

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE INTRASTATE)	ADMINISTRATIVE
SWITCHED ACCESS RATES OF ALL)	CASE NO.
KENTUCKY INCUMBENT AND COMPETITIVE)	2010-00398
LOCAL EXCHANGE CARRIERS)	

**AT&T'S FIRST DATA REQUESTS TO
COMPETITIVE LOCAL EXCHANGE CARRIERS**

BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky, AT&T Communications of the South Central States, LLC, BellSouth Long Distance, Inc. d/b/a AT&T Long Distance Services, and TCG Ohio ("collectively, "AT&T"), pursuant to the Order of the Kentucky Public Service Commission dated March 10, 2011, hereby serves its First Data Requests to tw telecom of kentucky, llc, Level 3 Communications, LLC, U.S. LEC of Tennessee L.L.C. d/b/a PAETEC Business Services, SE Acquisitions, LLC d/b/a SouthEast Telephone, Frankfort Plant Board, and the Kentucky Cable Telecommunications Association on behalf of its members that provide telecommunications services in Kentucky.

INSTRUCTIONS

These data requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. When the information requested by a data request varies over time, state the response for each period of time as to which the response differs, and identify the time periods. If you cannot answer a data request in full after exercising due diligence to secure all the information requested,

or do not have precise information with regard to any part of any data request, you should so state in your response, describing in full your effort to obtain the information requested, and then proceed to respond to the fullest extent possible.

If you object to any part of any data request, answer all parts of the data request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

These data requests are continuing in nature. Thus, in the event that you obtain additional information with respect to any data request after it has been answered, you are required to supplement your response promptly following receipt of such additional information, providing the additional information to the same extent as originally requested. If you are unwilling to supplement your responses, please so state providing the legal basis for your refusal.

In the event that you assert that any requested information is not available in the form requested, in your written response thereto, you should disclose the following:

1. The form in which the requested information currently exists (identifying documents by title or description); and
2. The earliest dates, time period, and location that representatives of AT&T may inspect your files, records or documents in which the information currently exists.

For each data request answered, provide the name, business address(es) and telephone number(s) of the person(s) answering, the title of such person(s), and the name of the witness(es) who will be prepared to testify concerning the matters contained in each response. If you do not intend to call or present a witness who is prepared to testify concerning the matters contained in any response, please so state.

DEFINITIONS

1. "AT&T" shall mean collectively BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky, AT&T Communications of the South Central States, LLC, BellSouth Long Distance, Inc. d/b/a AT&T Long Distance Services, and TCG Ohio.

2. "You" or "Your" shall refer to each of the specific companies, as listed above, responding to these Data Requests.

3. "Representative(s)" means those persons, past and present not in your direct employment including outside counsel, who represent or represented your interests in matters related to this proceeding.

4. "Employee(s)" means those persons in your direct employment, past and/or present.

5. "Person" and "persons" include individuals, firms, partnerships, associations, trade associations, corporations, government entities, or other groups, however organized.

6. "Document" or "documentation" means any medium upon which intelligence or information can be recorded or retrieved, and includes, without limitation, the original and each copy, regardless of origin and location, of any book, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting or conversation), invoice, bill, order, form, receipt, financial statement, accounting entry, diary, calendar, telex, telegram, e-mail, facsimile ("fax"), cable, report, recording, contract, agreement, study, handwritten note, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing tape, disk, file stored on computer, or any other written, recorded, transcribed, punched tape, filmed or graphic matter,

however produced or reproduced, which is in your possession, custody, control or otherwise accessible to you or which was, but is no longer, in your possession, custody or control.

7. "Identification" or "identify" when used in reference to: (i) a document other than a contract or agreement means to state: (1) its date; (2) its author; (3) the type of document; (4) its title; (5) its present location; (6) the name of each of its present custodians; (ii) a contract or agreement, means: (1) state the date of its making; (2) identify the parties thereto; (3) state whether the contract is oral or in writing; (4) state fully and precisely and separately all of the terms of said contract; (iii) a person other than an individual, means to state: (1) its full name; (2) its nature of organization, including the name of the state or country under the laws of which it was organized; (3) the address of its principal place of business; and (4) its principal line of business; (iv) a communication, requires you, if any part of the communications was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

8. "Possession, custody or control" includes actual constructive possession. Any document which is not in your immediate physical possession, but to which you have or had a right to compel or secure production from a third person or which is otherwise subject to your control, shall be obtained and produced as directed.

