

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
OCT 31 2011
PUBLIC SERVICE
COMMISSION

In the Matter of:

AN INVESTIGATION IN THE TRAFFIC DISPUTE)
BETWEEN WINDSTREAM KENTUCKY LLC,)
BRANDENBURG TELEPHONE COMPANY AND)
MCIMETRO TRANSMISSION SERVICES, LLC D/B/A)
VERIZON ACCESS)

Case No. 2008-00203

**VERIZON'S SUPPLEMENTAL RESPONSES TO
DATA REQUESTS OF BRANDENBURG TELEPHONE COMPANY**

MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services ("MCImetro"), by its undersigned counsel, responds to the Supplemental Data Requests (the "Discovery Requests") served by Brandenburg Telephone Company ("Brandenburg") on March 16, 2010.

GENERAL OBJECTIONS

1. MCImetro objects to the Discovery Requests and all Definitions associated with the Discovery Requests to the extent they purport to impose obligations that are different from, or go beyond, the obligations imposed by the Kentucky Rules of Civil Procedure and the Commission's Rules of Procedure.
2. MCImetro objects to the Discovery Requests to the extent they seek documents or information protected by the attorney-client privilege, the attorney work-product doctrine, or any other applicable privileges or doctrines. Any inadvertent disclosure of such privileged documents or information shall not be deemed to be a waiver of the attorney-client privilege, attorney work-product doctrine, or other applicable privileges or doctrines.
3. MCImetro objects to the Discovery Requests to the extent that they are vague and ambiguous, particularly to the extent that it uses terms that are undefined or vaguely defined.

4. MCImetro objects to the Discovery Requests to the extent they seek confidential business, financial, or other proprietary documents or information. MCImetro further objects to the Discovery Requests to the extent they seek documents or information protected by the privacy protections of the Kentucky or United States Constitutions, or any other law, statute, or doctrine.
5. MCImetro objects to the Discovery Requests to the extent they seek documents or information equally available to Brandenburg as to MCImetro through public sources or records or which are already in the possession, custody or control of Brandenburg.
6. To the extent MCImetro responds to the Discovery Requests, MCImetro reserves the right to amend, replace, supersede, or supplement its responses as may become appropriate in the future, but it undertakes no continuing or ongoing obligation to update its responses.
7. MCImetro objects to the Discovery Requests to the extent that they seek to impose an obligation on MCImetro to provide documents or information concerning its affiliates.
8. MCImetro objects to the Discovery Requests to the extent they seek information that is not reasonably calculated to lead to the discovery of admissible evidence and not relevant to the subject matter of this proceeding.

DATA REQUESTS

REQUEST 1. To supplement your response (both your written answer and any documents produced) to Request for Data No. 35, served by Brandenburg Telephone on July 17, 2008, identify the monthly volume of traffic that MCImetro has delivered (over Windstream facilities) to Brandenburg Telephone during each month since your answer to that data request.

Responsible Party: Don Price.

RESPONSE 1. MCImetro objects to this request as unduly burdensome, as it would require MCImetro to produce information that is not in its possession or is not readily available. MCImetro does not retain information in a format that allows it to determine the routing used on previously billed calls. Subject to that objection and without waiving it, see Attachment A labeled "Minutes Exchanged between MCImetro and Brandenburg in KY" in the column labeled "Local Orig MOUs."

REQUEST 2. To supplement your response (both your written answer and any documents produced) to Request for Data No. 36, served by Brandenburg Telephone on July 17, 2008, identify the monthly volume of traffic that MCImetro has received (over Windstream facilities) from Brandenburg Telephone during each month since your answer to that data request.

Responsible Party: Don Price.

RESPONSE 2. MCImetro objects to this request as unduly burdensome, as it would require MCImetro to produce information that is not in its possession or is not readily available. MCImetro does not retain information in a format that allows it to determine the routing used on previously billed calls. Subject to that objection and without waiving it, see Attachment A labeled "Minutes Exchanged between MCImetro and Brandenburg in KY".

REQUEST 3. Supplement your responses (both your written answers and any documents produced) to all other Requests for Data served by Brandenburg Telephone on July 17, 2008 or March 16, 2010.

Responsible Party: Don Price.

RESPONSE 3. See Attachment B.

