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SEP 22 2006

September 22, 2006

PUBLIC SERVICE  
COMMISSION

Ms. Beth A. O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

Re: *Petition Of Ballard Rural Telephone Cooperative Corporation, Inc. For Arbitration Of Certain Terms And Conditions Of Proposed Interconnection Agreement With American Cellular F/K/A/ ACC Kentucky License LLC, Pursuant To The Communications Act Of 1934, As Amended By The Telecommunications Act Of 1996, Case No. 2006-00215*

*Petition of Logan Telephone Cooperative Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Case No. 2006-00218*

*Petition of West Kentucky Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Case No. 2006-00220*

*Petition of North Central Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Case No. 2006-00252*

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Dear Ms. O'Donnell:

Enclosed herewith please find for filing with the Commission four (4) originals and ten (10) copies of the Supplemental Response Of American Cellular Corporation To The Initial Set Of Interrogatories And Requests For Production Of Documents Submitted By Ballard Rural Telephone Cooperative Corporation, Inc., Logan Telephone Cooperative, Inc., North Central Telephone Cooperative Corporation, Inc. And West Kentucky Rural Telephone Cooperative Corporation, Inc. and Response Of American Cellular Corporation To The Supplemental Interrogatories And Requests For Production Of Documents Submitted By Ballard Rural

Ms. Beth A. O'Donnell

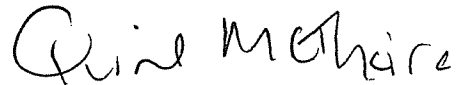
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Telephone Cooperative Corporation, Inc., Logan Telephone Cooperative, Inc., North Central Telephone Cooperative Corporation, Inc. And West Kentucky Rural Telephone Cooperative Corporation, Inc. in the above styled matter.

Please do not hesitate to contact the undersigned should you have any questions concerning this filing.

Sincerely,

A handwritten signature in cursive script that reads "Holland N. McTyeire".

Holland N. McTyeire, V

HNM/jh

Enclosures

cc: Leon M. Bloomfield

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**SUPPLEMENTAL RESPONSE OF AMERICAN CELLULAR CORPORATION TO THE INITIAL SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS SUBMITTED BY BALLARD RURAL TELEPHONE COOPERATIVE CORPORATION, INC., LOGAN TELEPHONE COOPERATIVE, INC., NORTH CENTRAL TELEPHONE COOPERATIVE CORPORATION, INC. AND WEST KENTUCKY RURAL TELEPHONE COOPERATIVE CORPORATION, INC.**

**RESPONSE OF AMERICAN CELLULAR CORPORATION TO THE SUPPLEMENTAL INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS SUBMITTED BY BALLARD RURAL TELEPHONE COOPERATIVE CORPORATION, INC., LOGAN TELEPHONE COOPERATIVE, INC., NORTH CENTRAL TELEPHONE COOPERATIVE CORPORATION, INC. AND WEST KENTUCKY RURAL TELEPHONE COOPERATIVE CORPORATION, INC.**

American Cellular Corporation (“ACC”); hereby files this supplemental response to Interrogatory No. 7 and Interrogatory No. 22 to the “Interrogatories and Requests for Production of Documents to CMRS Carriers” served on ACC by Ballard Rural Telephone Cooperative Corporation, Inc. (“Ballard”) which were adopted and served on ACC by Logan Telephone Cooperative, Inc. (“Logan”), North Central Telephone Cooperative Corporation (“North Central”), and West Kentucky Rural Telephone Cooperative Corporation, Inc. (“West Kentucky”) (Ballard, Logan, North Central and West Kentucky are referred to collectively herein as the “Petitioners”) by letter dated August 23, 2006.

ACC further files this response to “Supplemental Interrogatories and Requests for Production of Documents to CMRS Carriers” served on ACC by Ballard, which were adopted and served on ACC by Logan, North Central Telephone Cooperative Corporation, and West Kentucky by letter dated September 14, 2006.

## **GENERAL OBJECTIONS**

1. ACC objects to these Interrogatories and Document Demands to the extent they seek documents or information that is (1) subject to the attorney-client privilege, (2) attorney work-product, or (2) prepared in anticipation of litigation.

