

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION INTO TRAFFIC DISPUTE)
BETWEEN BRANDENBURG TELEPHONE) CASE NO. 2008-00203
COMPANY, WINDSTREAM KENTUCKY EAST,)
LLC AND VERIZON ACCESS)

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on January 31, 2012 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- All exhibits introduced at the evidentiary hearing conducted on January 31, 2012 in this proceeding;
- A written log listing, *inter alia*, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on January 31, 2012.

A copy of this Notice, the certification of the digital video record, and hearing log have been served by first class mail upon all persons listed at the end of this Notice. Parties desiring an electronic copy of the digital video recording of the hearing in Windows Media format may download a copy at:

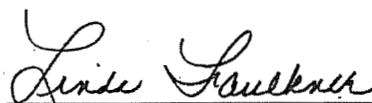
http://www.psc.ky.gov/av_broadcast/2008-00203/2008-00203_31Jan12_Inter.asx.

Parties wishing an annotated digital video recording may submit a written request by

electronic mail to pscfilings@ky.gov. A minimal fee will be assessed for a copy of this recording.

The exhibits introduced at the evidentiary hearing may be downloaded at <http://psc.ky.gov/pscscf/2008%20cases/2008-00203/>.

Done at Frankfort, Kentucky, this 7th day of February 2012.



Linda Faulkner
Director, Filings Division
Public Service Commission of Kentucky

Honorable Douglas F Brent
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

Honorable Bruce F Clark
Attorney at Law
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634

Edward T Depp
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

Daniel Logsdon
Windstream Kentucky East, LLC
130 W New Circle Road, Suite 170
Lexington, KY 40505

Jennifer L McClellan
2000 PNC Plaza
500 West Jefferson Street
Louisville, KENTUCKY 40202

Honorable John E Selent
Attorney at Law
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

Honorable Holly C Wallace
Attorney at Law
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

Allison T Willoughby
President
Brandenburg Telecom, LLC
200 Telco Drive
Brandenburg, KY 40108

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In the Matter of:


INVESTIGATION INTO TRAFFIC DISPUTE)
BETWEEN BRANDENBURG TELEPHONE) CASE NO. 2008-00203
COMPANY, WINDSTREAM KENTUCKY EAST,)
LLC AND VERIZON ACCESS)

CERTIFICATE

I, Kathy Gillum, hereby certify that:

1. The attached DVD contains a digital recording of the hearing conducted in the above-styled proceeding on January 31, 2012;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the hearing;
4. The "Exhibit List" attached to this Certificate correctly lists all Exhibits introduced at the hearing of January 31, 2012. The attached Exhibits are the copies presented to me at the hearing, including page 4 of Verizon Exhibit 1, which was misprinted on the page.
5. The "Hearing Log" attached to this Certificate accurately and correctly states the events that occurred at the hearing of January 31, 2012 and the time at which each occurred.

Given this 7th day of February, 2012.


Kathy Gillum, Notary Public
State at Large

My commission expires: Sept 3, 2013



Case History Log Report

Case Number: 2008-00203_31Jan12

Case Title: Windstream Ky East, Brandenburg Telephone, and MCImetro, d/b/a Verizon Access

Case Type: Investigation - Service

Department:

Plaintiff:

Prosecution:

Defendant:

Defense:

Date: 1/31/2012

Location: Default Location

Judge: David Armstrong, Jim Gardner

Clerk: Kathy Gillum

Bailliff:

Event Time	Log Event	
10:03:08 AM	Case Started	
10:03:18 AM	Preliminary Remarks	
10:03:46 AM	Introductions Note: Kathy Gillum	Ben Crittenden, counsel for Windstream; Douglas Brent and Jennifer McClellan, counsel for MCImetro (Verizon); John Selent and Edward Depp, counsel for Brandenburg; Jeb Pinney, PSC Staff Attorney.
10:04:53 AM	Outstanding Motions Note: Kathy Gillum	No outstanding motions. Doug Brent wants to extend deadline for filing briefs. No objections.
10:06:37 AM	Witness, Kerry Smith (Windstream) Note: Kathy Gillum	Witness called to testify by Ben Crittenden.
10:07:16 AM	Examination by Ben Crittenden (Windstream) Note: Kathy Gillum	Qualification of witness by Ben Crittenden (Windstream). Witness has an update to the data supplied regarding the number of minutes. Spreadsheet passed out for review. The numbers in this Exhibit are an update to numbers previously testified to. Witness adopts pre-filed testimonies and responses to Data Requests subject to updates.
10:10:36 AM	Exhibit Windstream 1 Note: Kathy Gillum	Exhibit introduced by Ben Crittenden (Windstream). Exhibit: 2 page spreadsheet labelled "Summary of Minutes of Use Work Sheet Aug-2005 to Jan 5th, 2012" on page 1; and "LNP Work Sheet Aug-2005 to Jan5th, 2012" on page 2, and marked as Windstream Exhibit 1.
10:10:45 AM	Examination by Jeb Pinney (PSC) Note: Kathy Gillum	Questions regarding traffic. Questions regarding why its not transit traffic. Questions regarding the impact of traffic over Windstream's system.

