

**Dinsmore & Shohl** LLP  
ATTORNEYS

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**RECEIVED**

OCT 19 2006  
PUBLIC SERVICE  
COMMISSION

October 19, 2006

***Via Hand Delivery***

Hon. Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40601

**Re: *In the Matter of Mountain Rural Telephone Cooperative Corporation, Inc. v. Kentucky Alltel, Inc.; Case No. 2006-00198***

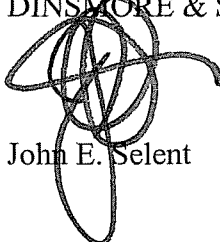
Dear Ms. O'Donnell:

I have enclosed for filing in the above styled case the original and eleven (11) copies of Mountain Rural's Response to Windstream Kentucky East, Inc.'s Second Set of Data Requests. Please file-stamp one copy and return it to our delivery person.

Thank you, and if you have any questions, please call me.

Very truly yours,

DINSMORE & SHOHL LLP



John E. Selent

JES/lb  
Enclosures

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

OCT 19 2006

MOUNTAIN RURAL TELEPHONE )  
COOPERATIVE CORPORATION, INC. )  
Complainant )

PUBLIC SERVICE  
COMMISSION

v. )

Case No. 2006-00198

KENTUCKY ALLTEL, INC. )  
Defendant )

**MOUNTAIN RURAL'S RESPONSE TO WINDSTREAM  
KENTUCKY EAST, INC.'S SECOND SET OF DATA REQUESTS**

Mountain Rural Telephone Cooperative Corporation, Inc., d/b/a Mountain Telephone ("Mountain Telephone"), by counsel, and in response to Windstream East, Inc.'s ("Windstream") Second Set of Data Requests responds as follows.

**GENERAL OBJECTIONS**

Mountain Telephone hereby incorporates by reference, as if fully set forth herein, its general objections to the First Set of Data Requests of Windstream. Without waiving those objections, Mountain Telephone hereby responds to Windstream's Second Set of Data Requests as follows.

**SECOND DATA REQUEST NO. 1:** With respect to the attachment you provided in response to First Data Request No. 4 regarding access line counts for years 2004, 2005, and 2006, please provide the following:

- a. For 2004, 2005, and 2006, please provide the meaning of "I.T.G."

**RESPONSE:** "I.T.G." refers to the Independent Telecom Group.

- b. For 2004, on Line 5, provide documentation identifying by type which minutes (e.g., area calling minutes, toll minutes, etc.) were included in the 2003 terminated minutes.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to the attached documentation and states that the actual total NTSR Intrastate access minutes of use were included in the 2003 terminated minutes.

- c. For 2004, provide documentation supporting a growth factor of zero on Line 6.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone states that no such documentation exists and further states that the growth factor of zero was based upon the absence of information indicating any growth in minutes of use.

- d. For 2004, provide documentation showing the determination of actual 2004 minutes and reconciliation of the 2004 minutes to the forecasted 2004 minutes set forth on Line 7.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not

reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to the attached documentation.

- e. For 2004, provide the supporting documentation to show whether the 2005 minutes on Line 5 are actual or forecasted.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to the attached documentation.

- f. For 2005, provide the actual 2005 minutes broken out by your categories of January through June and August through December. Please also provide the 2005 actual minutes for the month of July which were omitted from the section titled, "NTSR FOR CABS."

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to the attached documentation and states that the attachment contained a typographical error with respect to the "August through December" category. The "August through December" category should have been designated as "July through December;" accordingly, there are no additional minutes of use to provide with respect to that period of time.

g. For 2005, provide documentation supporting a growth factor of zero on Line 6.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone states that no such documentation exists and further states that the growth factor of zero was based upon the absence of information indicating any growth in minutes of use.

h. For 2005, provide documentation demonstrating how you used forecasted 2006 minutes to develop your 2005 NTS rate.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone states that no such documentation exists and further states that the assumption for 2006 was based on the absence of information indicating any expected growth in minutes of use.

i. For 2005, provide documentation reconciling why 2004 actual minutes were not used on Line 5 consistent with your calculations on the 2004 and 2006 pages of the attachment.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its

objections, Mountain Telephone states that no such documentation exists and further states that there was a typographical error on line 5, and that line actually reflected the 2004 actual minutes of use.

- j. For 2005, provide documentation explaining the factors causing the increase in minutes from approximately 21 million minutes in 2004 to 34 million in 2005.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to the attached documentation and further states that the unexpected increase in minutes of use appears to have resulted from the following factors: (i) Mountain Telephone's conversion to CABS in July of 2004 and its resultant ability to stop relying on BellSouth for settlement upon conversion; (ii) a programming change for Mountain Telephone's IXC CABS billing that permitted Mountain Telephone to utilize actual jurisdictions on terminating traffic, rather than PIU's supplied by carriers; (iii) an increase in usage by some large carriers.

- k. For 2005, provide documentation reconciling how forecasted minutes for five months from August to December (i.e., approximately 19.5 million minutes) were approximately the total minutes for the entire year 2004.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not

reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to its answer to subpart "j," above.

