nelson and Linda C. Kalver.

Prefiled Testimony, Rate Design for Southwestern Telephone Company, Arizona Residential Utility Consumer Office, before the Arizona Corporation Commission, Docket No. E-1072-97-067 (August 6, 1997).

Prefiled Surrebuttal Testimony, Rate Design for Southwestern Telephone Company, Arizona Residential Utility Consumer Office, before the Arizona Corporation Commission, Docket No. E-1072-97-067 (September 22, 1997).

Prefiled Testimony, Rate Design for Arizona Telephone Company, Residential Utility Consumer office, before the Arizona Corporation Commission, Docket No. E-2063-97-329 (December 19, 1997).

Prefiled Testimony, Avoided Costs of Ameritech Indiana, Office of Utility Consumer Counselor, before the Indiana Utility Regulatory Commission, Cause No. 41055 (July 22, 1998).

Prefiled Testimony, Avoided Cost Discount for GTE in Indiana, Indiana Office of Utility Consumer Counsellor, before the Indiana Utility Regulatory Commission, Cause No. 41117 (October 15, 1998).

Prefiled Rebuttal Testimony, Avoided Cost Discount for GTE in Indiana, Indiana Office of Utility Consumer Counsellor, before the Indiana Utility Regulatory Commission, Cause No. 41117 (January 27, 1999).

Prefiled Direct Testimony, Competitive and Quality of Service Issues in the Proposed Merger of Qwest and U S West, before the Arizona Corporation Commission, Docket No. T-0151B-99-0497 (March 24, 2000).

Prefiled Surrebuttal Testimony, Competitive and Quality of Service Issues in the Proposed Merger of Qwest and U S West, before the Arizona Corporation Commission, Docket No. T-0151B-99-0497 (April 14, 2000).

Prefiled Direct Testimony, Rate Design for Matanuska Telephone Association, before the Regulatory Commission of Alaska, Docket No. U-00-28, April 9, 2001.