2. ACC objects to these Interrogatories and Document Demands to the extent that they seek to impose obligations on ACC that exceed the requirements of the Kentucky Rules of Civil Procedure, the Commission's Procedural Schedule as set forth in Exhibit A to its August 18, 2006 Order or other applicable Kentucky law.

3. ACC objects to Interrogatories and Document Demands to the extent that they are vague, ambiguous, overly broad, imprecise, call for speculation or to the extent that they utilize undefined or insufficiently defined terms or phrases.

4. ACC objects to these Interrogatories and Document Demands to the extent that they seek the production of documents or information that is equally accessible to petitioner (e.g., documents or information that is in the public domain, or on record with the Commission or the Federal Communications Commission, or which is already in petitioners' possession, custody or control).

5. ACC objects to these Interrogatories and Document Demands to the extent that they seek to have ACC create documents or information not in existence at the time of the discovery request.

Subject to and without waiving any of the above objections, ACC responds as follows:

## **SUPPLEMENTAL RESPONSES TO INTERROGATORIES**

The following responses are submitted to supplement and in place of the original responses filed and served by ACC on September 7, 2006.

7. Identify all potential Intermediary Carriers with and through whom the CMRS Carriers have contemplated exchanging traffic with the petitioner in this matter.

**ANSWER:** ACC objects to this Interrogatory on the grounds that it is vague and ambiguous with respect the phrase “potential Intermediary Carriers with and through whom” and the phrase “contemplated exchanging traffic”. ACC further objects to this Interrogatory on the grounds it is overbroad in that it seeks information about “CMRS Carriers” and not ACC specifically. Subject to and without waiving its objections, ACC responds that it currently exchanges all mobile-originated traffic with petitioners through long distance carriers and in particular AT&T. ACC does not utilize transiting services provided by BellSouth, or any other tandem transit service provider, to deliver its traffic to the Petitioners.

22. Identify all Intermediary Carriers with which the CMRS Carriers have existing, direct network connectivity in Kentucky.

**ANSWER:** ACC objects to this Interrogatory on the grounds it is overbroad in that it seeks information about all the CMRS Carriers and not ACC specifically. ACC also objects to this Interrogatory on the grounds that it seeks information which is neither relevant to the issues in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, ACC responds that it has interconnection arrangements with BellSouth and Windstream which provide for direct

interconnection and transiting services for ACC-originated traffic however these arrangements are not used to exchange traffic with any of the Petitioners. See also Supplemental Response to Interrogatory No. 7 above.

### **SUPPLEMENTAL INTERROGATORIES**

1. Identify each person who participated in the consideration and preparation of your answers to these Discovery Requests and identify to which particular Discovery Request each person was involved in answering.

**ANSWER:** Tom Spears, Interconnect Manager, Hugh Jeffries, Sr. Interconnect Engineer and John Herbst, Senior Director of Network Switching participated in the consideration and preparation of the answers to these Discovery Requests on behalf of ACC.

2. State whether you have existing physical interconnection with the network(s) of any telecommunications service provider in the local exchange area of the Company; if the answer to this interrogatory is in the affirmative, identify all locations at which you have such physical interconnection, and identify the entity (if any) with which you have such physical interconnection.

**ANSWER:** ACC objects to this Interrogatory on the grounds that it is vague and ambiguous with respect the phrase “physical interconnection.” ACC also objects to this Interrogatory on the grounds it seeks information which is neither relevant to this proceeding nor likely to lead to the discovery of relevant information since, among other things, ACC is not currently seeking interconnection with other telecommunications service providers in your local exchange area. Subject to and without waiving its objections, and to the extent the phrase

“physical interconnection” means direct interconnection facilities in your local exchange area, ACC responds that it has no such facilities in any of the Petitioner’s local exchange areas.

3. State whether you have existing physical interconnection with the network(s) of any telecommunications service providers in the Commonwealth of Kentucky; if the answer to this interrogatory is in the affirmative, identify all locations at which you have such physical interconnection, and with respect to each such location, identify the entity (if any) with which the CMRS Carriers have such physical interconnection.

