

February 3, 2020

Katie M. Glass  
(502) 223-3477  
kglass@stites.com

**HAND DELIVERED**

Gwen R. Pinson  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602-0615

RECEIVED  
FEB 03 2020  
PUBLIC SERVICE  
COMMISSION

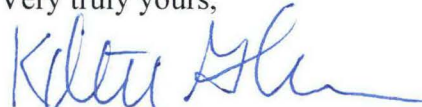
Re: In the Matter of:  
Associates In Dermatology, PLLC v. BellSouth Telecommunications, LLC  
dba AT&T Kentucky  
Case No. 2019-00047

Dear Ms. Pinson:

Please find enclosed and accept for filing the original and ten copies of AT&T Kentucky's Responses to Commission Staff's Second Request for Information and Associates In Dermatology, PLLC's First Request for Information.

Copies of the responses are being served on counsel of record.

Very truly yours,



Katie M. Glass

KMG/las

cc: Counsel of Record

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

FEB 03 2020

PUBLIC SERVICE  
COMMISSION

In the Matter of:

ASSOCIATES IN DERMATOLOGY, PLLC )  
 )  
COMPLAINANT )  
 )  
V. )  
 )  
BELLSOUTH TELECOMMUNICATIONS, LLC dba )  
AT&T KENTUCKY )  
 )  
DEFENDANT )

CASE NO.  
2019-00047

**DEFENDANT'S RESPONSE TO ASSOCIATES IN DERMATOLOGY, PLLC'S FIRST  
REQUEST FOR INFORMATION**

**REQUEST NO. 1:** Please admit or confirm that AT&T provided AID with telephone services after November 2018. If you cannot confirm this, please explain the basis for your denial. If you do confirm it, please provide the last date that AT&T provided services to AID and the last date it billed AID.

**RESPONSE:** AT&T Kentucky objects to this data request to the extent it seeks information regarding telecommunications services provided outside the Commonwealth of Kentucky. The jurisdiction of the Public Service Commission of Kentucky does not extend to telecommunications services provided in Indiana. *See e.g. In the Matter of: The Petition of Some Residents Of Butler And Falmouth In Pendleton County, Kentucky For Extended Area Telephone Service (EAS) To The Exchanges Of Alexandria, And Cincinnati, Ohio, Case No. 8110 (Ky. P.S.C. June 9, 1981) (declaring the Commission lacks jurisdiction over interstate service and declining to consider request to require establishment of extended area service from Pendleton County, Kentucky to Cincinnati, Ohio).*

Without waving this objection, AT&T Kentucky states that analog service/POTS to AID in Kentucky was disconnected as requested on November 17, 2018 and no analog service was provided to AID by AT&T Kentucky after that date. VOIP service to AID was removed from service on November 16, 2019. AID received a final bill with a \$519.46 credit for analog service on January 5, 2019 and a long distance credit of \$42.92 on February 5, 2019. These two bills reflected reconciliation credits subsequent to termination of service on November 17, 2018. AT&T Kentucky provided VOiP service to AID until November 16, 2019. The final bill to AID for these IP services was January 5, 2020.

Witness: Eric A. Herbert

**REQUEST NO. 2:** Please admit or confirm that within the last three years, at both the Springhurst and New Albany AID locations, AT&T was providing basic local exchange service to AID via a Primary Rate ISDN ("PRI") handoff. If you cannot confirm this, please explain the basis for your denial. If you can confirm it, please provide the last date the service was provided and the last date for which the service was billed

**RESPONSE:** AT&T Kentucky objects to this data request to the extent it seeks information regarding telecommunications services provided outside the Commonwealth of Kentucky. The jurisdiction of the Public Service Commission of Kentucky does not extend to telecommunications services provided in Indiana. *See e.g. In the Matter of: The Petition of Some Residents Of Butler And Falmouth In Pendleton County, Kentucky For Extended Area Telephone Service (EAS) To The Exchanges Of Alexandria, And Cincinnati, Ohio, Case No. 8110 (Ky. P.S.C. June 9, 1981) (declaring the Commission lacks jurisdiction over interstate service and declining to consider request to require establishment of extended area service from Pendleton County, Kentucky to Cincinnati, Ohio).*

Without waving this objection, AT&T Kentucky states, see Response to Request No. 1.

