

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MOUNTAIN RURAL TELEPHONE)
COOPERATIVE CORPORATION)

COMPLAINANT)

V.)

KENTUCKY ALLTEL, INC.)

RESPONDENT)

CASE NO. 2006-00198

RECEIVED

OCT 05 2006

PUBLIC SERVICE
COMMISSION

WINDSTREAM KENTUCKY EAST, INC.’S SECOND SET OF DATA REQUESTS TO
MOUNTAIN RURAL TELEPHONE COOPERATIVE CORPORATION

Comes now Windstream Kentucky East, Inc. f/k/a Kentucky Alltel, Inc. ("Windstream"), by counsel and pursuant to the Public Service Commission’s procedural schedule in this matter, and submits its Second Set of Data Requests to Mountain Rural Telephone Cooperative Corporation ("Mountain Rural") to be answered in accordance with the following definitions and instructions. Windstream submits this Second Set of Data Requests with respect to the limited information that Mountain Rural provided in response to Windstream's First Set of Data Requests. Windstream reserves the right to file further supplemental requests regarding additional information obtained from Mountain Rural through a motion to compel or otherwise regarding the prior data requests to which Mountain Rural was nonresponsive.

DEFINITIONS

- “Windstream” means Windstream Kentucky East, Inc. f/k/a Kentucky Alltel, Inc. and its subsidiaries, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Windstream.

- “You” and “your” refer to Mountain Rural as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Mountain Rural.
- “Mountain Rural” means Mountain Rural Telephone Cooperative Corporation, its subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Mountain Rural.
- “Affiliate” is defined as found in the Federal Telecommunications Act of 1996 (“the Act”). Section 3 of the Act defines the term “affiliate” as “a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term “own” means to own an equity interest (or the equivalent thereof) of more than 10 percent.” (47 U.S.C. §153(1).)
- “Document” shall have the broadest possible meaning under applicable law and means every writing or record of every type and description that is in the full or partial possession, custody or control of Mountain Rural, including, by way of illustration and not limitation, correspondence, memoranda, drafts, work papers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, schedules, work sheets, comparisons, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to, electronic mail files and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original.
- “Referring” or “relating to” means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing

with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.

- “And” and “or” as used herein shall be construed both conjunctively and disjunctively and each shall include the other whenever such construction shall serve to bring within the scope of these discovery requests any information that would otherwise not be brought within their scope.
- “Identify” or “identifying” or “identification” when used in reference to a document means to provide, with respect to each document requested to be identified by these discovery requests, a description of the document that is sufficient for purposes of a request to produce or a subpoena *duces tecum*, including the following:
 - a. the type of document (e.g., letter, memorandum, etc.);
 - b. the date of the document;
 - c. the title or label of the document;
 - d. the identity of the document originator;
 - e. the identity of each person to whom the document was sent;
 - f. a summary of the contents of the document; and
 - g. if any such document was, but is no longer, in your presence, custody or control or is no longer in existence, state whether the document is missing or lost, destroyed, or has been transferred voluntarily or involuntarily.
- The singular as used herein shall include the plural, and vice versa, and the masculine gender shall include the feminine and the neuter.

GENERAL INSTRUCTIONS

If you contend that any response to any request for information or production of document may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege or basis, please state the following with respect to each such response in order to explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim:

- a. the privilege asserted and its basis;
- b. the nature of the information withheld; and
- c. the subject matter of the document, except to the extent that you claim it is privileged.

These discovery requests are to be answered with reference to all information in your full or partial possession, custody or control or reasonably available to you. These discovery requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documentation may be obtained.

To the extent that the specific document, workpaper, or information as requested does not exist, but a similar document, workpaper, or information does exist, provide the similar document, workpaper, or information. In the event any document called for has been destroyed or transferred beyond the control of the company state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

If any request cannot be answered in full, answer to the extent possible and specify the reasons for your inability to answer fully. If any request appears confusing, please request clarification directly from counsel for Windstream.

These requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these requests subsequently become known.

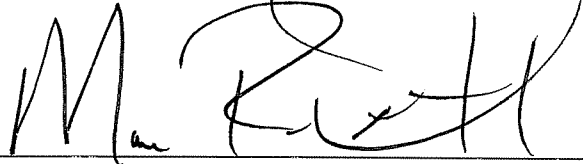
For each request, provide the name of the Mountain Rural witness(es) or employee(s) or other representative(s) responsible for compiling and providing the information contained in each answer.

DATA REQUESTS

1. **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."
 - 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.
 - c. For 2004, provide documentation supporting a growth factor of zero on Line 6.
 - 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.
 - e. For 2005, provide the supporting documentation to show whether the 2005 minutes on Line 5 are actual or forecasted.
 - 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."
 - g. For 2005, provide documentation supporting a growth factor of zero on Line 6.
 - h. For 2005, provide documentation demonstrating how you used forecasted 2006 minutes to develop your 2005 NTS rate.
 - 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.

- 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.
 - 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.
 - l. 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 terminated minutes of 38.9 million identified on Line 5 of 2006.
 - 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.
 - 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").
2. **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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark R. Overstreet". The signature is written in a cursive style with a large, prominent loop at the end of the last name.

Mark R. Overstreet
STITES & HARBISON, PLLC
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P.O. Box 634
Frankfort, KY 40602-0634
Telephone: (502) 223-3477
COUNSEL FOR DEFENDANT WINDSTREAM
KENTUCKY EAST, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served first class mail, postage prepaid and e-mail transmission upon the following:

John E. Selent
Holly C. Wallace
Edward T. Depp
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

on this the 5th day of October, 2006.

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written over a horizontal line. The signature is stylized with large, sweeping letters.

Mark R. Overstreet

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