9. "Relate to" or "relating to" means concern, consist of, refer to, pertain to, reflect, evidence, or to be in any way logically or factually connected with the matter discussed.

10. "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these data requests anything that would not otherwise be brought within their scope.

11. "Concerning" shall mean comprising, describing, evidencing, referring to, responding to, quoting, or pertaining in any way to any part of a specified subject matter and/or to the contents or subject matter of any document including the specified subject matter.

12. "Communication" includes, without limitation of its generality, correspondence, statements, agreements, contracts, discussions, conversation, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by documents or by media such as e-mail, intercoms, telephones, television or radio, data systems, and electronic reproductions and delivery systems.

DATA REQUESTS

1. Do you offer standalone basic local exchange service as defined in KRS 278.541? If so, for each year from 2001 through 2010, and for 2011 most recent data available, please provide the total number of revenue-producing **retail** access lines for the following:

- (a) Residential standalone basic local exchange service (as defined in KRS 278.541) access lines, including “lines” being provided via a non-traditional means such as voice over Internet protocol (VoIP).
 - (b) Business standalone basic local exchange service (as defined in KRS 278.541) access lines, including “lines” being provided via a non-traditional means such as voice over Internet protocol (VoIP).
 - (c) Residential non-basic local exchange service access lines (as defined in KRS 278.541), including “lines” being provided via a non-traditional means such as voice over Internet protocol (VoIP), and voice grade equivalent lines for ISDN-BRI.
 - (d) Business non-basic local exchange service access lines (as defined in KRS 278.541), including “lines” being provided via a non-traditional means such as voice over Internet protocol (VoIP), and voice grade equivalent lines to which intrastate switched access applies (e.g., all activated B-channels in an ISDN-PRI or ISDN-BRI to the extent the ISDN-PRI or ISDN-BRI is providing connectivity to the PSTN).
 - (e) Other facilities to which intrastate switched access applies, if any, not included in (a) through (d) above.
2. For each year from 2001 through 2010, and for 2011 most recent data available, please provide the average monthly revenue per line identified in Data Request 1(a), 1(b), 1(c), 1(d) and 1(e). If the average monthly revenue figures are not available in the format requested for each of these types of lines, provide the total annual revenue for the years requested, for all lines identified in Data Request 1, presented at the greatest level of disaggregation the ILEC maintains in its historical revenue records.
3. For each year from 2001 through 2010, and for 2011 most recent data available, please provide the total number of all revenue-producing **wholesale** access lines (*i.e.*, resale, UNE loops, and facilities that have the capability to provide voice grade equivalent service) for the following:
- (a) Residential standalone basic local exchange service (as defined in KRS 278.541)
 - (b) Business standalone basic local exchange service (as defined in KRS 278.541)
 - (c) Residential non-basic local exchange service access lines, including voice grade equivalent lines for ISDN BRI.
 - (d) Business non-basic local exchange service access lines, including voice grade equivalent lines (e.g., all activated B-channels in an ISDN-PRI or ISDN-BRI to the extent the ISDN-PRI or ISDN-BRI is providing connectivity to the PSTN).
 - (e) Other facilities to which intrastate switched access applies, if any, not included in (a) through (d) above.