10:19:22 AM	Examination by Douglas Brent (Verizon) Note: Kathy Gillum	Questions regarding local number reportability query. Questions regarding the vendor for the database. Questions regarding the disputed traffic. Questions regarding Stephen Williams. Questions regarding Windstream's filings in response to PSC D.R.s. Questions regarding Windstream Exhibit 1 introduced at hearing today. Questions regarding the handout. Witness was asked to read from the handout, and questioned thereafter. Discussion of routing and capacity for handling traffic. Questions regarding another e-mail from Stephen Williams to another Windstream employee. Witness asked to read the second sentence of the e-mail. Questions regarding reference to ICO.
10:29:28 AM	Exhibit Verizon 1 Note: Kathy Gillum	Exhibit introduced by Douglas Brent (Verizon) and marked as Verizon Exhibit 1.
10:29:50 AM	Examination by Douglas Brent (Verizon) continues Note: Kathy Gillum	Questions regarding the tariff. Witness handed a copy of the tariff. Questions regarding basis for amount of money owed. Questions regarding the N-1 carrier. Questions regarding the minutes of use base amounts that Windstream is claiming. Questions regarding March, 2010 Direct Testimony of witness. Witness was handed a copy of his Direct Testimony. Witness asked to read the final paragraph regarding financial responsibility. Questions regarding amount of end offices in the Elizabethtown area. Questions regarding interconnection in Hardin County. Questions regarding EAS calls\traffic routing. Questions regarding 2008 hearing questions\testimony regarding customer complaints. Questions regarding unsigned agreements. Questions regarding misrouted traffic.
10:46:48 AM	Examination by Edward Depp (Brandenburg) Note: Kathy Gillum	Questions regarding length of time that Windstream has had service of E-town. Questions regarding meet-point. Questions regarding transporting traffic and\or switching and routing. Questions regarding traffic to MCImetro running across the trunkroot. Questions regarding Direct Testimony of witness (most recent testimony). Questions regarding EAS traffic. Questions regarding Dedicated Trunks. Questions regarding traffic in Jan 2003. Witness stated that at that time they would have been a customer of Windstream. Questions regarding compensation Windstream is seeking. Questions regarding interest rates and dip rates. Questions regarding testimony of Douglas Meredith in previous proceeding.
11:00:34 AM	Statement by Edward Depp (Brandenburg) Note: Kathy Gillum	Mr. Depp asked to site to previous record.
11:01:43 AM	Examination by Edward Depp (Brandenburg) continues Note: Kathy Gillum	Questions regarding previous transcript\testimony. Questions regarding end office transit rate. Questions regarding a cost study. Questions regarding transit traffic. Questions regarding who should compensate Windstream. Questions regarding ILEC service obligation for extending traffic outside of its network. Questions regarding EAS traffic.
11:10:29 AM	Questions by Vice-Chair Gardner Note: Kathy Gillum	Questions regarding the basis of the claim.

11:11:24 AM	Data Request by Vice Chair Gardner Note: Kathy Gillum	Data Request to Ben Crittenden. (to be supplied in post hearing brief). Vice Chair Gardner asked that the question of : Why should the PSC be hearing a claim for damages, and is this case unique or has issues that would pertain to other cases?.
11:12:13 AM	Questions by Vice-Chair Gardner continues Note: Kathy Gillum	Questions regarding damages.
11:13:47 AM	Data Request by Vice Chair Gardner Note: Kathy Gillum	Provide the Authority for Attorney fees
11:14:10 AM	Questions by Vice Chair Gardner continues Note: Kathy Gillum	Questions regarding 3rd party vendor for LNP queries. Questions regarding fee charged for queries.
11:15:37 AM	Data Request by Vice Chair Gardner Note: Kathy Gillum	Provide: How much queries are charging.
11:16:05 AM	Questions by Vice Chair Gardner continues Note: Kathy Gillum	Vice Chair Gardner asked if the tariff was on record in the PSC.
11:16:23 AM	Ben Crittenden (Windstream) Note: Kathy Gillum	Mr. Crittenden states that it was in their Response to Verizon No. 22. States it is an FCC tariff.
11:18:04 AM	Data Request by Vice Chair Gardner Note: Kathy Gillum	Vice Chair Gardner asked Mr. Crittenden to address in his brief, Whether the Doctrine of "Clean Hands" applies.
11:19:07 AM	Questions by Vice Chair Gardner continues Note: Kathy Gillum	Questions regarding traffic exchange agreement. Questions regarding the options of Brandenburg if not using the Windstream network. Questions regarding Oct 4th testimony regarding revenue. Questions regarding Aug 7th PSC Order regarding the interconnection guidelines. Questions regarding transit traffic and interconnection agreement.
11:28:24 AM	Examination by Jeb Pinney (PSC) Note: Kathy Gillum	Questions regarding connection of MCI trunk. Questions regarding adding trunks to a switch. Questions regarding Windstream not wanting to supply a tariff to PSC. Questions regarding authority (FCC or otherwise). Questions regarding proxy rate.
11:33:18 AM	Re-Direct by Ben Crittenden (Windstream) Note: Kathy Gillum	Questions regarding end office rate. Questions regarding data base dips.
11:35:13 AM	Examination by Douglas Brent (Verizon) Note: Kathy Gillum	Questions regarding extension of facilities outside of their boundaries.
11:37:26 AM	Examination by Edward Depp (Brandenburg) Note: Kathy Gillum	Questions regarding routing. Questions regarding Windstream's Exhibit 1
11:39:04 AM	Witness Excused (Smith) Note: Kathy Gillum	Witness, Kerry Smith's testimony concluded and Mr. Smith was excused.
11:39:33 AM	Break Note: Kathy Gillum	A 10 minute break was taken.
11:39:54 AM	Case Recessed	
11:50:03 AM	Case Started	
11:50:11 AM	Witness, Don Price (Verizon) Note: Kathy Gillum	Witness called to testify by Douglas Brent (Verizon).