Witness: Eric A. Herbert

**REQUEST NO. 3:** Please confirm that within the last three years, at both the Springhurst and New Albany AID locations, AT&T was providing POTS to AID. If you cannot confirm this, please explain the basis for your denial. If you can confirm it, please provide the last date for which the services were offered and the last date for which the services were billed.

**RESPONSE:** AT&T Kentucky objects to this data request to the extent it seeks information regarding telecommunications services provided outside the Commonwealth of Kentucky. The jurisdiction of the Public Service Commission of Kentucky does not extend to telecommunications services provided in Indiana. *See e.g. In the Matter of: The Petition of Some Residents Of Butler And Falmouth In Pendleton County, Kentucky For Extended Area Telephone Service (EAS) To The Exchanges Of Alexandria, And Cincinnati, Ohio, Case No. 8110 (Ky. P.S.C. June 9, 1981) (declaring the Commission lacks jurisdiction over interstate telecommunications service and declining to consider request to require establishment of extended area service from Pendleton County, Kentucky to Cincinnati, Ohio).*

Without waving this objection, AT&T Kentucky states see Response to Request No. 1.

Witness: Eric A. Herbert

**REQUEST NO. 4:** Please produce copies of all complaints, inquiries, claims, and customer service requests by AID to you in the last five years, including but not limited to those submitted via email by AID.

**RESPONSE:** AT&T Kentucky objects to this data request to the extent it seeks information not limited to the Commission's jurisdiction over Associates in Dermatology's complaint. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.*

The information sought by this data request is not limited to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint, and, in whole or in part is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

Witness: Eric A. Herbert

The information sought by this data request is not limited to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and in whole or part is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information regarding telecommunications services provided outside the Commonwealth of Kentucky. The jurisdiction of the Public Service Commission of Kentucky does not extend to telecommunications services provided in Indiana. *See e.g. In the Matter of: The Petition of Some Residents Of Butler And Falmouth In Pendleton County, Kentucky For Extended Area Telephone Service (EAS) To The Exchanges Of Alexandria, And Cincinnati, Ohio*, Case No. 8110 (Ky. P.S.C. June 9, 1981) (declaring the Commission lacks jurisdiction over interstate service and declining to consider request to require establishment of extended area service from Pendleton County, Kentucky to Cincinnati, Ohio).

Without waving these objections, AT&T Kentucky states that the attached comprise those documents in its possession and that it has been able to locate that are responsive to this request.

**REQUEST NO. 5:** Please produce copies of all e-mail correspondence between AID and Paul Black, Brad Wood, Timothy Whitlock, Miles Fitzgerald, Britanee Etherton, and any other AT&T employee or representative.

**RESPONSE:** AT&T Kentucky objects to this data request to the extent it seeks information not limited to the Commission's jurisdiction over Associates in Dermatology's complaint. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.*

The information sought by this data request is not limited to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint, and, in whole or in part is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

Witness: Eric A. Herbert and Britanee Etherton



AT&T Kentucky further objects to this data request to the extent it seeks information regarding telecommunications services provided outside the Commonwealth of Kentucky. The jurisdiction of the Public Service Commission of Kentucky does not extend to telecommunications services provided in Indiana. *See e.g. In the Matter of: The Petition of Some Residents Of Butler And Falmouth In Pendleton County, Kentucky For Extended Area Telephone Service (EAS) To The Exchanges Of Alexandria, And Cincinnati, Ohio*, Case No. 8110 (Ky. P.S.C. June 9, 1981) (declaring the Commission lacks jurisdiction over interstate service and declining to consider request to require establishment of extended area service from Pendleton County, Kentucky to Cincinnati, Ohio).