Respectfully submitted,



C. Kent Hatfield
Douglas F. Brent
STOLL KEENON OGDEN PLLC
2000 PNC PLAZA
500 W. Jefferson Street
Louisville, KY 40202
Telephone: (502) 568-5375
Fax: (502) 333-6099

*Counsel to MCI metro Access Transmission Services
LLC*

CERTIFICATE OF SERVICE

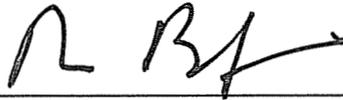
I hereby certify that a true and accurate copy of the foregoing was served on the following by first-class United State mail, sufficient postage prepaid, this 28th day of October, 2011.

Mark Overstreet
Benjamin Crittenden
Stites & Harbison, PLLC
421 West Main Street
P.O. Box 634
Frankfort KY 40602-0634

Counsel to Windstream

John E. Selent
Edward T. Depp
Holly C. Wallace
DINSMORE & SHOHL LLP
1400 PNC Plaza
500 W. Jefferson Street
Louisville, KY 40202

Counsel to Brandenburg Telephone Company



Counsel to MCIMetro Access Transmission Services LLC

Traffic Month YYYYMM	DR-14 Intrastate Switched Access MOUs	DR-14 Term (Under 3:1) MOU	Local MOU	DR-14 Local Term (Over 3:1) MOU	Actual ISP MOU	DR-13 Local Orig MOUs
200807	2,020		-	2,341,122		-
200808	2,636		-	2,411,607		-
200809	2,755		-	2,232,310		-
200810	3,546		-	2,196,820		-
200811	3,059		-	2,243,621		-
200812	5,772		960	2,199,737		320
200901	3,578		958	1,985,745		319
200902	962		844	1,545,444		281
200903	372		705	1,868,778		235
200904	413		1,675	1,608,281		558
200905	548		249	1,536,140		83
200906	509		-	1,504,015		-
200907	1,570		3,000	1,572,638		1,000
200908	474		144	1,480,178		48
200909	416		1,516	1,397,844		505
200910	640		2,286	1,628,252		762
200911	793		2,196	2,015,845		732
200912	561		2,076	1,970,874		692
201001	997		1,626	1,924,839		542
201002	1,116		1,084	1,682,423		361
201003	801		2,088	1,841,505		696
201004	638		1,114	1,591,899		371
201005	759		1,360	1,521,999		453
201006	715		2,409	1,359,725		803
201007	319		2,664	1,385,142		888
201008	1,321		1,329	1,271,597		443
201009	230		2,037	1,130,417		679
201010	244		1,615	1,155,214		538
201011	205		2,166	1,064,634		722
201012	230		2,106	990,617		702
201101	144		-	968,108		-
201102	103		-	824,268		-
201103	453		-	844,327		-
201104	331		-	706,239		-
201105	143		96	658,257		32
201106	143		3,895	541,933		1,298
201107	147		49,243	515,820		16,414
201108	18		19,656	517,593		6,552
201109	144				552,882	8,652

REQUEST NO. 39. Identify all Kentucky-certificated local exchange carriers that MCImetro is billing for reciprocal compensation on traffic MCImetro terminates to an ISP.

Responsible Person: Rick McGolerick

RESPONSE:

BellSouth, Brandenburg Telephone Company, North Central Rural Telephone Company, North Central Communications, SBC Telecom, West Kentucky Rural Telephone Corporation and Windstream all are billed for minutes presumed, in accordance with the FCC's *ISP Remand Order*, to be ISP-bound minutes.

UPDATED RESPONSE:

In addition to the carriers identified above, MCImetro is billing Electric & Water Plant Board of Frankfort, Dialog Telecommunications, Foothills Rural Tel., US LEC, Velocity, Gearhart Comm., Southeast Tel., Norlight, Cincinnati Bell, RUDATA, and Comcast.

REQUEST NO. 31. Identify all Kentucky-certificated local exchange carriers from whom MCImetro is terminating more than 300,000 minutes of traffic per month.

Responsible Person: Rick McGolerick

RESPONSE:

MCImetro terminates over 300,000 minutes of traffic per month in Kentucky originating from BellSouth, Brandenburg Telephone Company, Insight Phone, SBC Telecom, South Central Telcom, West Kentucky Rural Telephone Corporation, and Windstream. No effort has been made to determine which of these carriers are "certificated" in Kentucky

SUPPLEMENTAL RESPONSE:

MCImetro has not terminated over 300,000 minutes of traffic per month in Kentucky originating from South Central Telcom over the past 12 months.