11:50:53 AM	Examination by Jennifer McClellan (Verizon) Note: Kathy Gillum	Qualification of witness by Jennifer McClellan. Witness adopts pre-filed testimonies subject to the following Oct 4, 2011, bottom of page 7, line 23, strike the word metro. No change on the following page. April 13, 2010 Supplemental Rebuttal Testimony page 8, line 3, make the same change. The update is the time Nov. 14th testimony states that final preparation was in place, witness states that traffic began flowing on Nov. 14, page 2, lines 22 and 23 of Nov 14 testimony.
11:54:22 AM	Examination by Jeb Pinney (PSC) Note: Kathy Gillum	Questions regarding interconnection agreements with the carrier. Question as to What is the responsibility for entering into an area. Questions regarding flow of compensation. Questions regarding Brandenburg Telco located in Elizabethtown. Referenced on page 5, line 14 of Supplemental Rebuttal Testimony.
11:59:56 AM	Ben Crittenden (Windstream) Note: Kathy Gillum	No questions.
12:00:09 PM	Examination by Edward Depp (Brandenburg) Note: Kathy Gillum	Questions regarding interconnection agreement prior to 2003. Questions regarding the customers in E-town. Questions regarding blocking of traffic. Questions regarding Brandenburg's request for an agreement from MCI metro. Mr. Depp points out the 2 points of dispute: (where to connect, and what compensation). Questions regarding exchange of traffic with no compensation. Witness refers to page 7 and 8 of the Oct 4th testimony in his testimony. Questions regarding cooperation of the parties to the agreement. Questions regarding how the rate for leasing the facility is determined. Questions regarding cost of trunks where now traffic flows. Questions regarding spare capacity available. Questions regarding Transcript of 2008 Hearing, page 135, lines 3 thr 8. Questions regarding Rebuttal testimony. Questions regarding Ms. Willoughby's testimony. Questions regarding New York decision attached to Brandenburg's Brief.
12:35:35 PM	Objection by Douglas Brent (Verizon) Note: Kathy Gillum	Objection: New York case was attached to a Brief prior to the PSC' Order in the prior case.
12:37:09 PM	Chairman Armstrong Note: Kathy Gillum	States that he will allow the questioning (overruled objection). Copy of the New York case was presented to counsel and Commission.
12:39:20 PM	Edward Depp (Brandenburg) Note: Kathy Gillum	Mr. Depp reads from the New York case.
12:43:13 PM	Questions by Vice Chair Gardner Note: Kathy Gillum	Questions regarding revenue from ISP traffic.
12:44:48 PM	Statement by Douglas Brent (Verizon) Note: Kathy Gillum	Mr. Brent explains the answer to Mr. Gardner's question.
12:46:11 PM	Questions by Vice Chair Gardner Note: Kathy Gillum	Vice Chair Gardner wanted to know the amount of time considered to be damages.
12:48:00 PM	Douglas Brent (Verizon) Note: Kathy Gillum	Explains.
12:48:41 PM	Questions by Vice Chair Gardner	
12:49:37 PM	Douglas Brent (Verizon) Note: Kathy Gillum	Explains basis for objection.