**ANSWER:** ACC objects to this Interrogatory on the grounds that it is vague and ambiguous with respect to the phrase “physical interconnection.” ACC also objects to this Interrogatory on the grounds it seeks information which is neither relevant to this proceeding nor likely to lead to the discovery of relevant information since, among other things, the telecommunications carriers have a duty to interconnect indirectly or directly with one another and how they choose to do so has no particular bearing on this proceeding. Subject to and without waiving its objections, and to the extent the phrase “physical interconnection” means direct interconnection facilities with local exchange carriers, ACC responds that it currently has direct interconnection facilities between its facilities located in Richmond, KY and the following ILECs in Kentucky:

ASLDKYXA03T	KENTUCKY-ALLTEL, INC. (WINDSTREAM)
EZTNKYXA05T	KENTUCKY-ALLTEL, INC. (WINDSTREAM)
LXTNKYXA01T	KENTUCKY-ALLTEL, INC. (WINDSTREAM)
MRHDKYXA02T	KENTUCKY-ALLTEL, INC. (WINDSTREAM)
SMRTKYXA02T	KENTUCKY-ALLTEL, INC. (WINDSTREAM)
BWLGKYMA01T	BELLSOUTH TELECOM INC.
DAVLKYMA01T	BELLSOUTH TELECOM INC.
LSVLKYAP2GT	BELLSOUTH TELECOM INC.
WNCHKYMA02T	BELLSOUTH TELECOM INC.



RDCLKYXA1GT	BRANDENBURG TELEPHONE CO.
RSSPKYXA02T	DUO COUNTY TELEPHONE COOP., INC
GLSGKYXR02T	SOUTH CENTRAL RURAL TELEPHONE COOP. CORP.
HRCVKYXA02T	SOUTH CENTRAL RURAL TELEPHONE COOP. CORP.
WLBTKYXA01T	MOUNTAIN RURAL TELEPHONE COOPERATIVE

4. State whether you have existing physical interconnection with the network(s) of any telecommunications service providers in the MTA('s) in which the Company's local exchange service area is located; if the answer to this interrogatory is in the affirmative, identify all locations at which you have such physical interconnection, and with respect to each such location, identify the entity (if any) with which you have such physical interconnection.

**ANSWER:** ACC refers to and incorporates by reference its answer to Supplemental Interrogatory No. 3 above.

5. State whether you have existing physical interconnection with the network(s) of any telecommunications service providers in the LATA('s) in which the Company's local exchange service area is located; if the answer to this interrogatory is in the affirmative, identify all locations at which you have such physical interconnection, and with respect to each such location, identify the entity (if any) with which you have such physical interconnection.

**ANSWER:** ACC refers to and incorporates by reference its answer to Supplemental Interrogatory No. 3 above.

6. With respect to each MTA within which you provide service, identify and describe the extent to which CMRS service coverage is made available within the Company's local exchange service area(s).

**ANSWER:** ACC objects to this Interrogatory on the grounds that it overbroad in that it seems to seek information about service in MTAs outside of Kentucky and seems to seek that information for all CMRS service. ACC further objects to this Interrogatory on the ground that it is vague and ambiguous with respect the phrase “describe the extent to which CMRS service coverage is made available.” Subject to and without waiving its objections, and to the extent this Interrogatory seeks information about whether ACC provides wireless coverage in the local exchange area of any of the Petitioners, ACC responds that it does not currently provide any such coverage and has no licenses to provide that coverage. ACC further refers to its service coverage map which can be found at [http://www.dobson.net/dp\\_service\\_area.html](http://www.dobson.net/dp_service_area.html).

7. Identify the location of every antenna by which you provide CMRS service in the MTA('s) within which the Company is located.

**ANSWER:** ACC objects to this Interrogatory on the grounds that it is overbroad and seeks information which is neither relevant to this proceeding nor likely to lead to the discovery of relevant information and on the grounds that such information is confidential and proprietary. Subject to and without waiving its objections, and to the extent the reference to “antennas” means a cell site, ACC responds that it has no antennas and no coverage in any of the Petitioners’ local exchange areas. ACC further responds that it is informed and believes, and on that basis states, that information on the location of cell sites is also apparently available through

both the Commission and the FCC. Pending further clarification, ACC cannot respond further at this time.

8. Identify the location of every antenna by which you provide CMRS service in each MTA in the Commonwealth of Kentucky. For each such location identified, identify the corresponding MTA in which such antenna is located.

**ANSWER:** ACC refers to and incorporates by reference its answer to Supplemental Interrogatory No. 7 above.

9. State the date upon which you first sought to deliver traffic to the Company by means of a transit relationship with BellSouth or any of its predecessors in interest ("transit service provider"), and state whether such attempted transit traffic delivery to the Company was permitted by the transit service provider.