Without waving these objections, please see AT&T Kentucky's response to AID 1-4.

**REQUEST NO. 6:** Please produce copies of all documents related to resolution or attempted resolution of any complaint, inquiry or customer service request by AID to you, including but not limited to, any internal communications, customer service representative e-mails or notes, correspondence between employees or agents, internal referrals, documents showing resolution or lack of resolution of any claim, including credits given, copies of checks, etc.

**RESPONSE:** AT&T Kentucky objects to this data request to the extent it seeks information not limited to the Commission's jurisdiction over Associates in Dermatology's complaint. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.*

The information sought by this data request is not limited to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint, and, in whole or in

Witness: Eric A. Herbert

part is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information regarding telecommunications services provided outside the Commonwealth of Kentucky. The jurisdiction of the Public Service Commission of Kentucky does not extend to telecommunications services provided in Indiana. *See e.g. In the Matter of: The Petition of Some Residents Of Butler And Falmouth In Pendleton County, Kentucky For Extended Area Telephone Service (EAS) To The Exchanges Of Alexandria, And Cincinnati, Ohio, Case No. 8110 (Ky. P.S.C. June 9, 1981) (declaring the Commission lacks jurisdiction over interstate service and declining to consider request to require establishment of extended area service from Pendleton County, Kentucky to Cincinnati, Ohio).*

Without waving these objections, please see AT&T Kentucky's response to AID 1-4.

Witness: Eric A. Herbert

**REQUEST NO. 7:** Please identify the sales, marketing, and customer service person(s) who worked with and/or interacted with AID regarding its accounts in the last five years.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission’s December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, “limited discovery” for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) (“Limited Discovery Order”). The Commission’s order limited discovery to “the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology.” *Id.* The Limited Discovery Order expressly prohibited discovery “regarding the veracity of the allegations of the [complaint] allegations themselves.” *Id.*

The information sought by this data request is irrelevant to the issue of the Commission’s jurisdiction over Associates in Dermatology’s complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission’s jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 8:** Please produce the personnel files of AT&T employees Paul Black, Brad Wood, Timothy Whitlock, Miles Fitzgerald, and Britanee Etherton, the AT&T employees who worked with AID.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky also objects to this data request on the grounds that it irrelevant to the allegations of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence regarding the merits. AT&T Kentucky further objects to this data

Witness: Objection by Counsel

request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 9:** Please produce documents showing any commission structure AT&T uses or has used in the last five years to incentivize any employees that worked on AID's accounts.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky also objects to this data request on the grounds that it is irrelevant to the allegations of the Complaint and is not reasonably calculated to lead to the discovery of admissible evidence regarding the merits. AT&T Kentucky further objects to this data

Witness: Objection by Counsel

request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.



**REQUEST NO. 10:** Please identify the amount of commission, or incentive, or other compensation paid to anyone at AT&T for sale of any product or service purchased by AID from you in the last five years, including the 1) amount paid, 2) date paid, and 3) what services was involved.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

Witness: Objection by Counsel

AT&T Kentucky also objects to this data request on the grounds that it irrelevant to the allegations of the Complaint and not reasonably calculated to lead to the discovery of admissible evidence regarding the merits. AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 11:** Please produce documents sufficient to support your answer to Data Request No. 10.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky also objects to this data request on the grounds that it irrelevant to the allegations of the Complaint and not reasonably calculated to lead to the discovery of admissible evidence regarding the merits. AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 12:** Please produce all documents from the last five years related to AID's accounts, to the extent they were not produced in response to Data Request No. 4. The response to this request should include, but is not limited to, internal communications, sales communications, and e-mails and account setup communications.

**RESPONSE:** AT&T Kentucky objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky. Without waiving that objection, AT&T Kentucky states that all such documents in its possession that it was able to locate were produced in response to AID 1-4.

