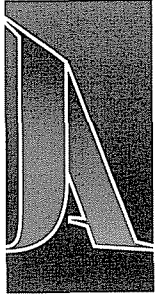


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AMLUNG
LAW OFFICES

January 24, 2007

Ms. Beth O'Donnell, Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602

RECEIVED

JAN 26 2007

PUBLIC SERVICE
COMMISSION

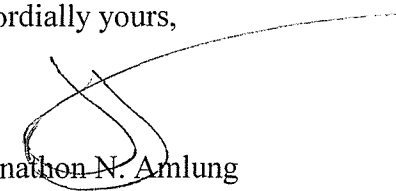
RE: Touchtone Communication, Inc., and ALEC, Inc. v.
Kentucky ALLTEL, Inc.,
Case No. 2005-00482

Dear Ms. O'Donnell:

Please find enclosed for filing an original and four (4) copies of ALEC's Second Set of Data Requests, for filing in the above-referenced case.

Thank you for your attention to this matter. Please do not hesitate to contact me should you have any questions or concerns.

Cordially yours,


Jonathon N. Amlung

Enclosures

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

TOUCHTONE COMMUNICATIONS, INC.)
and ALEC, Inc.,)
)
Complainants,)
)
vs.)
)
KENTUCKY ALLTEL, Inc.,)
)
Defendant.)

Case No.
2005-00482

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COMMISSION

COMPLAINANTS' SECOND SET OF DATA REQUESTS

The Complainants, Touchtone Communications, Inc., and ALEC, Inc. (collectively "ALEC"), hereby request Defendant to submit answers to the following data requests by serving the same on its counsel by the deadline set by the Commission in this docket.

INSTRUCTIONS

These data requests shall be deemed continuing in nature, and all answers must be supplemented when additional information responsive to the data request comes to your attention or the attention of your attorneys or other representatives while this docket is pending.

1. Each data request should be answered fully and independently. If it is not possible to provide a complete answer to a data request, or portion of a data request, the remaining part of the data request should be answered and a reason should be stated why only part of the data request has been answered.

2. All words used in their singular form shall include the words in their plural form, and all words in their plural form shall include the words in their singular form.

3. The use of the past tense shall include the present tense, and the use of the present tense shall include the past tense.

4. If you contend that you are entitled to withhold any information requested herein on a claim of privilege, then for each such item of information:

- a. Identify the character of the information that is claimed to be privileged;
- b. State the date and place of any communication which contained the information;
- c. Identify each person who sent, participated in, overheard, or received the communication or who now has possession, custody, or control of any documents relating thereto;
- d. Describe the subject matter of the privileged information;
- e. State the number of pages of any privileged document;
- f. State the basis upon which you contend that you are entitled to withhold the information.

5. Any objection which you raise should be confined to that portion of the data request for which you claim a privilege or objection and shall not excuse you from answering the remaining part of the data request.

6. If any document requested has been lost or destroyed, state the circumstances of such loss or destruction and identify each person having knowledge of such loss or destruction.

7. For any data request answered, identify the person or persons answering the data request.

I. DEFINITIONS

1. As used in these data requests, the terms “you,” “your” and “Windstream” shall refer to Windstream Kentucky East, Inc., Kentucky ALLTEL, Inc., ALLTEL Communications, Inc., their principals and predecessors in interest, and any person acting on behalf of any of them, including but not limited to their past or present officers, directors, agents, representatives, employees, attorneys, accountants, consultants and investigators.

2. The term “Commission” shall refer to the Public Service Commission of Kentucky, its past or present commissioners and employees, and any person acting on behalf of any of them.

3. The term “consultant” includes both any individual who will be providing consultation, analysis or testimony on your behalf in this docket and the firm, including other principals of the firm, that employs the individual.

