

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of: )  
)  
Petition of Windstream Kentucky )  
East, LLC for Arbitration of an )  
Interconnection Agreement with New )  
Cingular Wireless PCS, LLC, D/B/A )  
AT&T Mobility )

OCT 20 2010  
PUBLIC SERVICE  
COMMISSION

Case No. 2009-00246

**WINDSTREAM KENTUCKY EAST, LLC'S**  
**REPLY TO AT&T MOBILITY'S RESPONSE TO WINDSTREAM'S MOTION**  
**TO COMPEL**

Windstream East and AT&T Mobility have attempted to resolve the outstanding issues regarding Windstream East's Supplemental Data Requests. Although some issues were indeed resolved, there are still remaining issues that materially hinder Windstream East's ability to properly analyze and validate the traffic study provided by AT&T Mobility. Windstream East must be able to validate the traffic study to analyze the issue of the proper percentage for determining interMTA traffic between the parties, one of the issues in this arbitration proceeding. If AT&T Mobility is unwilling or unable to provide the information Windstream East needs to validate the traffic study and the Commission does not compel AT&T Mobility to produce such, then AT&T Mobility should be prohibited from using the traffic study or any part of it in any form in this proceeding and the Commission should not allow introduction of such into this proceeding.

**I. Windstream East's Supplemental Data Request No. 1**

In its Supplemental Data Request No. 1, Windstream East requested that AT&T Mobility provide the Oracle-based model constituting its traffic study, along with all the supporting work papers for the model, as well as full call detail records. AT&T Mobility

has notified Windstream East that the Oracle-based model does not exist, per se, and that it has already provided raw data to Windstream East to be used in its analysis of the traffic study provided by AT&T Mobility. However, the data that has been provided to Windstream East is not raw data; it is data that has been parsed. Windstream East considers “raw data” to be information that has not been edited or manipulated, but is in its original format. True raw data would include line numbers. The information provided by AT&T Mobility, as noted above, has been converted into different data that was used for AT&T Mobility’s queries in its Oracle-based model. Windstream East must be able to look at the raw data in order to properly evaluate the data in the traffic study provided to Windstream East by AT&T Mobility.

Additionally, Windstream East requested that AT&T Mobility admit that Local Routing Numbers (“LRN”) associated with the data provided by AT&T Mobility were not included in its traffic study. AT&T Mobility has stated that the CDRs used for ATT Mobility's study do not contain LRN. Since those CDRs come from switch records, they also do not contain the JIP of Windstream switches, which is part of the SS7 protocol. AT&T Mobility requested that Windstream East provide a table with all its subscribers' working telephone numbers for the study period so that AT&T Mobility can re-run the study with this table.

Unfortunately, Windstream East cannot provide its subscribers’ working telephone numbers for the study period reflected in the traffic study; the study was performed in June 2010, and Windstream East’s customer database does not retain the information for the customer database in June, 2010. However, an acceptable alternative would be for AT&T Mobility to use information from its SS7 network, which would

allow filtering based upon JIP and would include all the data Windstream East needs to analyze the traffic study in relation to LRNs. Windstream East proposes that AT&T Mobility provide this SS7 information, in addition to the other information that Windstream East is asking the Commission to require AT&T Mobility to produce, and is willing to have its technical team work with AT&T Mobility's technical team in order to create the documentation that Windstream East needs to properly analyze the traffic study.

Finally, in conjunction with its Supplemental Data Request No. 1, Windstream East requests information sufficient to allow it to identify cell site locations to properly validate the information in the traffic study provided by AT&T Mobility. AT&T Mobility objects to this request on the basis of both competitive and national security concerns, but has offered alternatives to Windstream East. As a first alternative, AT&T Mobility would provide, subject to the NDA between the parties, the city location of the towers rather than the specific street address. As a second alternative, AT&T Mobility is willing to have Windstream East conduct test calls to AT&T Mobility handsets (dialed to local numbers) both within and without the Windstream East home MTA, whereby Windstream East would know the location of the wireless handset for each call, but AT&T Mobility would not. Windstream East would then provide a list of all test calls made, including enough information (e.g., calling number, called number, time of call, etc.) so that AT&T Mobility could find each call in the CDR. AT&T Mobility would then run the same procedure as was used in the traffic study. Windstream East could then verify if AT&T Mobility accurately jurisdictionalized the test calls.

Although Windstream East appreciates AT&T Mobility's attempts to provide the appropriate data Windstream East needs, Windstream East has consulted with its technical subject matter experts, and determined that identification by city will not give Windstream East the information it needs to properly evaluate the traffic study. However, Windstream East proposes that AT&T Mobility provide the rate center for the cell towers in the traffic study, since that information would help identify the jurisdiction of the traffic examined in the traffic study, which is vital information needed for validation of the traffic study and which should not create any competitive or national security concerns for AT&T Mobility.

## **II. Windstream East's Supplemental Data Request No. 3**

An integral part of Windstream East's analysis of the traffic study is the ability to determine calls originated by Windstream East end users. Windstream East has asked AT&T Mobility to provide information from its roaming partners regarding these calls, but AT&T Mobility objected to providing this information. In subsequent discussions, AT&T Mobility claims that this information it receives from its roaming partners does not contain cell site locations, and that it has no way to obtain this information.

Windstream East requests that AT&T Mobility provide the NRTRDE records referred to by AT&T Mobility in its Response to Motion to Compel. Windstream East is willing to consider 100% of the traffic covered by those records as being interMTA traffic; the purpose of requesting these records is so that Windstream East may gather the MOUs contained in these records for inclusion in the originating InterMTA factor.

## **III. Windstream East's Supplemental Request for Admission No. 4**

Windstream East reiterates its arguments in its Motion to Compel regarding the provision of line numbers by AT&T Mobility. Without this information, AT&T Mobility's traffic study will contain information regarding calls originated by other carriers than Windstream East, which is a fatal flaw in the traffic study. Windstream East again notes that line numbers by themselves should not be considered customer proprietary network information ("CPNI") and is therefore information that can be provided to Windstream East by AT&T Mobility.

WHEREFORE, Windstream East respectfully requests the following:

1. That AT&T Mobility be ordered to produce the raw data used to formulate the data included in its model for the traffic study;
2. That AT&T Mobility be ordered to provide information from its SS7 network database to enable Windstream East to properly evaluate the data in the traffic study relevant to LRNs;
3. That AT&T Mobility be ordered to provide the rate center for the cell towers in the traffic study;
4. That AT&T Mobility be ordered to provide the NRTRDE records referred to by AT&T Mobility in its Response to Motion to Compel; and
5. That AT&T Mobility be ordered to provide line numbers in addition to NPA/NXX information.

Alternatively, if the Commission declines to require AT&T Mobility to produce each of the items of information identified above, Windstream respectfully requests that AT&T Mobility be prohibited from introducing its traffic study or any portion thereof

into this proceeding, and that the Commission not allow introduction of such into this proceeding.

Date: 10/20/10

Respectfully Submitted,

By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading was sent via hand delivery on this the 20<sup>th</sup> day of October, 2010 on Jeff R. Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602-0615 and by first class mail, postage pre-paid on Mary K. Keyer, General Counsel/AT&T Kentucky, 601 West Chestnut Street, Room 407, Louisville, Kentucky 40203, on Paul Walters, Jr., 15 East 1<sup>st</sup> Street, Edmond, Oklahoma 73034, and on Tiffany Bowman, Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602-0615.



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Robert C. Moore