

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE TRAFFIC)
DISPUTE BETWEEN WINDSTREAM)
KENTUCKY EAST, LLC, BRANDENBURG)
TELEPHONE COMPANY AND MCIMETRO)
ACCESS TRANSMISSION SERVICES, LLC)
D/B/A/ VERIZON ACCESS)

Case No. 2008-00203

WINDSTREAM KENTUCKY EAST, LLC'S FIRST SET OF DATA REQUESTS AND
REQUESTS FOR PRODUCTION OF DOCUMENTS TO BRANDENBURG
TELEPHONE COMPANY

Windstream Kentucky East, LLC ("Windstream") submits the following First Set of Data Requests and Requests for Production of Documents to Brandenburg Telephone Company ("Brandenburg") to be answered in accordance with the following:

DEFINITIONS

- "Windstream" means Windstream Kentucky East, LLC 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," "your," and "Brandenburg" refer to Brandenburg as well as any predecessors in interest, subsidiaries, and their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Brandenburg.
- "Verizon" means MCIMetro Access Transmission Services, LLC d/b/a Verizon Access and its predecessors in interest, subsidiaries, and their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Verizon.
- "Document" means every writing or record of every type and description that is in the full or partial possession, custody or control of Brandenburg, 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 notation that does not appear in the original.

- “Identify” or “identifying” or “identification” means to provide, with respect to each document requested, 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.

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 or the attorney work product doctrine, please state the following with respect to each such response:

- 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.

Please answer these discovery requests 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.

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 Brandenburg witness(es) or employee(s) or other representative(s) responsible for compiling and providing the information contained in each answer.

DATA REQUESTS

1. Please identify and describe the circumstances (including approximate date, reasons and source of information) under which Brandenburg first began delivering traffic to Verizon through Windstream's end office in Elizabethtown, Kentucky.
2. Please identify and describe the circumstances (including production of all referencing internal memoranda and other documents) under which Brandenburg selected delivery of traffic to Verizon through Windstream's end office instead of a tandem.
3. Please identify all calculations, memoranda, and other documents estimating or determining the costs to be incurred by Brandenburg to route - either indirectly through Louisville or directly - the traffic originated by Brandenburg's end users to Verizon.
4. Please identify all steps, if any, taken by Brandenburg from January 2005 to date to reroute, or attempt to reroute, the traffic being delivered to Verizon through Windstream's Elizabethtown end office away from Windstream's network.

5. Please identify all instances in which Verizon has acknowledged to Brandenburg that Brandenburg's routing of traffic through Windstream's Elizabethtown end office is contrary to industry routing protocols. Please provide in detail the circumstances surrounding such acknowledgement.

6. Please identify all instances in which Brandenburg has acknowledged to Verizon or any other entity that Brandenburg's routing of traffic through Windstream's Elizabethtown end office is contrary to industry routing protocols. Please provide in detail the circumstances surrounding such acknowledgement.

7. Please identify all instances in which Verizon has acknowledged to Brandenburg any responsibility on Verizon's part to compensate either Brandenburg or Windstream, or both, for the use of Windstream's network used to route the traffic from Brandenburg to Verizon. Please describe in detail the circumstances involved in such acknowledgement.

8. Please identify all documents stating Brandenburg's position that the traffic currently routed from Brandenburg to Verizon through Windstream's Elizabethtown end office should, according to industry routing protocols, be routed to the Louisville Tandem.

9. Please identify in detail all facilities between any portion of the Brandenburg network and any portion of the AT&T network in Louisville, Kentucky. Please include the capacity of facility (*e.g.*, DS1, DS3, OC3, OC12, etc.), the hour-by-hour usage on any such facilities for the past seven days, and the nature or jurisdiction of the traffic delivered over such facilities (*e.g.*, EAS, local, intraLATA toll, etc.).

10. Please identify in detail the steps required by Brandenburg to change the routing of the Verizon dial-up ISP traffic from the Windstream Elizabethtown end office to the AT&T Louisville tandem. Please include the number of minutes each step would require.

11. With respect to your response to the foregoing data request, please identify the difference in the steps You believe are needed to reroute the traffic in question as toll and as non-toll.

12. Please identify the name and contact information for each Brandenburg translations engineer or other employee, contractor, or consultant responsible for accomplishing the routing changes referenced in the foregoing data requests.

13. Please identify all routing and other translations work undertaken by any Brandenburg employee, contractor, or consultant since 2005 with respect to traffic exchanged between Brandenburg and Verizon.

14. Please identify all Brandenburg employees, contractors, or consultants having access to the Local Exchange Routing Guide ("LERG") and any internal policies or procedures used by Brandenburg with respect to routing traffic pursuant to the LERG.

16. Please identify the Brandenburg employee(s) or contractor(s) responsible for establishing the initial routing of Brandenburg's traffic through Windstream's Elizabethtown end office.

17. Please identify in detail all arrangements - whether direct or indirect - between Brandenburg and any other telecommunications provider in Kentucky. Please include the CLLI code of the Brandenburg originating switching office, the CLLI code of the terminating switch, and the CLLI code of the switch to which Brandenburg delivers the traffic. Please identify all compensation arrangements associated with the traffic.

REQUESTS FOR PRODUCTION OF DOCUMENTS

18. Please produce all documents identified, referenced, or otherwise implicated by the foregoing data requests and your responses to those data requests.

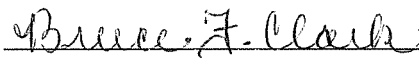
19. Please produce all correspondence or other documents exchanged from January 2005 to date between You and Verizon or prepared by You in consideration of your negotiations with Verizon with respect to routing of traffic. Please include dates of your discussions with Verizon and all requests made by You to Verizon regarding establishment of direct connections between Brandenburg's network and Verizon.

20. Please produce all correspondence, memoranda, emails, notes, and other documents related to complaints You received from customers beginning in 2005 to date related to the routing of traffic or completion of calls between You and Verizon.

21. Please produce all documents related to your actions in response to the routing / call completion complaints referenced in the foregoing request for production.

22. Please produce all spreadsheets, calculations, and other documents related to or otherwise setting forth Brandenburg's estimates and determinations as to the anticipated costs Brandenburg would incur to establish direct connections between its network and that of Verizon in order to reroute the traffic in question away from Windstream's network.

Respectfully submitted,



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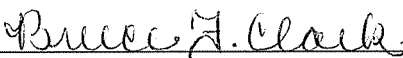
CERTIFICATE OF SERVICE

I hereby certify that a copy of WINDSTREAM KENTUCKY EAST, LLC's FIRST SET OF DATA REQUESTS AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO BRANDENBURG TELEPHONE COMPANY was served by electronic mail and United States First Class Mail, postage prepaid, on this 17th day of July, 2008 upon:

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