Witness: Eric A. Herbert

**REQUEST NO. 13:** Please produce any marketing or promotional materials related to any product, service, or package sold to AID in the last five years.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission’s December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, “limited discovery” for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) (“Limited Discovery Order”). The Commission’s order limited discovery to “the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology.” *Id.* The Limited Discovery Order expressly prohibited discovery “regarding the veracity of the allegations of the [complaint] allegations themselves.” *Id.* The information sought by this data request is irrelevant to the issue of the Commission’s jurisdiction over Associates in Dermatology’s complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission’s jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Eric A. Herbert

**REQUEST NO. 14:** Please confirm that AT&T can disconnect customers' services without written permission or written direction from the customer (based on a verbal request or a change in service type or for another reason). If you cannot confirm this, please explain the basis for your denial.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Eric A. Herbert

**REQUEST NO. 15:** Please confirm that AT&T has disconnected services of customers without written permission or written direction from the client (based on a verbal request or a change in service type or for another reason). If you cannot confirm, please explain the basis for your denial.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission’s December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, “limited discovery” for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) (“Limited Discovery Order”). The Commission’s order limited discovery to “the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology.” *Id.* The Limited Discovery Order expressly prohibited discovery “regarding the veracity of the allegations of the [complaint] allegations themselves.” *Id.* The information sought by this data request is irrelevant to the issue of the Commission’s jurisdiction over Associates in Dermatology’s complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission’s jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 16:** Please confirm that AT&T sales representatives have the ability to disconnect customers' services without written permission or written direction from the client (based on a verbal request or a change in service type or for another reason). If you cannot confirm, please explain the basis for your denial.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel



**REQUEST NO. 17:** Please produce any AT&T policy related to Data Requests 14, 15, or 16, including but not limited to any policies that determines which persons or employees are permitted to discontinue or disconnect services and under what circumstances.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission’s December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, “limited discovery” for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) (“Limited Discovery Order”). The Commission’s order limited discovery to “the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology.” *Id.* The Limited Discovery Order expressly prohibited discovery “regarding the veracity of the allegations of the [complaint] allegations themselves.” *Id.* The information sought by this data request is irrelevant to the issue of the Commission’s jurisdiction over Associates in Dermatology’s complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission’s jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 18:** Please confirm or admit that AT&T has added services not requested by AID. If you cannot confirm, please explain the basis for your denial.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 19:** Please confirm or admit that AT&T has charged for services even when AID has requested in writing that the service be discontinued. If you cannot confirm, please explain the basis for your denial.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**REQUEST NO. 20:** Please confirm or admit that AT&T has charged for services after AID requested verbally or in writing that they be disconnected. If you cannot confirm, please explain the basis for your denial.

**RESPONSE:** AT&T Kentucky objects to this data request. This discovery was served in accordance with the Commission's December 3, 2019 order in this proceeding. That order indicated the Commission was undertaking, and would permit, "limited discovery" for the purpose of determining whether it possessed jurisdiction over the complaint filed by Associates in Dermatology, Inc. Order, *In The Matter Of: Associates In Dermatology, Inc. v. BellSouth Telecommunications, LLC dba AT&T Kentucky*, Case No. 2019-00047 (Ky. P.S.C. December 3, 2019) ("Limited Discovery Order"). The Commission's order limited discovery to "the nature of the services provided by AT&T Kentucky and the nature of the claims being made by Associates in Dermatology." *Id.* The Limited Discovery Order expressly prohibited discovery "regarding the veracity of the allegations of the [complaint] allegations themselves." *Id.* The information sought by this data request is irrelevant to the issue of the Commission's jurisdiction over Associates in Dermatology's complaint and is not reasonably calculated to lead to the discovery of information relevant to the question of the Commission's jurisdiction.

**RESPONSE:** AT&T Kentucky further objects to this data request to the extent it seeks information relating to the provision of telecommunications services outside the Commonwealth of Kentucky.