**ANSWER:** ACC objects to this Interrogatory on the ground that it is vague and ambiguous with respect the phrase "first sought to deliver traffic to the Company by means of a transit relationship with BellSouth" and the phrase "such attempted transit traffic delivery to the Company was permitted by the transit service provider." ACC further objects to this Interrogatory on the grounds that it seeks information which is neither relevant to this proceeding nor likely to lead to the discovery of relevant information. Subject to and without waiving its objections, ACC responds that it does not deliver traffic to any of the Petitioners by transiting through BellSouth but instead sends all of its traffic through a long distance service provider. See also supplemental answer to Interrogatory No. 7 above.

10. State the date upon which you first sought to deliver traffic to the Company by means of a transit relationship with Windstream or any of its predecessors in interest ("transit service provider"), and state whether such attempted transit traffic delivery to the Company was permitted by the transit service provider.

**ANSWER:** ACC objects to this Interrogatory on the ground that it is vague and ambiguous with respect the phrase "first sought to deliver traffic to the Company by means of a transit relationship with Windstream" and the phrase "such attempted transit traffic delivery to the Company was permitted by the transit service provider." ACC further objects to this Interrogatory on the grounds that it seeks information which is neither relevant to this proceeding nor likely to lead to the discovery of relevant information. Subject to and without waiving its objections, ACC responds that it does not deliver traffic to the petitioners by transiting through Windstream but instead sends all of its traffic through a long distance service provider. See also supplemental answer to Interrogatory No. 7 above.

11. State the date upon which you first sought to deliver traffic to the Company by means of a transit relationship with any third-party (other than those identified in the preceding two interrogatories) ("transit service provider"), identify the transit service provider through which this delivery was sought to be accomplished, and state whether the transit service provider permitted such attempted transit traffic delivery to the Company.

**ANSWER:** ACC objects to this Interrogatory on the ground that it is vague and ambiguous with respect the phrase "first sought to deliver traffic to the Company by means of a transit relationship with any third party" and the phrase "whether the transit service provider permitted such attempted transit traffic delivery to the Company." ACC further objects to this

Interrogatory on the grounds that it seeks information which is neither relevant to this proceeding nor likely to lead to the discovery of relevant information. Subject to and without waiving its objections, and to the extent the phrase “transit relationship” refers to the use of a third-party tandem transit service provider, ACC responds that it does not seek to deliver traffic through a transit relationship and instead delivers all traffic to Petitioners through long distance service provided by AT&T. See also supplemental answer to Interrogatory No. 7 above.

12. Identify all agreements by which you first sought to deliver traffic to the Company by means of the transit arrangements described in the preceding three interrogatories. If no such agreements exist, so state your answer. If such traffic delivery was sought to be accomplished pursuant to an unwritten agreement, describe the terms of such agreement, identify the date (or approximate date, if no exact date is available) of such agreement, and identify all persons involved in negotiating such agreement for you and the third-party.

**ANSWER:** ACC objects to this Interrogatory on the ground that it is vague and ambiguous with respect the phrase “first sought to deliver” and “transit arrangements.” Subject to and without waiving its objections, and to the extent that “transit arrangements” refers to the use of third-party tandem transit providers, ACC responds that it has interconnection agreements with both BellSouth and Windstream which provide for transit services but that ACC does not use those services for delivery of traffic to the Petitioners. ACC further responds that it does not have direct facilities with BellSouth’s Madisonville tandem in the Owensboro LATA. See also supplemental response to Interrogatory no. 7 above.

13. For traffic originated by you that is currently delivered to the Company by means of a transit arrangement with any of the transit service providers identified in the preceding interrogatories, indicate (for each transit service provider) the percentage of your traffic transited to the Company that is: (i) Type I interconnection traffic; and (ii) Type II interconnection traffic.

**ANSWER:** ACC objects to this Interrogatory on the ground that it is vague and ambiguous with respect the phrases “Type I interconnection traffic” and “Type II interconnection traffic” and with respect to the phrase “transit arrangement.” ACC further objects to this Interrogatory on the grounds that it seeks information which is neither relevant to this proceeding nor likely to lead to the discovery of relevant information. Subject to and without waiving its objections, and to the extent that “transit arrangements” refers to the use of third-party tandem transit providers, ACC responds that its mobile-originated traffic is delivered to the Petitioners by means of long distance service provider and not through transit arrangements. See also supplemental answer to Interrogatory No. 7 above.

