

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

**THE RLECS' SECOND DATA REQUESTS**

The RLECs<sup>1</sup> by counsel, and pursuant to the March 10, 2011 procedural order (the “Order”) entered by the Public Service Commission of the Commonwealth of Kentucky (the “Commission”) in this matter, hereby propound the following data requests upon AT&T,<sup>2</sup> Sprint,<sup>3</sup> and Verizon.<sup>4</sup> These initial data requests shall be answered in accordance with the Commission's Order.

In light of the abbreviated procedural schedule in this matter, in the event the responding party believes a complete answer to any of these initial data requests will require the disclosure of confidential data, is otherwise objectionable, or that a request requires clarification due to alleged ambiguity, please notify counsel to the RLECs immediately so that appropriate interim

<sup>1</sup> Ballard Rural Telephone Cooperative Corporation, Inc., Brandenburg Telephone Company, Duo County Telephone Cooperative Corporation, Inc., Foothills Rural Telephone Cooperative, Inc., Gearhart Communications Co., Inc., Highland Telephone Cooperative, Inc., Logan Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative, Inc., North Central Telephone Cooperative Corporation, Peoples Rural Telephone Cooperative, Inc., South Central Rural Telephone Cooperative Corporation, Inc., Thacker-Grigsby Telephone Company, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc. (collectively the “RLECs”).

<sup>2</sup> 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 Service, and TCG Ohio.

<sup>3</sup> Sprint Communications Company, L.P., Sprint Spectrum, L.P., Nextel West Corp., and NPCR, Inc.

<sup>4</sup> MCI Metro Transmission Access Transmission Services LLC d/b/a Verizon Access Transmission Services, MCI Communications Services, Inc. d/b/a Verizon Business Services, Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, NYNEX Long Distance Company d/b/a Verizon Enterprise Solutions, TTI National, Inc., Teleconnect Long Distance Service & Systems d/b/a Telecom\*USA, and Verizon Select Services.

arrangements can be made pending Commission ruling upon any motion for confidential treatment or motion for protective order that may be necessary.

\*\*\*\*\*

### **DATA REQUESTS TO AT&T**

**REQUEST NO. 1:** Does AT&T or any of its affiliates offer access to broadband internet services (defined here as service providing a bandwidth of 4 megabits per second (“Mbps”) or greater) on a stand-alone basis? For example, can an end-user customer of AT&T or any of its affiliates purchase broadband internet services without also subscribing to local, long distance, or wireless service(s) from AT&T or any of its affiliates? If so, please specifically identify the name or designation of such plan(s), and provide a detailed description of the terms and conditions (including pricing, term commitments, and minute or data volume (e.g., bit limitations) associated with such plan(s).

### **RESPONSE:**

**REQUEST NO. 2:** What is the minimum bandwidth that AT&T associates with the term “broadband,” as used throughout its testimony, comments, discovery responses, and other filings (“filings”) in this matter? Please identify the authority for AT&T’s definition of “broadband” in that manner, and please indicate whether the authority is consistent with the FCC’s current bandwidth definition of “broadband” services. If AT&T’s usage of “broadband” is inconsistent (from a bandwidth, or other, perspective) with the FCC’s current definition of

“broadband,” please identify all instances in previous filings where AT&T’s use of the term “broadband” should be modified, and please explain how those instances should be modified.

**RESPONSE:**

**REQUEST NO. 3:** Please state whether AT&T considers its wireless EDGE, 3G, and 3G technologies to be broadband technologies, as the term “broadband” is used by the FCC.

**RESPONSE:**

**REQUEST NO. 4:** Please identify the bandwidth provided by AT&T’s wireless EDGE technology, its wireless 3G technology, its wireless 3G S technology, and any other wireless data transmission technologies available or planned to be available in Kentucky during the next three (3) years.

**RESPONSE:**

**REQUEST NO. 5:** Please provide coverage maps showing the current availability of AT&T’s wireless EDGE, 3G, 3GS, and other data transmission service(s) in Kentucky.

**RESPONSE:**

**REQUESTNO.6:** Please provide coverage maps showing the current availability of T-Mobile (and T-Mobile affiliate) wireless EDGE, 3G, 3GS, and other data transmission service(s) in Kentucky.

