

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO UNIVERSAL  
SERVICE AND FUNDING ISSUES

) ADMINISTRATIVE  
 ) CASE NO. 360

O R D E R

On February 18, 1998, GTE South Incorporated ("GTE") filed a motion to compel AT&T Communications of the South Central States, Inc. ("AT&T") to respond to certain data requests. The Commission granted GTE's motion on February 23, 1998. The Commission responded swiftly to GTE's motion to allow production of the requested documents prior to the formal conference and hearing. On February 25, 1998, AT&T moved for reconsideration.

AT&T disputes the production of information contained in Data Request Nos. 2, 54, 59, 88-91, 93 and 96-101, because it feels the requests are irrelevant or proprietary information of companies that are not parties to this proceeding.

Data Request No. 2 relates to the Transport Incremental Cost Model ("TICM"). AT&T objects to the production of the TICM because it contends that this model is irrelevant to the proceeding. Although no company is sponsoring the TICM for costing of the Universal Service Fund ("USF"), the TICM is a costing model that may contain useful information to the Commission in determining the proper model for USF costing. Therefore, the Commission denies AT&T's motion for rehearing on Data Request No. 2.

In Data Request Nos. 54, 88-91, 93, and 96-101, GTE requested information concerning the underlying geocoding information and databases and software in the HAI

(formerly Hatfield) Model 5.0, developed by HAI consulting, Inc. In Data Request Nos. 54, 88-91, 93 and 96-101, GTE asks for numerous databases and the validation of the databases. AT&T responded that these databases are available to GTE for purchase and that this availability in the commercial market attests to its accuracy. AT&T also states in its motion that it is prohibited by certain proprietary agreements and copyright laws from providing the information. Therefore, the Commission will not compel AT&T to produce any further information concerning these databases.

In Data Request No. 59, GTE asks for information filed by MCI at the Federal Communications Commission ("FCC"). AT&T asserts it will not respond for MCI. However, AT&T should supply the information requested. AT&T and MCI are co-sponsors of the HAI 5.0 in this proceeding and are co-sponsors of witnesses. The Commission is not asking AT&T to validate the information, only to provide it.

In Data Request Nos. 3-15, GTE requests information relied upon for differences in inputs between HAI 3.1 and 5.0. AT&T objects to these requests because the HAI 3.1 is not a part of this proceeding and irrelevant. The Commission disagrees. HAI 3.1 is relevant because it is the basis on which HAI 5.0 was formed. Only a few months ago its sponsors testified to the Commission that it was the correct model to use for USF costing. AT&T states it intends to supply GTE additional information regarding these data requests. The Commission agrees with AT&T's decision to supply such material. Therefore, AT&T shall file any additional information it has related to changes from HAI 3.1 to 5.0.

AT&T has agreed to produce additional information relating to Data Request Nos. 20-22, 23-24 and 103.

Further, AT&T moved for a one-day extension to file rebuttal testimony. The motion should be granted.

IT IS THEREFORE ORDERED that:

1. The motions of AT&T are granted in part and denied in part as set forth herein.
2. AT&T shall provide the compelled information ordered herein by no later than March 3, 1998.

Done at Frankfort, Kentucky, this 27th day of February, 1998.

PUBLIC SERVICE COMMISSION

B. J. Helton  
Chairman

E. H. G.  
Vice Chairman

Dan W. Davis  
Commissioner

ATTEST:

Helen C. Oeffler  
Executive Director