12:50:01 PM	Questions by Vice-Chair Gardner Note: Kathy Gillum	Questions regarding the person of contact for agreement. Questions regarding the traffic transit agreement. Questions regarding asking for help from the Commission.
12:57:12 PM	Examination by Jeb Pinney (PSC) Note: Kathy Gillum	Hypothetical question regarding blocking traffic and the recourse. Questions regarding compensation. Questions regarding Windstream's Exhibit 1.
1:04:45 PM	Examination by Ben Crittenden (Windstream) Note: Kathy Gillum	Questions regarding response to DR 6; (passed to witness for review) Witness describes the document as an e-mail from Verizon to Brandenburg.
1:08:06 PM	Re-Direct by Jennifer McClellan (Verizon) Note: Kathy Gillum	Questions regarding the negotiations beginning in 2005. Questions regarding spare capacity. Questions regarding Windstream's Exhibit 1. Questions regarding the re-start of negotiations. Questions regarding the date of entering into an agreement. Questions regarding New York Order. Questions regarding the sticking points in the negotiations. Questions regarding compensation from AOL. Reference is made to Page 156 of 2009 Hearing Transcript.
1:31:16 PM	Questions by Vice Chair Gardner Note: Kathy Gillum	Followup questions regarding compensation. Questions regarding witness' involvement.
1:33:31 PM	Douglas Brent (Verizon) Note: Kathy Gillum	States that the documents were in the record.
1:34:09 PM	Examination by Edward Depp (Brandenburg) Note: Kathy Gillum	Questions regarding new trunks v. existing trunks.
1:35:40 PM	Witness Excused (Price) Note: Kathy Gillum	Witness, Don Price's testimony concluded and Mr. Price was excused.
1:35:52 PM	Break for Lunch	
1:35:59 PM	Case Recessed	
2:38:48 PM	Case Started	
2:39:00 PM	Witness, Allison Willoughby (Brandenburg) Note: Kathy Gillum	Witness called to testify by Edward Depp.
2:39:54 PM	Examination by Edward Depp (Brandenburg) Note: Kathy Gillum	Qualification of witness by Edward Depp. Witness adopts pre-filed testimonies. Witness clarifies page 7 of last pre-filed testimony. States that they did not know of the "volume" of traffic.
2:41:20 PM	Examination by Jeb Pinney (PSC) Note: Kathy Gillum	Questions regarding witness stating that the agreement is at no cost. Questions regarding March 2010 testimony, page 7, line 8. Witness is presented with a copy by Mr. Depp. Questions regarding enhancement of facilities. Questions regarding ISP bound traffic problems. Questions regarding LNP queries. Questions regarding dedicated trunks.
2:57:56 PM	Examination by Ben Crittenden (Windstream) Note: Kathy Gillum	Questions regarding providing service free of charge. Questions regarding Halo Wireless. Witness read the letter presented by Mr. Crittenden regarding Halo Wireless. Witness states that this refers to access traffic, and states that it is subject to a tariff. Questions regarding what the basis is for the rate sought from Halo.

3:03:18 PM	Examination by Douglas Brent (Verizon) Note: Kathy Gillum	Questions regarding LNP queries. Questions regarding testimony dated 4-13-10, page 3, line 5. Questions regarding page 11 of 3-2-10 testimony. Questions regarding the location of the point of interconnection. Witness states that there were grandfathered agreements. Questions regarding the calling scope of E-town and Radcliffe.
3:18:32 PM	Questions by Vice Chair Gardner Note: Kathy Gillum	Questions regarding the volume of ISP traffic. Questions regarding witness' involvement in transit traffic agreement. Questions regarding removing the traffic from the circuit.
3:25:28 PM	Edward Depp (Brandenburg) Note: Kathy Gillum	Mr. Depp states that counsel will address it on the brief.
3:25:44 PM	Re-Direct by Edward Depp (Brandenburg) Note: Kathy Gillum	Questions regarding rollovers
3:26:49 PM	Objection by Douglas Brent (Verizon) Note: Kathy Gillum	Mr. Brent states that it wasn't part of her testimony, and therefore he objects.
3:27:21 PM	Chairman Armstrong Note: Kathy Gillum	Chairman states he will allow the witness to answer. (Overrules)
3:27:29 PM	Re-Direct by Edward Depp (Brandenburg) continues Note: Kathy Gillum	Questions regarding Exhibit 1 to Kerry Smith testimony.
3:31:27 PM	Examination by Jeb Pinney (PSC) Note: Kathy Gillum	Questions regarding the amount of subscribers to Radcliffe. Question regarding awareness that they are required to file EAS Agreements with the Commission. Questions regarding trunks.
3:33:45 PM	Questions by Vice Chair Gardner Note: Kathy Gillum	Questions regarding if it is possible to send the calls as toll calls and routing beyond it's network. Witness states that the cost would have been passed on to the customer.
3:35:57 PM	Witness Excused (Willoughby) Note: Kathy Gillum	Witness, Allison Willoughby's testimony concluded and Ms. Willoughby was excused.
3:36:11 PM	Chairman Armstrong Note: Kathy Gillum	Briefs due 2-29-12 and reply briefs on 3-15-12. DR due in 10 days.
3:39:02 PM	Hearing Adjourned Note: Kathy Gillum	Hearing was adjourned by Chairman Armstrong.
3:39:18 PM	Case Recessed	
3:42:55 PM	Case Stopped	



Case Title: Windstream Ky East, Brandenburg Telephone, and MCImetro, d/b/a Verizon Access

Department:

Plaintiff:

Prosecution:

Defendant:

Defense:

Name	Description
Verizon Exhibit 1	4 page document beginning with e-mailed letter from Stephen Williams to George Lewis.
Windstream Exhibit 1	A 2 page spreadsheet labelled "Summary of Minutes of Use Work Sheet Aug-2005 to Jan 5th, 2012" on page 1; and "LNP Work Sheet Aug-2005 to Jan5th, 2012" on page 2.

From: Williams, Steven G
Sent: Wednesday, February 21, 2007 4:40 PM
To: 'George Lewis'
Cc: Cinpinski, Rich; Wells, Jamey A
Subject: RE: Brandenburg ILEC Trunk Groups.

George,

As we have discussed, the two existing trunk groups GN056322 and GN056191 are connected to the Radcliff and Elizabethtown end offices.

Since Brandenburg apparently has chosen not to interconnect with the three carriers you mention below, you are sending Windstream the traffic over these end office trunk groups.

I propose that a new trunk group is established to the Elizabethtown tandem. The end office trunk groups appear to be over capacity, and two T1's could be removed from each group.

