

Edward T. Depp
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April 17, 2014

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APR 17 2014

PUBLIC SERVICE
COMMISSION

Via Hand Delivery

Hon. Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, KY 40601

Re: In the Matter of AT&T Corp. v Mountain Rural Telephone Cooperative Corp., and Thacker Grigsby Telephone Co., Inc., Case No. 2013-00392

Dear Mr. Derouen:

With this letter I am enclosing one (1) original and eleven (11) copies of Defendants' Initial Requests for Information to AT&T Corp. in the above-referenced matter.

Please return a file stamped copy to our courier.

Thank you, and if you have any questions, please call me.

Sincerely,

DINSMORE & SHOHL LLP

Edward T. Depp



ETD/kwi

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

IN THE MATTER OF:

AT&T CORP.)

COMPLAINANTS)

v.)

MOUNTAIN RURAL TELEPHONE)
COOPERATIVE CORP.)

DEFENDANT)

v.)

THACKER-GRIGSBY TELEPHONE CO., INC.)

DEFENDANT)

APR 17 2014

PUBLIC SERVICE
COMMISSION

CASE No. 2013-00392

DEFENDANTS' REQUESTS FOR INFORMATION TO AT&T CORP.

Defendants Mountain Rural Telephone Cooperative Corporation, Inc. ("Mountain Rural") and Thacker-Grigsby Telephone Co., Inc. ("Thacker-Grigsby") (collectively, the "Rural Carriers"), by counsel and pursuant to the March 10, 2014 Order entered by the Public Service Commission of the Commonwealth of Kentucky (the "Commission") in this matter, hereby submit the following requests for information upon AT&T Corp. ("AT&T"). These requests for information shall be answered in accordance with the Commission's March 10, 2014 Order.

DEFINITIONS

1. The word "you" and "your" mean AT&T Corp. and its attorneys and agents where appropriate.

2. A request to “explain in detail” seeks disclosure of each fact, circumstance, condition, and thing known to you about the subject of the request containing the phrase, as of the date the request was answered.

3. Whenever it is necessary to bring within the scope of these information requests documents that otherwise might be construed to be outside their scope (1) the use of “and” as well as “or” shall be construed both disjunctively and conjunctively; (2) the use of a word in its singular form shall be construed to include within its meaning its plural form as well, and vice versa; (3) the use of “include” and “including” shall be construed to mean “without limitation”; and (4) the use of a verb in any tense or voice shall be construed as the use of that verb in all other tenses and voices.

4. “Document” means any written, recorded, transcribed, printed or impressed matter of whatever kind, however produced, stored or reproduced, including, but not limited to, sound or pictorial recordings, computerized information, books, pamphlets, letters, memoranda, telegrams, electronic or mechanical transmissions, communications of all kinds, reports, notes, working papers, handwritings, charts, papers, writings, printings, transcriptions, tapes and records of all kinds. Document includes, without limitation, all work papers produced by or relied upon by the witness.

5. Wherever in these information requests you are asked to “identify,” you are requested:

a. when identifying a person, to give such person’s:

- (1) full name,
- (2) business address, residence address, and telephone number,
- (3) his or her present or last known position and business affiliation at the time in question, and

(4) the nature of such person's participation in, and the scope of his responsibility with regard to, the facts and events underlying the present case;

b. when identifying an oral communication, to:

- (1) identify the author thereof and the parties thereto,
- (2) state the date of the communication,
- (3) state the place of the communication,
- (4) state the substance of the communication, and
- (5) state whether such communication has been reduced to writing and, if so, identify each document and the present custodian thereof;

c. when identifying other information, to state:

- (1) the source thereof,
- (2) any oral communications pertaining thereto,
- (3) any documents pertaining thereto, and
- (4) the substance of the information;

d. when identifying a document, to:

- (1) identify the author thereof and the parties thereto,
- (2) state its title or other identifying data,
- (3) state the date of the document or if no date appears thereon, the approximate date,
- (4) state the exact nature and substance thereof;

- (5) identify each person having possession, care, custody or control of the original and any copies thereof; and
- (6) if such document was, but no longer is, in your possession or subject to your control, state what disposition was made of it.

INSTRUCTIONS

1. In answering each request, the response should identify each document which supports, refers to, or evidences the subject matter of the request or which is relied upon to form a basis of the answer given, or which in any way corroborates the response given or the substance of the response given.

2. If, for reasons other than a claim of privilege or work product, you refuse to answer any information request or to produce any document requested, state the grounds upon which the refusal is based with sufficient specificity to permit a determination of the propriety of such refusal.