4. For each of the **retail** types of lines identified in Data Request 1(a) through (e), for 2010, and for 2011 most recent data available, provide the calculated weighted average local rate per line per month, and all back-up information and worksheets that support these calculations.
5. For each of the **wholesale** types of lines in Data Request 3 (a) through (e), for 2010, and for 2011 most recent data available, provide the calculated weighted average local rate per line per month, and all back-up information and worksheets that support these calculations.
6. For 2010, and 2011 most current data available, provide the following:
 - (a) Volumes of intraMTA minutes terminated by you on behalf of all wireless carriers, and dollars billed for such terminating intraMTA minutes broken out by
 1. IntraLATA intrastate,
 2. InterLATA intrastate, and
 3. InterLATA interstate.
 - (b) Volume of intrastate, interMTA minutes terminated by you on behalf of wireless carriers, and dollars billed for such intrastate, interMTA minutes.
 - (c) Volume of local minutes terminated by you and dollars billed for wireless traffic as reciprocal compensation for such traffic;
 - (d) Volume of local minutes terminated by you and dollars billed for non-wireless traffic as reciprocal compensation for such traffic;
7. What rate(s) do you charge for termination of intraMTA wireless calls? Provide the source showing the basis for each such rate(s).
8. What rate(s) do you charge for termination of VoIP calls originated by VoIP providers?
9. For each year from 2001 through 2010, and for 2011 most recent data available, provide, and in (a) thru (d) specifically identify and group the revenues in a matrix by (1) type of provider (CLEC/ILEC, mobile wireless services provider, cable VoIP services provider, and non-cable VoIP services provider), and by (2) each rate element billed. Please identify separately (if any) revenues from your non-ILEC affiliates.
 - (a) Total **intrastate, terminating** switched access revenues billed (including non-traffic sensitive revenues) and MOUs;
 - (b) Total **intrastate, originating** switched access revenues billed (including non-traffic sensitive revenues) and MOUs;
 - (c) Total **interstate, terminating** switched access revenues billed (including non-traffic sensitive revenues) and MOUs;

- (d) Total **interstate, originating** switched access revenues billed (including non-traffic sensitive revenues) and MOUs;
 - (e) Please provide the work papers for the rate elements, volumes, revenues and associated calculations for (a) through (d) above in electronic/Excel format. Please specify the unit of measure for each rate element (e.g., MOU, circuit/month, line, message, etc.). If the billing basis is not MOU, please provide the relevant quantities associated with each rate element.
10. For 2010, and for 2011 most recent data available, for you and your affiliates (if any), please provide the following:
- (a) Total Kentucky **intrastate** originating and terminating switched MOUs and access expenditures paid to other providers (i.e., ILECs and CLECs, excluding payments to any of your affiliates). Please provide payments to each carrier and group by ILECs and CLECs separately;
 - (b) Total Kentucky **interstate** originating and terminating switched MOUs and access expenditures paid to other providers (i.e., ILECs, and CLECs, excluding any of your affiliates). Please provide payments to each carrier and group by ILECs and CLECs separately;
 - (c) Please respond to (a) and (b) for the traffic (excluded above) between you and your Kentucky affiliates.
11. Please provide separate estimates of the percentage of terminating intercarrier traffic you and your parent companies and affiliates receive both in Kentucky and nationwide that lacks sufficient call detail or signaling information to either (a) identify the carrier financially responsible for intercarrier charges or (b) apply the proper compensation regime for interstate access, intrastate access, and reciprocal compensation (such traffic is generally and collectively known as “phantom traffic”).
12. What is your practice for determining the intercarrier compensation applicable to traffic that lacks sufficient information to otherwise identify the traffic’s proper intercarrier compensation regime? Cite all your intrastate and interstate tariffs, interconnection agreements, or other relevant sources that determine what intercarrier compensation scheme should apply to such traffic.
13. Please provide your estimate of the percentage of your terminating intercarrier traffic, both for traffic sent or received by you in Kentucky, for which the compensation regime (interstate access, intrastate access, or reciprocal compensation) is mischaracterized.
14. Have you, your parent companies and/or affiliates filed any appeals of FCC Orders that established your interstate switched access rates?