When the new tandem trunk group is in place, Brandenburg can complete the LNP query, and route the LRN's for the three carriers in question to the Elizabethtown tandem. We will continue to hand the traffic off to the appropriate carrier.

To establish the new tandem trunk group, and move the T1's, the Windstream contact is Jamey Wells. She can be reached at 704-845-7437. She can also help determine the proper capacity and the correct number of T1's to move from each group.

Windstream will continue to transit the Brandenburg originated traffic to these carriers. However, as previously discussed, we cannot continue to take the traffic at the end office.

Please contact me if you would like to discuss further.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: George Lewis [mailto:gtlewis@bbtel.com]
Sent: Tuesday, February 20, 2007 2:26 PM
To: Williams, Steven G
Subject: Brandenburg ILEC Trk. Grp.

Steven,

Brandenburg Telephone Company is sending a registered letter to the three companies whose traffic is not being queried and not routing properly. Stating they need to establish trunks with Brandenburg or make arrangements to have traffic delivered correctly based on LNP query. Hope to have this problem resolved quickly.

George Lewis
C.O. Supv.
Brandenburg Tel. Co.
270-351-4466

From: Williams, Steven G
Sent: Friday, February 23, 2007 3:43 PM
To: Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel
Cc: Fallon, Kay
Subject: RE: Brandenburg Telephone Company/Windstream

The email they brought forth doesn't mention blocking or not routing calls. It basically says we will stop completing LNP queries. Brandenburg could turn on LNP queries in a matter of minutes, so 10 days was adequate time. I had informed George that Windstream would continue to take and transit the call after they had completed the LNP query and routed the LRN to Elizabethtown.

They did not include the subsequent email from Wednesday, February 21 (attached), or a transcript of the telephone conversations I had with George Lewis, the C.O. Supervisor. The second email changed the tone of the first. George had called and informed me that the two trunk groups between Brandenburg ICO and Elizabethtown, were both end office trunk groups for EAS. One carries EAS between Elizabethtown and Radcliff (their host office), and the other carries EAS between Elizabethtown and Cecilia and their Vine Grove exchange (a remote out of Radcliff). Further checking in Windstream ASAP confirmed that the groups do in fact connect to the Elizabethtown DSO (end office). This changed the perspective of the situation, since Brandenburg ICO does not have a trunk group to our Elizabethtown O2T (tandem).

Allison Willoby called me today. I returned her call after you and I spoke and again confirmed that we had no intention of blocking anything, but emphasized the point that we were simply asking them in the email to complete LNP queries. However, since the realization that the two existing groups are both to the Elizabethtown end office, it would be in our best interest to establish a trunk group to the Elizabethtown tandem.

Wednesday, February 21, a representative of Verizon Business called me and asked about us blocking Brandenburg traffic. I informed him that we had no intention, but were trying to work out other issues. He indicated that Verizon Business had been trying to interconnect with Brandenburg for around two years, but that they would not come to the table. Brandenburg had informed him that we were going to block the Verizon Business traffic, and to call me to work it out. He said that again, Verizon Business and Brandenburg were at an impasse and had walked away from the interconnection negotiation. Thus, I sent the attached email on February 21.

Since the email, I have discussed with Rich Cimpinski in Network Performance and we were planning to call George with Brandenburg today, in order to start the steps to implement a Brandenburg ICO to Elizabethtown tandem trunk group. I even received confirmation from Transport, that enough vacant facilities exists. I received your call before we could call George. The goal is to have them complete the LNP query, and then route the LRN to the Elizabethtown tandem. In previous emails and conversation, I confirmed to George that we would continue to hand off the call to the carriers they did not have interconnection to.

Thanks,
Steven
704-845-7258

Fallon, Kay

From: Williams, Steven G
Sent: Thursday, March 22, 2007 1:54 PM
To: Williams, Steven G; 'rbradley@bbtel.com'
Cc: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randell,

Please provide an update to this issue. We are waiting for Brandenburg to work with Windstream to establish the trunk group to the Elizabethtown tandem. Then complete LNP queries on these local calls, and route based on the LRN.

Please have your Traffic engineers contact Jamey Wells at 704-845-7437 to begin this process.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: Williams, Steven G
Sent: Friday, March 16, 2007 8:45 AM
To: 'rbradley@bbtel.com'
Cc: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randall,

This message is a follow up our conversation Wednesday morning, since you suggested that we put our request in writing. The request had already been conveyed in conversations over the phone and through email starting over three weeks ago.

During a four day audit of traffic in the Elizabethtown office, Windstream discovered that our Elizabethtown end office completed approximately 12,000 LNP queries, and transited over 866,528 MOU (Minutes Of Use) for calls originated from Brandenburg Telephone. The query is being completed at Windstream's Elizabethtown end office and then the call is tandemed to other carriers, contrary to the proper use of the Elizabethtown end office.

Windstream's Elizabethtown end office is not established as, recognized in the industry as, or otherwise to be used as a LATA tandem. Brandenburg is not authorized to use Windstream's end offices to tandem/transit calls. In compliance with the industry standard, Brandenburg is directed to send only traffic to the Elizabethtown end office, that terminates to Windstream in that office. That was the original purpose of these end office trunk groups.