1. For the 2005 and 2006 pages of the attachment, provide documentation reconciling the 34 million minutes identified on Line 5 of 2005 to the 2005 terminates minutes of 38.9 million identified on Line 5 of 2006.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to the attached documentation.

- m. For all years 2004 through 2006, provide documents explaining why no growth factor was used in 2004 and 2005 and a negative factor was used in 2006.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone states that no such documentation exists and further states that the assumption for 2004 and 2005 was based on the absence of information indicating any growth in minutes of use. Mountain Telephone further states that its use of a negative growth factor in 2006 was premised on a decline in the number of access lines during 2005.

- n. With respect to 2004 through 2006, provide copies of CABs bills or other documentation to your wholesale customers reconciling the rates set forth in the

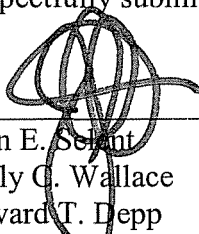
attachment to those rates you actually billed. In responding to this question, please redact all customer proprietary information and refer to individual carriers by an identification other than their name (e.g., "Carrier A").

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Mountain Telephone further objects to this request because the phrase "reconciling the rates set forth in the attachment to those rates you actually billed" is unduly vague and ambiguous with respect to CABS bills. Without waiving its objections, Mountain Telephone states that no such specific documentation exists and refers Windstream to the attached documentation.

**SECOND DATA REQUEST NO. 2:** With respect to development of the attachment, provide all memoranda, electronic and other written communications, and other documents addressing Mountain Rural's procedures and processes with respect to which types of minutes it includes or excludes from its calculation of its NTS rate.

**RESPONSE:** Mountain Telephone objects on the grounds that the request is overbroad, unduly burdensome, not relevant to the subject matter involved in the present action, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Mountain Telephone refers Windstream to its publicly filed tariffs.

Respectfully submitted,

  
\_\_\_\_\_  
John E. Selent  
Holly C. Wallace  
Edward T. Depp  
**DINSMORE & SHOHL LLP**  
500 West Jefferson Street



1400 PNC Plaza  
Louisville, Kentucky 40202  
(502) 540-2300 (tel.)  
(502) 585-2207 (fax)

**COUNSEL TO MOUNTAIN RURAL  
TELEPHONE COOPERATIVE  
CORPORATION, INC.**

**CERTIFICATE OF SERVICE**

It is hereby certified that the foregoing was served by mailing a copy of the same by First Class United States mail, postage prepaid, to Daniel Logsdon, Esq., Alltel Kentucky, Inc., 229 Lees Valley Road, Shepherdsville, KY 40165 and Mark R. Overstreet, Esq., Stites & Harbison, 421 W. Main Street, P.O. Box 634, Frankfort, KY 40602-0634, this 19<sup>th</sup> day of October, 2006.

  
\_\_\_\_\_  
**COUNSEL TO MOUNTAIN RURAL  
TELEPHONE COOPERATIVE  
CORPORATION, INC.**

114733v1





I.T.G. 2004 NTSR TRUE-UP CALCULATION

Company Name: Mountain Telephone

Ln	Access Customer Name (a)	CIC (b)	Intrastate CCL Minutes of Use		Total NTSR MOU (e)	Distribution (f)	Billed NTSR Amount (h)
			Originating (BILLED AT TERM RATE) (c)	Terminating (d)			
1	IntraLATA Rev. Dist. Fund						
2	Carrier A	xxx	233,824	7,634,972	7,634,972	0.22354847	\$ 804,346.61
3	Carrier B	xxx	196,201	10,844,036	11,077,860	0.32435465	#####
4	Carrier C	xxx	76,114	5,130,671	5,326,872	0.15596836	\$ 559,741.92
5	Carrier D	xxx	405,253	1,121,385	1,197,499	0.03506222	\$ 122,465.96
6	Carrier E	xxx	43,856	4,224,121	4,629,374	0.13554594	\$ 466,796.72
7	Carrier F	xxx	0	2,592,584	2,636,440	0.07719375	\$ 289,515.17
8	Carrier G	xxx	152,755	0	0	0.00000000	\$ -
9	Carrier H	xxx	0	30,441	183,196	0.00536389	\$ 18,867.98
10	Carrier I	xxx	0	84	84	0.00000246	\$ 8.57
11	Carrier J	xxx	16,255	4,483	4,483	0.00013126	\$ 438.47
12	Alltel Communications	5253	0	445,652	461,907	0.01352442	\$ 48,286.03
13			0	1,000,855	1,000,855	0.02930457	\$ 97,259.08
14			0	0	0	0.00000000	\$ 0.00
15				0	0	0.00000000	\$ 0.00
16					0	0.00000000	
	TOTAL		1,124,258	33,029,284	34,153,542	1.00000000	3,565,000.17

**I.T.G. DATA REQUEST  
2005 NTSR TRUE-UP CALCULATION**

**COMPANY NAME:**

**CONTACT NAME:**

**CONTACT NUMBER:**

**INSTRUCTIONS:**

Please provide the following information from your CABS bills for the period from January 1, 2005 through December 31, 2005 for each access customer. The company total information ( Kentucky intrastate only ) may be provided on a monthly basis or summarized for the entire period. IntralATA Revenue Distribution Fund usage should be obtained from SCB Form MP-1224-COM or comparable statement from BellSouth showing usage from 01/05 (report date 02/--/05) through 12/05 usage (report date 01/--/06). Please note that the IntralATA Revenue Distribution Fund should be net of CMRS MOU.

