

EXHIBIT A

OrbitCom's Reply Brief Argument	Verizon's Initial Brief Argument	Rationale for Inclusion
<p>p. 2 – Final Paragraph (Verizon bears the burden of proof that OrbitCom had sufficient call detail available to it to bill jurisdictionally)</p> <p>p. 3 – Final Paragraph (Verizon has not shown OrbitCom had Sufficient Call Detail)</p> <p>p. 4 – Middle Paragraph (OrbitCom did not have sufficiently detailed information to bill jurisdictionally)</p> <p>p. 5 – Last Two Paragraphs (EMI records do not present sufficient detail to bill)</p> <p>p. 7 – Middle Paragraph (Information in records insufficient to bill)</p> <p>p. 10 – (Verizon failed to establish OrbitCom had sufficient call detail)</p>	<p>p. 2 – “OrbitCom did not comply with the provisions of its own tariff[.]”</p> <p>p. 3 – OrbitCom failed to follow § 3.4 of its tariff</p> <p>p. 4 – Verizon stated that “actual call detail is the most accurate and reliable indicator” and should be used for billing purposes.</p> <p>p. 5 (middle paragraph) – Verizon argued that OrbitCom receives call detail records from Qwest.</p> <p>p. 7 – OrbitCom has misconstrued the language of its tariff in attempts to avoid responsibility for following it.</p>	<p>Verizon argued that OrbitCom did not bill in accordance with its tariff and therefore Verizon owes it no compensation for the traffic at issue. OrbitCom’s tariff defines the responsibilities of OrbitCom and its customers. Both parties have responsibilities thereunder. The law sets forth which party bears the burden of proof in regard to establishing the truth and accuracy of the allegations set forth in its complaint of its counterclaims. The Commission can make a determination as to whether that burden has been properly met by the parties who bear it.</p>
<p>p. 5 - Discussion of Exhibits LF 32 and LF-33</p> <p>pp. 14-15 – analysis of Verizon’s Exhibits LF 32 and LF 33</p> <p>p. 16 - same</p>	<p>p. 11, Section 4 – OrbitCom failed to justify the specific jurisdictional factors which it used to bill Verizon.</p> <p>p. 13 (last two paragraphs) – Verizon produced specific and supported data that disproves the PIU factors OrbitCom used to bill Verizon. OrbitCom failed to respond to or rebut Verizon’s evidence.</p>	<p>In its brief, Verizon argued that OrbitCom failed to establish that its PIUs were valid and further failed to produce any evidence that Verizon’s analysis was flawed. The argument and analysis of Verizon’s actual numbers were a direct response to Verizon’s allegation that OrbitCom failed to produce evidence and failed to respond to</p>

	<p>p. 17 – OrbitCom offered no proof of the PIU factors it used to bill Verizon.</p> <p>p. 23 – Verizon argued that it alone presented analysis of call detail records.</p> <p>p. 26 – Verizon argued that OrbitCom’s criticisms of its PIU analysis were invalid.</p>	Verizon’s pre-filed testimony and exhibits.
p. 7 – mileage component	p. 34 - Verizon argued that OrbitCom billed Verizon at a composite rate that does not appear in its tariff.	<p>-Verizon argued they provided sufficient information to determine accuracy of dispute</p> <p>-OrbitCom pointed out what Verizon’s dispute actually was</p>
p. 8 – 60 day dispute period outlined in tariff	p. 8 (last para.) – provisions of OrbitCom’s tariff are binding on it.	OrbitCom’s tariff defines the responsibilities of the carrier and the customer. It is binding on the carrier and customer alike.
pp. 9-10 – retroactive application of PIU factor	p. 8 (last para.) – provisions of OrbitCom’s tariff are binding on it.	<p>Verizon argued that it provided a PIU.</p> <p>Additionally, this argument was again a direct response to Verizon’s argument that OrbitCom’s tariff is binding. OrbitCom’s tariff also contains a provision regarding how a PIU provided by a customer is to be applied.</p>
pp. 12 -13 – Verizon’s own exhibits validate OrbitCom’s PIU	p. 14 – Verizon was the only party to produce verifiable data.	In its brief, Verizon argued that OrbitCom failed to establish that its PIUs were valid and further failed to produce any evidence that Verizon’s analysis was flawed. The argument and analysis of Verizon’s actual numbers were a direct response to Verizon’s allegation that OrbitCom failed to produce evidence

		and failed to respond to Verizon's pre-filed testimony and exhibits.
p. 12, fn 6 – describing OrbitCom's bills as containing call detail information	pp. 20-23 - Verizon argued that it made numerous requests for CDR data, all of which were allegedly refused by OrbitCom. Verizon further argued that OrbitCom offered no explanation for its refusal to provide the information requested by Verizon. Verizon further argued that OrbitCom did not provide any call detail information.	Again, a response to Verizon's accusations that OrbitCom destroyed evidence or refused to produce evidence to Verizon because it knew it would be bad. Again, Verizon argued that it needed CDRs because it didn't have enough information and the CDRs were the only documents that would assist in validating OrbitCom's PIU. Moreover, that argument was made at the time of the hearing and is nothing new or surprising.
p. 14 - Verizon's records lack foundation p. 20 – Verizon's did not provide source records	p. 14 – Verizon argued it was the only party that produced any evidence about actual call detail. p. 16 (middle paragraph) – Verizon argued it produced substantial specific data based on an analysis of its long distance records.	In its initial brief, Verizon indicated that none of OrbitCom's arguments could be considered because OrbitCom failed to introduce the call detail records. References to the foundation for Verizon's own records was therefore a direct response to the assertion that if OrbitCom's numbers lack foundation, so do Verizon's. There was discussion of this as well at the time of the hearing during Mr. Powers' cross-examination.
p. 25 and 29 – Examination of LF 42	p. 33 – 34 ; p. 36 - Verizon argues that OrbitCom failed to produce any evidence that it performs the tandem switching function or that it can bill for it. Verizon	In its brief, Verizon argued that OrbitCom failed to establish that its PIUs were valid and further failed to produce any evidence that Verizon's analysis was

	<p>further argues that the existence of the QLSP is irrelevant.</p> <p>p. 40 – Verizon argues that it produced documented evidence that all of its long distance traffic traverses DEOTs.</p>	<p>flawed. The argument and analysis of Verizon’s actual numbers were a direct response to Verizon’s allegation that OrbitCom failed to produce evidence and failed to respond to Verizon’s pre-filed testimony and exhibits.</p>
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