Since the traffic is intraLATA and your switch is capable, Brandenburg Telephone must complete its own LNP dips, and as the industry standard, route the call based on the LRN. As discussed several times over the last four years, we request that Brandenburg work with Windstream to establish a trunk group to the Elizabethtown tandem. The tandem will take the LRN and route the call to the proper carrier.

A traffic study indicates that at least two T1's can be removed from both end office trunk groups, GN056322 and GN056191, and the four T1's used to establish the tandem trunk group. No additional facilities will be required. These changes can be completed now in a matter of minutes.

On the call Wednesday morning, we included our Network Performance engineers so that we could work with your engineers and coordinate these changes. We do not understand why Brandenburg is not willing to accommodate this request, or why Brandenburg wants to delay this error any longer.

A conference call was held August 16, 2002 in which you participated, and this transit issue was discussed. The parties agreed that we were discussing trunking and billing questions from a CLEC perspective. However, since you represent Brandenburg ILEC interests as well as CLEC interests, Brandenburg was well aware of the issue from an ILEC perspective.

And when Dave Kunkler called me on May 28, 2004 with Brandenburg ILEC issues, Windstream agreed to transit the traffic for Brandenburg, but requested that Brandenburg establish direct trunks to the carrier, or to establish a tandem trunk group to the Elizabethtown tandem.

Brandenburg routes CLEC traffic for these carriers through the Elizabethtown tandem. Windstream does not understand why Brandenburg refuses to work with us to route ILEC traffic to the Elizabethtown tandem, and continues to send it to the end office.

Your point about Brandenburg working on contracts with the carriers is not relevant to our request. Windstream requests that Brandenburg work with us on this issue, and establish a tandem trunk group without delaying any longer. Over three weeks have already elapsed since we contacted Brandenburg this time, concerning this issue.

Your prompt attention to this matter is appreciated. Please call to discuss building the tandem trunk group.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
04-845-7258
steven.g.williams@windstream.com

---Original Message---

From: Williams, Steven G
Date: Wednesday, February 21, 2007 5:40 PM
To: 'George Lewis'
Carpinski, Rich; Wells, Jamey A
Subject: RE: Brandenburg ILEC Trunk. Groups.

Re,

As we have discussed, the two existing trunk groups GN056322 and GN056191 are connected to Adcliff and Elizabethtown end offices.

Brandenburg apparently has chosen not to interconnect with the three carriers you mention below, you are sending Windstream the traffic over these end office trunk groups.

Please use that a new trunk group is established to the Elizabethtown tandem. The end office trunk groups appear to be over capacity, and two T1's could be removed from each

once a new tandem trunk group is in place, Brandenburg can complete the LNP query, and the three carriers in question to the Elizabethtown tandem. We will then be able to hand the traffic off to the appropriate carrier.

Once we establish the new tandem trunk group, and move the T1's, the Windstream contact is Ms. Williams. She can be reached at 704-845-7437. She can also help determine the proper number of T1's to move from each group.

As we will continue to transit the Brandenburg originated traffic to these carriers. As previously discussed, we cannot continue to take the traffic at the end