Ln	Access Customer Name	CIC No.	Access Usage		Intrastate CCL Minutes of Use		NTSR \$ Amount \$
			Period (From - To)	Type (P/N)	Originating Billed at Orig. Rate	Terminating Billed at Term. Rate	
<b>Feature Group C/D</b>							
1	IntralATA Rev. Dist. Fund		01/01/05 - 12/31/05	P	2,228	10,955,686	606,479.39
2	[Carrier A]	XXX	01/01/05 - 12/31/05	P	185,410	3,682,024	210,439.28
3	[Carrier B]	XXX	01/01/05 - 12/31/05	P	199,740	4,706,510	269,445.62
4	[Carrier C]	XXX	01/01/05 - 12/31/05	P	90,676	7,440,007	442,219.11
5	[Carrier D]	XXX	01/01/05 - 12/31/05	P	381,417	4,376,873	257,673.47
6	[Carrier E]	XXX	01/01/05 - 12/31/05	P	12,072	682,946	32,597.78
7	[Carrier F]	XXX	01/01/05 - 12/31/05	P	147,207	28	7,867.63
8	[Carrier G]	XXX	01/01/05 - 12/31/05	P	0	14	1.36
9	[Carrier H]	XXX	01/01/05 - 12/31/05	P	0	67	2.30
10	[Carrier I]	XXX	01/01/05 - 12/31/05	P	13,016	2,541,571	98,195.87
11	Alltel Communications	5253	01/01/05 - 12/31/05	P		1,729,322	93,136.31
12	Alltel Intralata Trunk	666	01/01/05 - 12/31/05	P		2,796,765	160,819.73
13							
14							
15							
<b>Miscellaneous</b>							
16	12/31/04 Access Lines Reported to NECA						16111
17	12/31/05 Access Lines Reported to NECA						15881
18	Equal Access Conversion Date (Past or planned)						

**I.T.G. DATA REQUEST  
2005 NTSR TRUE-UP CALCULATION**

**COMPANY NAME:**

**CONTACT NAME:**

**CONTACT NUMBER:**

**INSTRUCTIONS:**

Please provide the following information from your CABS bills for the period from January 1, 2005 through December 31, 2005 for each access customer. The company total information (Kentucky intrastate only) may be provided on a monthly basis or summarized for the entire period. If you converted to equal access during 2005, report premium (P) and non-premium (N) access usage separately.

Ln	Access Customer Name	CIC No.	Access Usage		Intrastate CCL Originating	Minutes of Use Terminating	NTSR \$ Amount \$
			Period (From - To)	Type (P/N)			
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
<b>Feature Group B</b>							
<b>Feature Group A</b>							
16	SCB Revenue Sharing						
17	GTE Revenue Sharing						
18							

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 2004 NTSR TRUE-UP DATA

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BILL NTSR DATE	ORIG @ TERM RATE	INTRA TERM 800	INTRA TERM MOU	TOTAL MOU
2004-02-01				
TOTAL	111,324	0	2,206,089	2,317,413
289,132.06				
2004-03-01				
TOTAL	96,313	0	2,015,935	2,112,248
263,534.60				
2004-04-01				
TOTAL	103,591	0	2,124,658	2,228,249
278,007.47				
2004-05-01				
TOTAL	99,319	0	2,077,648	2,176,967
211,548.92				
2004-06-01				
TOTAL	84,376	0	1,760,594	1,844,970
179,286.80				
2004-07-01				
TOTAL	94,405	0	2,069,916	2,164,321
210,320.09				
FINAL TOTALS				
TOTAL	589,328	0	12,254,840	12,844,168
1,431,829.94				

\*\*\* END OF REPORT \*\*\*

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 2004 NTSR TRUE-UP DATA

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BILL NTSR DATE	ORIG @ TERM RATE	INTRA TERM 800	INTRA TERM MOU	TOTAL MOU
2004-08-01				
TOTAL	89,650	0	2,078,742	2,168,392
210,715.59				
2004-09-01				
TOTAL	91,812	0	2,148,629	2,240,441
217,717.06				
2004-10-01				
TOTAL	90,721	0	2,136,972	2,227,693
216,478.26				
2004-11-01				
TOTAL	81,933	0	2,108,486	2,190,419
212,856.21				
2004-12-01				
TOTAL	90,581	0	2,285,452	2,376,033
230,893.39				
2005-01-01				
TOTAL	90,233	0	2,381,191	2,471,424
240,163.11				
FINAL TOTALS				
TOTAL	534,930	0	13,139,472	13,674,402
1,328,823.62				

\*\*\* END OF REPORT \*\*\*