14. For traffic originated by you that is currently delivered to the Company by means of a transit arrangement with any of the transit service providers identified in the preceding interrogatories, identify (for each transit service provider) the scope of geographic areas from which your end-users originate such traffic.

**ANSWER:**

ACC refers to and incorporates by reference its answer to Supplemental Interrogatory No. 13 above.

15. For traffic originated by you that is currently delivered to the Company by means of a transit arrangement with any of the transit service providers identified in the preceding interrogatories, please indicate (for each transit service provider): (i) what call detail records you create; (ii) what call detail records you create and provide to the transit service provider; and (iii) what call detail records you create and provide to the Company.

**ANSWER:** ACC refers to and incorporates by reference its answer to Supplemental Interrogatory No. 13 above and its answer to Interrogatory No. 13 dated September 7, 2006.

16. For traffic originated by you that is currently delivered to the Company by means of a transit arrangement with any of the transit service providers identified in the preceding interrogatories, please describe (for each transit service provider) the specific interconnection trunking arrangement that you have in place with the transit service provider for the delivery, transit, and receipt of traffic to and from the Company. For purposes of this interrogatory, the phrase "specific interconnection trunking arrangement" should be construed to include, but not be limited to, information regarding whether such trunks are dedicated solely for the delivery and receipt of mobile CMRS traffic.

**ANSWER:** ACC refers to and incorporates by reference its answer to Supplemental Interrogatory No. 13 above.

17. Identify and describe all call detail record you provide to (i) any transit service provider identified in the preceding interrogatories, or (ii) the Company, and state whether such

records can be used to determine the location of the cellular site serving your end-user customer(s) at the beginning of each call placed or received by your end-user customer.

**ANSWER:** ACC refers to and incorporates by reference its answer to Supplemental Interrogatory No. 13 above and its answer to Interrogatory No. 13 dated September 7, 2006.



## REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Produce all documents identified in, referenced, referred to, reviewed, consulted, or relied upon in any way in responding to any of the Interrogatories or Requests for Admission propounded herein.

**RESPONSE:** ACC objects to this Demand on the grounds it is vague and ambiguous with respect the phrase “Requests for Admission” since none have been received by ACC in this proceeding. ACC further objects to this Demand on the grounds it seeks information which is equally available to the petitioners since the only responsive documents are matters of public record (e.g., interconnection agreements on the Commission website). ACC also objects to this Demand on the grounds it is overbroad. Subject to and notwithstanding its objections, and pending further clarification, ACC refers the petitioners to the Commission website, the LERG and the other information noted above. ACC cannot respond further at this time.

2. Provide representative call detail records for all call detail records identified in answer to Interrogatories 15 and 17.

**RESPONSE:** See response to Supplemental Interrogatory Nos. 15 and 17.

3. Provide all documentation (including, but not limited to, source documentation) used to determine the percentages of Type I and Type II interconnection traffic you transit to the Company.

**RESPONSE:** See response to Supplemental Interrogatory No. 13.

Dated: September 22, 2006

By: H.N. McTyeire  
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ATTORNEYS FOR AMERICAN CELLULAR  
CORPORATION

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the Supplemental Response Of American Cellular Corporation To The Initial Set Of Interrogatories And Requests For Production Of Documents Submitted By Ballard Rural Telephone Cooperative Corporation, Inc., Logan Telephone Cooperative, Inc., North Central Telephone Cooperative Corporation, Inc. And West Kentucky Rural Telephone Cooperative Corporation, Inc. and Response Of American Cellular Corporation To The Supplemental Interrogatories And Requests For Production Of Documents Submitted By Ballard Rural Telephone Cooperative Corporation, Inc., Logan Telephone Cooperative, Inc., North Central Telephone Cooperative Corporation, Inc. And West Kentucky Rural Telephone Cooperative Corporation, Inc. was on this 22<sup>nd</sup> day of September, 2006 served via United States mail, postage prepaid to the following:

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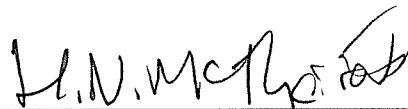
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