Summary of Minutes of Use Work Sheet Aug-2005 to Jan 5th, 2012

Billing Month	Minutes	Proxy		0.005		Total Due
		Rate	Amount Due	Interest Due		
Aug-05	30,126,451	0.0045	\$ 135,569	\$ -	\$ -	135,569
Sep-05	11,213,961	0.0045	\$ 50,463	\$ 678	\$ 678	51,141
Oct-05	10,553,531	0.0045	\$ 47,491	\$ 930	\$ 930	48,421
Nov-05	10,192,281	0.0045	\$ 45,865	\$ 1,168	\$ 1,168	47,033
Dec-05	10,409,090	0.0045	\$ 46,841	\$ 1,397	\$ 1,397	48,238
Jan-06	10,294,804	0.0045	\$ 46,327	\$ 1,631	\$ 1,631	47,958
Feb-06	9,616,268	0.0045	\$ 43,273	\$ 1,863	\$ 1,863	45,136
Mar-06	9,879,781	0.0045	\$ 44,459	\$ 2,079	\$ 2,079	46,538
Apr-06	8,909,886	0.0045	\$ 40,094	\$ 2,301	\$ 2,301	42,396
May-06	8,772,866	0.0045	\$ 39,478	\$ 2,502	\$ 2,502	41,980
Jun-06	8,765,713	0.0045	\$ 39,446	\$ 2,699	\$ 2,699	42,145
Jul-06	9,104,426	0.0045	\$ 40,970	\$ 2,897	\$ 2,897	43,866
Aug-06	8,430,868	0.0045	\$ 37,939	\$ 3,101	\$ 3,101	41,040
Sep-06	7,472,971	0.0045	\$ 33,628	\$ 3,291	\$ 3,291	36,919
Oct-06	7,661,427	0.0045	\$ 34,476	\$ 3,459	\$ 3,459	37,936
Nov-06	7,356,529	0.0045	\$ 33,104	\$ 3,632	\$ 3,632	36,736
Dec-06	7,403,474	0.0045	\$ 33,316	\$ 3,797	\$ 3,797	37,113
Jan-07	7,272,843	0.0045	\$ 32,728	\$ 3,964	\$ 3,964	36,691
Feb-07	6,367,195	0.0045	\$ 28,652	\$ 4,127	\$ 4,127	32,780
Mar-07	6,569,761	0.0045	\$ 29,564	\$ 4,271	\$ 4,271	33,835
Apr-07	5,700,730	0.0045	\$ 25,653	\$ 4,418	\$ 4,418	30,072
May-07	6,523,969	0.0045	\$ 29,358	\$ 4,547	\$ 4,547	33,905
Jun-07	4,778,935	0.0045	\$ 21,505	\$ 4,693	\$ 4,693	26,199
Jul-07	4,643,247	0.0045	\$ 20,895	\$ 4,801	\$ 4,801	25,696
Aug-07	4,547,738	0.0045	\$ 20,465	\$ 4,905	\$ 4,905	25,370
Sep-07	3,968,371	0.0045	\$ 17,858	\$ 5,008	\$ 5,008	22,865
Oct-07	3,762,589	0.0045	\$ 16,932	\$ 5,097	\$ 5,097	22,029
Nov-07	3,941,025	0.0045	\$ 17,735	\$ 5,182	\$ 5,182	22,916
Dec-07	3,827,434	0.0045	\$ 17,223	\$ 5,270	\$ 5,270	22,494
Jan-08	3,879,857	0.0045	\$ 17,459	\$ 5,357	\$ 5,357	22,816
Feb-08	3,711,294	0.0045	\$ 16,701	\$ 5,444	\$ 5,444	22,145
Mar-08	3,368,903	0.0045	\$ 15,160	\$ 5,527	\$ 5,527	20,687
Apr-08	3,399,923	0.0045	\$ 15,300	\$ 5,603	\$ 5,603	20,903
May-08	3,054,229	0.0045	\$ 13,744	\$ 5,680	\$ 5,680	19,424
Jun-08	2,697,512	0.0045	\$ 12,139	\$ 5,748	\$ 5,748	17,887
Jul-08	1,873,526	0.0045	\$ 8,431	\$ 5,809	\$ 5,809	14,240
Aug-08	1,934,695	0.0045	\$ 8,706	\$ 5,851	\$ 5,851	14,557
Sep-08	2,087,485	0.0045	\$ 9,394	\$ 5,895	\$ 5,895	15,288
Oct-08	2,004,644	0.0045	\$ 9,021	\$ 5,942	\$ 5,942	14,963
Nov-08	1,961,763	0.0045	\$ 8,828	\$ 5,987	\$ 5,987	14,815
Dec-08	1,978,733	0.0045	\$ 8,904	\$ 6,031	\$ 6,031	14,935
Jan-09	2,371,961	0.0045	\$ 10,674	\$ 6,075	\$ 6,075	16,749
Feb-09	2,218,111	0.0045	\$ 9,981	\$ 6,129	\$ 6,129	16,110
Mar-09	2,051,965	0.0045	\$ 9,234	\$ 6,179	\$ 6,179	15,413
Apr-09	2,191,785	0.0045	\$ 9,863	\$ 6,225	\$ 6,225	16,088
May-09	1,926,193	0.0045	\$ 8,668	\$ 6,274	\$ 6,274	14,942
Jun-09	1,946,584	0.0045	\$ 8,760	\$ 6,318	\$ 6,318	15,077
Jul-09	1,719,829	0.0045	\$ 7,739	\$ 6,361	\$ 6,361	14,101
Aug-09	2,057,400	0.0045	\$ 9,258	\$ 6,400	\$ 6,400	15,658
Sep-09	1,808,717	0.0045	\$ 8,139	\$ 6,446	\$ 6,446	14,586
Oct-09	1,732,609	0.0045	\$ 7,797	\$ 6,487	\$ 6,487	14,284
Nov-09	1,701,711	0.0045	\$ 7,658	\$ 6,526	\$ 6,526	14,184
Dec-09	1,687,804	0.0045	\$ 7,595	\$ 6,564	\$ 6,564	14,159
Jan-10	1,822,596	0.0045	\$ 8,202	\$ 6,602	\$ 6,602	14,804
Feb-10	1,785,821	0.0045	\$ 8,036	\$ 6,643	\$ 6,643	14,679
Mar-10	1,509,670	0.0045	\$ 6,794	\$ 6,683	\$ 6,683	13,477
Apr-10	1,561,644	0.0045	\$ 7,027	\$ 6,717	\$ 6,717	13,745
May-10	1,412,250	0.0045	\$ 6,355	\$ 6,753	\$ 6,753	13,108
Jun-10	1,342,268	0.0045	\$ 6,040	\$ 6,784	\$ 6,784	12,825
Jul-10	1,150,622	0.0045	\$ 5,178	\$ 6,815	\$ 6,815	11,992
Aug-10	886,043	0.0045	\$ 3,987	\$ 6,840	\$ 6,840	10,828
Sep-10	718,719	0.0045	\$ 3,234	\$ 6,860	\$ 6,860	10,095
Oct-10	693,858	0.0045	\$ 3,122	\$ 6,877	\$ 6,877	9,999
Nov-10	713,303	0.0045	\$ 3,210	\$ 6,892	\$ 6,892	10,102
Dec-10	689,738	0.0045	\$ 3,104	\$ 6,908	\$ 6,908	10,012
Jan-11	595,275	0.0045	\$ 2,679	\$ 6,924	\$ 6,924	9,602
Feb-11	623,797	0.0045	\$ 2,807	\$ 6,937	\$ 6,937	9,744
Mar-11	523,276	0.0045	\$ 2,355	\$ 6,951	\$ 6,951	9,306
Apr-11	530,204	0.0045	\$ 2,386	\$ 6,963	\$ 6,963	9,349
May-11	447,559	0.0045	\$ 2,014	\$ 6,975	\$ 6,975	8,989
Jun-11	370,076	0.0045	\$ 1,665	\$ 6,985	\$ 6,985	8,650
Jul-11	368,416	0.0045	\$ 1,658	\$ 6,993	\$ 6,993	8,651
Aug-11	345,784	0.0045	\$ 1,556	\$ 7,002	\$ 7,002	8,558
Sep-11	329,569	0.0045	\$ 1,483	\$ 7,009	\$ 7,009	8,492
Oct-11	357,831	0.0045	\$ 1,610	\$ 7,017	\$ 7,017	8,627
Nov-11	324,736	0.0045	\$ 1,461	\$ 7,025	\$ 7,025	8,486
Dec-11	68,264	0.0045	\$ 307	\$ 7,032	\$ 7,032	7,339
Jan-12	483	0.0045	\$ 2	\$ 7,034	\$ 7,034	7,036
			312,607,199	\$ 1,406,732	\$ 410,789	\$ 1,817,522