3. These information requests shall be deemed continuing and you should serve upon the Rural Carriers' counsel (1) supplemental responses to these information requests if additional information or information that changes your response to any information request is obtained during the course of this proceeding, and (2) any documents requested herein that become available or that are discovered after the date your responses to these information requests are due.

REQUESTS FOR INFORMATION

REQUEST FOR INFORMATION NO. 1:

Please provide AT&T's call detail records for traffic AT&T delivered to the Rural Carriers for the disputed time period.

RESPONSE:

REQUEST FOR INFORMATION NO. 2:

Please explain in detail AT&T's process for reviewing and disputing invoices for non-traffic sensitive revenue ("NTSR") charges.

RESPONSE:

REQUEST FOR INFORMATION NO. 3:

Please identify and explain the facts AT&T relied upon in disputing the relevant invoices.

RESPONSE:

REQUEST FOR INFORMATION NO. 4:

Please explain in detail the actions taken by AT&T to obtain information in order to assess the validity of the disputed invoices.

RESPONSE:

REQUEST FOR INFORMATION NO. 5:

Based on its knowledge of the industry, please identify AT&T's market share for the termination of access traffic in the state of Kentucky for each calendar year from 2011 to the present.

RESPONSE:

REQUEST FOR INFORMATION NO. 6:

For each of the past five years and for each Rural Local Exchange Carrier ("RLEC") in Kentucky, please state whether you have compensated that RLEC for NTSR traffic, and if so, when.

RESPONSE:

REQUEST FOR INFORMATION NO. 7:

Please provide all documents and records relating to the disputed invoices.

RESPONSE:

REQUEST FOR INFORMATION NO. 8:

With regard to AT&T's claim of an increase in AT&T's share of the NTSR charge, please explain whether you are asserting that the Rural Carriers failed to follow the Duo County tariff in

computing AT&T's share of the NTSR charge for the relevant time period and, if so, please explain in detail the basis for that assertion.

RESPONSE:

REQUEST FOR INFORMATION NO. 9:

Please provide records of all payments made by AT&T to the Rural Carriers for access services provided by the Rural Carriers to AT&T in 2011 and 2012.

RESPONSE:

REQUEST FOR INFORMATION NO. 10:

Starting with the reporting date of December 29, 2011 and for each reporting quarter thereafter until July 2, 2013, provide the terminating percent VOIP ("PVU") usage factors submitted to each of the Rural Carriers and further identify the manner of transmittal (fax, email, etc.) and the name of the employee submitting the PVU factors.

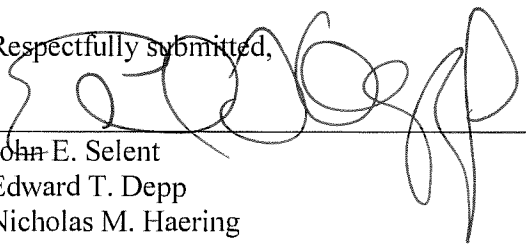
RESPONSE:

REQUEST FOR INFORMATION NO. 11:

For any documents you indicate you do not have in response to the requests herein, please explain in detail the reasons you do not have the documents, and provide a copy of the document retention policy, if any, that you may rely upon to explain the nonexistence of that documentation.

RESPONSE:

Respectfully submitted,



John E. Selent
Edward T. Depp
Nicholas M. Haering
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Louisville, KY 40202
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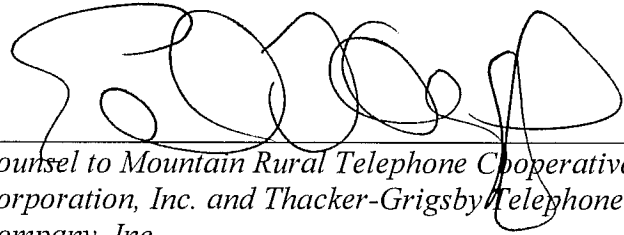
nicholas.haering@dinsmore.com

*Counsel to Mountain Rural Telephone Cooperative,
Corporation, Inc. and Thacker-Grigsby Telephone
Company, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. mail this 17th day of April, 2014, on the following:

Mark Overstreet
Stites & Harbison PLLC
West Main Street
P.O. Box 634
Frankfort, KY 40602
Counsel to AT&T Corp.

A handwritten signature in black ink, consisting of several large, overlapping loops and a long vertical stroke on the right side, positioned above a horizontal line.

*Counsel to Mountain Rural Telephone Cooperative,
Corporation, Inc. and Thacker-Grigsby Telephone
Company, Inc.*

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