Witness: Objection by Counsel

**VERIFICATION**

The undersigned, Eric Herbert being duly sworn, deposes and states he is the Sr. Manager for AT&T, that he has personal knowledge of the matters set forth in the foregoing testimony, and that the information contained therein is true correct to the best of his information, knowledge, and belief after a reasonable investigation.

  
Eric Herbert

Common Wealth of Kentucky

Case No. 2019-00047

County of Boyd

Subscribed and sworn before me, a Notary Public, by Eric Herbert this January 30, 2020

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

*see attached California Jurat*

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

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2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

\_\_\_\_\_  
*Signature of Document Signer No. 1*

\_\_\_\_\_  
*Signature of Document Signer No. 2 (if any)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
 County of Contra Costa

Subscribed and sworn to (or affirmed) before me  
 on this 30 day of January, 2020  
Date Month Year

by (1) Eric Herbert

(and (2) \_\_\_\_\_),  
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence  
 to be the person(s) who appeared before me.

Signature Gayle L. Estabrook  
Signature of Notary Public



*Seal*  
 Place Notary Seal Above

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

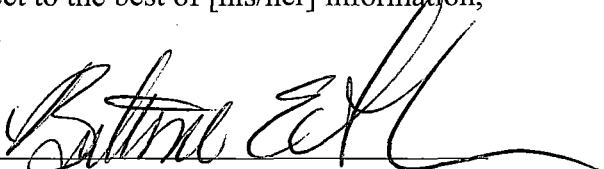
**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**VERIFICATION**

The undersigned, [name], being duly sworn, deposes and states [s/he] is the [position/title] for [entity], that [s/he] has personal knowledge of the matters set forth in the foregoing testimony, and that the information contained therein is true correct to the best of [his/her] information, knowledge, and belief after a reasonable investigation.

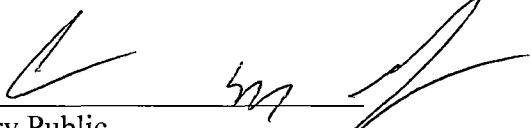
  
[name]

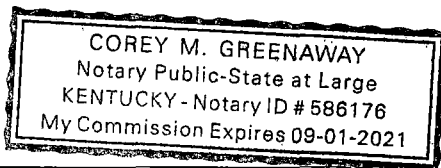
[State] Kentucky )  
County Jefferson )

Case No. 2019-00047

*Brittanee Etherton 1/31*

Subscribed and sworn before me, a Notary Public, by [name] this [date], 2020

  
\_\_\_\_\_  
Notary Public



My Commission Expires: \_\_\_\_\_



The objections set forth above are made by undersigned counsel for BellSouth  
Telecommunications, LLC dba AT&T Kentucky.

Respectfully submitted,

Mark R. Overstreet by KMG

Dated: February 3, 2020

Mark R. Overstreet  
Katie M. Glass  
STITES & HARBISON, PLLC  
421 W. Main St.  
P.O. Box 634  
Frankfort, KY 40602-0634  
Telephone: (502) 779-8349  
[moverstreet@stites.com](mailto:moverstreet@stites.com)  
[kglass@stites.com](mailto:kglass@stites.com)

*Counsel for BellSouth Telecommunications, LLC*



Certificate of Service

I certify that a true copy of the foregoing responses was served by first class mail, postage prepaid, and by e-mail transmission (without attachments) on the following this 3rd day of February 2020:

Paul Schurman  
Avery & Schurman, PLC  
115 N. Watterson Tr.  
Louisville, KY 40243  
[paul@louisvillelaw.com](mailto:paul@louisvillelaw.com)

Kenyon R. Meyer  
Caroline L. Perioni  
Dinsmore & Shohl  
101 S. Fifth Street  
Suite 2500 PNC Tower  
Louisville, KY 40202  
[kenyon.meyer@dinsmore.com](mailto:kenyon.meyer@dinsmore.com)  
[caroline.pieroni@dinsmore.com](mailto:caroline.pieroni@dinsmore.com)

Mark R. Overstreet by KM G

Mark R. Overstreet