15. Have you ever made a claim or appeal in any forum that your existing interstate switched access rates are not compensatory or are confiscatory? Please list every instance where such claim or appeal was made, provide all evidence supporting such claim, and indicate the result of the related challenge or appeal (if any)?
16. Regarding the origination and termination of landline toll traffic in Kentucky:
 - (a) Does the function provided by you for interstate originating and terminating switched access service materially differ from the functionality provided for your intrastate originating and terminating switched access service? If so, identify and describe each material difference in detail, and quantify the cost difference caused by each purported material difference.
 - (b) Does the functionality you use to provide terminating switched access services, either for interstate or intrastate toll calls, materially differ from the functionality you use to provide local call termination for which either the FCC adopted reciprocal compensation charge or local interconnection charge applies? If so, identify and describe each material difference in detail, and quantify the cost difference caused by each purported material difference.
 - (c) Does the function you perform to provide terminating switched access services, either for interstate or intrastate calls, materially differ from the function you use to terminate VoIP originated calls? If so, identify and describe each material difference, and quantify the cost difference caused by each purported material difference.
 - (d) Does the function you perform to provide terminating switched access services, either for interstate or intrastate calls, materially differ from the function you use to terminate intraMTA wireless calls, either interstate or intrastate? If so, identify and describe each material difference, and quantify the cost difference caused by each purported material difference.
17. In accordance with the FCC's April 26, 2001 Seventh Report and Order in CC Docket 96-262, have you capped your interstate switched access rates to the level of the interstate switched access rates of the incumbent local exchange carrier with which you compete?
18. Do you or any of your parent companies or affiliates in any other state mirror your interstate and intrastate access rates or any individual rate elements? Also, are you subject to any future mirroring (e.g., by an order that requires phased-in mirroring)?
 - (a) Please list all states where you or an affiliate company mirror these rates or rate elements;

- (b) Please describe and identify (by docket number, relevant statute section, or other similar type of identifier) the proceedings or legislation that led you or an affiliate entity to mirror these rates;
 - (c) Please state whether you or your affected affiliate entity appealed any order of any state commission or challenged any statute involved in (a) or (b) above. If yes, identify each appeal or challenge.
 - (d) If the answer to (c) indicates “Yes,” what was the result of the related appeal or challenge?
19. Do you or any of your parent companies or affiliates in any other state mirror the intrastate access rates or any individual rate elements of the competing ILEC, or have you or any of your parent companies or affiliates been ordered to do so in the future?
- (a) Please list all states where you mirror these rates or rate elements;
 - (b) Please describe and identify (by docket number, relevant statute section, or other similar type of identifier) the proceedings or legislation that led you to mirror these rates;
 - (c) Please state whether you appealed any order of any state commission or challenged any statute involved in (a) or (b) above. If yes, identify each appeal or challenge.
 - (d) If the answer to (c) indicates “Yes,” what was the result of the related appeal or challenge?
20. If not otherwise identified in Data Requests 18 and 19, have you or any of your parent companies or affiliates in any other state been ordered to restrict its access rates in any way?
- (a) Please list all states where your access rates are restricted and describe the restriction;
 - (b) Please describe and identify (by docket number, relevant statute section, or other similar type of identifier) the proceedings or legislation that led you to restrict your access rates;
 - (c) Please state whether you appealed any order of any state commission or challenged any statute involved in (a) or (b) above. If yes, identify each appeal or challenge.
 - (d) If the answer to (c) indicates “Yes,” what was the result of the related appeal or challenge?
21. Have you ever filed a pleading with the FCC indicating your support for a unified interstate and intrastate rate? If yes, provide such filing or a cite to obtain the document if publicly available.

22. Do you provide intrastate toll and interstate toll services in Kentucky? If not, do you have an affiliate that provides those services? If so, provide the names of the affiliates and the type of service they provide.
23. For each year from 2001 through 2010, and for 2011 most recent data available, for you and your affiliates (if any), please provide the following:
 - (a) Total Kentucky *intrastate* toll MOUs and revenues;
 - (b) Total Kentucky *interstate* toll MOUs and revenues
24. Do you have any elasticity studies for local or toll services? If so, please produce copies of them.
25. Provide the total amount of revenues and volumes for retail vertical services for each year from 2001 through 2010, and for 2011 most recent data available.
26. Provide a schedule reflecting your local rates for residential and business customers by rate group for the last 10 years.

Respectfully submitted,



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