Total due from Minutes of Use Billing plus Interest \$ 1,817,522

Total due from LNP Billing plus Interest \$ 48,871

Total due from both Minute of Use and LNP Billing plus Interest \$ 1,866,393

LNP Work Sheet Aug-2005 to Jan 5th, 2012

Billing Month	Minutes	Avg Mou/Message	Calculated Messages	Rate per query	Amount owed for LNP	Interest Due	Total Due	
Aug-05	30,126,451	16.5	1,825,846	0.00305 \$	5,569 \$	- \$	5,569 \$	
Sep-05	11,213,961	16.5	679,634	0.00305 \$	2,073 \$	28 \$	2,101 \$	
Oct-05	10,553,531	16.5	639,608	0.00305 \$	1,951 \$	38 \$	1,989 \$	
Nov-05	10,192,281	16.5	617,714	0.00305 \$	1,884 \$	48 \$	1,932 \$	
Dec-05	10,409,090	16.5	630,854	0.00305 \$	1,924 \$	57 \$	1,981 \$	
Jan-06	10,294,804	16.5	623,928	0.00305 \$	1,903 \$	67 \$	1,970 \$	
Feb-06	9,616,268	16.5	582,804	0.00305 \$	1,778 \$	77 \$	1,854 \$	
Mar-06	9,879,781	16.5	598,775	0.00305 \$	1,826 \$	85 \$	1,912 \$	
Apr-06	8,909,886	16.5	539,993	0.00305 \$	1,647 \$	95 \$	1,742 \$	
May-06	8,772,866	16.5	531,689	0.00305 \$	1,622 \$	103 \$	1,724 \$	
Jun-06	8,765,713	16.5	531,255	0.00305 \$	1,620 \$	111 \$	1,731 \$	
Jul-06	9,104,426	16.5	551,783	0.00305 \$	1,683 \$	119 \$	1,802 \$	
Aug-06	8,430,868	16.5	510,962	0.00305 \$	1,558 \$	127 \$	1,686 \$	
Sep-06	7,472,971	16.5	452,907	0.00305 \$	1,381 \$	135 \$	1,517 \$	
Oct-06	7,661,427	16.5	464,329	0.00305 \$	1,416 \$	142 \$	1,558 \$	
Nov-06	7,356,529	16.5	445,850	0.00305 \$	1,360 \$	149 \$	1,509 \$	
Dec-06	7,403,474	16.5	448,695	0.00305 \$	1,369 \$	156 \$	1,524 \$	
Jan-07	7,272,843	16.5	440,778	0.00305 \$	1,344 \$	163 \$	1,507 \$	
Feb-07	6,367,195	16.5	385,891	0.00305 \$	1,177 \$	170 \$	1,347 \$	
Mar-07	6,569,761	16.5	398,167	0.00305 \$	1,214 \$	175 \$	1,390 \$	
Brandenburg Started doing own LNP queries					\$	36,299		
Apr-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
May-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jun-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jul-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Aug-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Sep-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Oct-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Nov-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Dec-07	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jan-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Feb-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Mar-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Apr-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
May-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jun-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jul-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Aug-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Sep-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Oct-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Nov-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Dec-08	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jan-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Feb-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Mar-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Apr-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
May-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jun-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jul-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Aug-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Sep-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Oct-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Nov-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Dec-09	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jan-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Feb-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Mar-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Apr-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
May-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jun-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jul-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Aug-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Sep-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Oct-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Nov-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Dec-10	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jan-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Feb-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Mar-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Apr-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
May-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jun-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jul-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Aug-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Sep-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Oct-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Nov-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Dec-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
Jan-11	-	0	0	0.00305 \$	- \$	181 \$	181 \$	
196,374,126					\$	36,299	12,572	\$ 48,871