4. The term “data request” includes an interrogatory and request for production of documents, as applicable.

5. The term “document” has the same meaning as in Rule 34 of the Kentucky Rules of Civil Procedure. It includes the original and all non-identical copies (whether different from the original because of notes made on or attachments to such copies or otherwise) of all “writings” and “recordings” as defined in Rule 1001 of the Kentucky Rules of Evidence. The term “document” as used herein also includes, without limitation, papers, books, letters, journals, photographs, correspondence, telegrams, cables, telex messages, facsimile copies, brochures, memoranda, notes, notebooks, work

papers, data sheets, bulletins, instructions, tape recordings, video tapes, transcripts, minutes or other records of meetings or conferences, reports, agendas, affidavits, studies, financial statements, press releases, contracts, pamphlets, catalogues, calendars, desk calendars, appointment books, diaries, time records, telephone logs, expense reports, and drafts of all of the above. The term “document” further includes tapes, disks, and all other computer, electronic, photographic, magnetic, laser, or mechanical means of storing and recording information, together with program and program documentation necessary to use or retrieve such information, and printouts of such information.

6. The words “and” and “or” shall be construed conjunctively or disjunctively as necessary to make the requests inclusive rather than exclusive. The word “including” shall be construed to mean without limitation.

7. The term “communication” means any oral or written statements, conversations, meetings, speeches, discussions, remarks, questions, answers, telephone calls, letters, memoranda, correspondence, voice mail, electronic mail or other electronic transmissions, or other transmittal of information by writing or by other means.

8. The terms “relating to” or “regarding” means constituting, comprising, containing, consisting of, evidencing, setting forth, proposing, showing, disclosing, describing, discussing, explaining, summarizing, concerning, reflecting, authorizing, referring to, or in any way pertinent to the subject matter, either directly or indirectly.

9. The term “identify” or words of similar import:

a. When used in reference to a document, shall mean to describe the document with sufficient specificity to enable it to be requested in a subpoena duces tecum, including, but not limited to, the type of document, its author (and,

if different, its signer or signers), its date, its present or last known location, and its present or last known custodian.

b. When used in reference to a natural person shall require the person's full name, present or last known residence address, present or last known place of employment, and present or last known occupation or job title.

10. The term "person" means any individual, firm, corporation, association, partnership, joint venture, governmental agency, or any other form of entity, together with any officers, directors, partners, trustees, employees, representatives or agents.

11. To "state the factual basis" for a claim, denial or defense means to provide a reasonably detailed statement of the facts, information and matters which you presently believe support or tend to support that claim, denial or defense. Your summaries should include, where applicable, references to dates, times, persons and documents.

12. The term "Answer" shall refer to Kentucky ALLTEL Inc.'s Motion to Dismiss and Answer filed at the Kentucky Public Service Commission on or about February 6, 2006.

II. DATA REQUESTS

1. Please produce copies of all checks sent to ALEC from Windstream and its predecessors, as well as the accompanying records showing date, time periods covered and elements for which payment was issued.

2. Please produce any and all settlement agreements that Windstream or its predecessors completed with ALEC in regard to reciprocal compensation or traffic (local or toll or other) usage payments.

3. Please produce copies of all evidence, whether documentary, photographic, electronic, or otherwise, you plan to introduce at the formal hearing of this matter.

4. Please list all witnesses you intend to call to testify in this matter by way of direct testimony, as well as a complete description of each witness' name, occupation, educational background and a detailed description of the expected testimony of each witness.

5. With respect to each expert the defendant has retained and may expect to call at the formal hearing in this matter, please state:

- (a) Identity;
- (b) Education, training, experience and field or specialty;
- (c) Subject matter of any investigation or study conducted by the expert;
- (d) Whether any written reports were completed by the expert and the date of said reports;
- (e) The person who has custody of any such reports;
- (f) Subject matter on which the expert is expected to testify;
- (g) Substance of facts and opinions to which the expert is expected to testify;
- (h) Summary of the grounds for each opinion;
- (i) Hourly rate charged by the expert;
- (j) Amount of the fee charged by the expert on this case;
- (k) Number of cases the expert has consulted or otherwise been retained on by Windstream or its predecessors;

(1) Identification of all cases in which the expert has testified at trial or hearing.

6. Identify each and every predecessor of Windstream, including the type of entity; a description of the change in entity status; and dates of each change. Please include a chart outlining changes described herein.

Respectfully submitted,



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Facsimile (510) 868-8418
kris@lokt.net

Attorneys for Complainants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon the following via Electronic Mail and/or regular U.S. Mail, postage pre-paid, this the 23rd day of January, 2007:

Hon. Mark Overstreet
STITES & HARBISON, PLLC
421 West Main Street
P.O. Box 634
Frankfort, KY 40602-0634
MOVERSTREET@stites.com



JONATHON N. AMLUNG