**RESPONSE:**

**REQUESTNO.7:** Please provide coverage maps showing the anticipated availability of wireless EDGE, 3G, 3GS, and other data transmission service(s) as of January 2014, or as close to that date as is currently planned or projected for Kentucky.

**RESPONSE:**

**REQUESTNO.8:** Identify all flat-rate calling plans that AT&T or any of its affiliates offer in Kentucky for long distance calls? Please specifically identify the name or designation of such plan(s), and provide a detailed description of the terms and conditions (including pricing, term commitments, and minute limitations) associated with such plan(s). For purposes of this request and any others using the term “flat-rate calling plans,” “flat-rate calling plans” shall mean a calling plan by which a customer pays a flat amount for a set number of long distance minutes, without regard to the inter- or intrastate nature of the call to be made.

**RESPONSE:**

**REQUEST NO. 9:** If AT&T has any flat-rate calling plans in Kentucky, please identify the percentage of the long distance customer base that currently subscribes to such plans where they are offered.

**RESPONSE:**

**REQUEST NO. 10:** With respect to Dr. Oyefusi's testimony at page 14, lines 10-15, please identify all concrete and specific examples known to AT&T or its affiliates whereby any of the RLECs has taken the actions theorized by Dr. Oyefusi. Dr. Oyefusi's testimony contains the economic theory underlying his suppositions; please provide any specific examples by which the RLECs have illustrated the concerns of this theory.

**RESPONSE:**

**REQUEST NO. 11:** Does AT&T propose to abolish carrier of last resort ("CO LR") obligations for Kentucky incumbent local exchange carriers? If so, please explain how it proposes the statutory objective of universal service will be satisfied. If not, please explain how incumbent local exchange carriers will be able to meet their CO LR obligations under the AT&T Plan.

**RESPONSE:**

**REQUESTNO.12** : Does AT&T contend that the historical customer migration from wireline long distance to intermodal alternatives such as wireless, VOIP, text, video chat, etc., has been driven solely by price considerations? If not, what other considerations have driven this migration? Please provide all studies or analyses performed by AT&T with respect to this subject matter.

**RESPONSE:**

**REQUESTNO.13** : Which RLECs does AT&T contend are engaged in “‘call pumping,’ ‘phantom traffic,’ and similar arbitrage schemes?” ( See Test. Of O. Oyefusi at 25:3-9.)

**RESPONSE:**

**REQUESTNO.14** : Please provide the analysis (including all work papers) that Dr. Oyefusi testifies he performed in advocating a local rate benchmark of between \$18.50 and \$23.50 for the Kentucky ICOs.

**RESPONSE:**

**REQUESTNO.15** : Please produce all documents that evidence, support, or relate to AT&T’s responses to these data requests.

**RESPONSE:**

**REQUESTNO.16** : Please provide copies of all correspondence and other filings made at the FCC in conjunction with the pending ICC reform (WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket No. 01-92, 96-45; and GNDocket No. 09-51).

**RESPONSE:**

**REQUESTNO.17** : Please explain how AT&T's position with respect to ICC reform at the FCC affects its position in this matter.

**RESPONSE:**

**DATA REQUESTS TO PRINT**

**REQUEST NO. 1** : At page 6, lines 20-21, Mr. Appleby testifies that “the carriers assessing the inflated access rates are also participants in the toll market....” Please identify all the carriers to whom Mr. Appleby was referring.

**RESPONSE:**

**REQUEST NO. 2** : Please explain whether the tele-density, as used at page 15, line 16, and other locations in Mr. Appleby’s testimony accounts for the following:

- (a) Topography;
- (b) Vegetation/Forestation;
- (c) Average household income; or
- (d) Median household income.

**RESPONSE:**

**REQUEST NO. 3** : Did Mr. Appleby perform any statistical analysis to determine whether it is appropriate to compare the average tele-density of Kentucky’s rural ILECs to the



tele-density of the non-BOC service areas of the entire United States? If so, please provide that analysis.

**RESPONSE:**

**REQUEST NO. 4:** Does Sprint propose to abolish carrier of last resort (“COLR”) obligations for Kentucky incumbent local exchange carriers? If so, please explain how it proposes the statutory objective of universal service will be satisfied. If not, please explain how incumbent local exchange carriers will be able to meet their COLR obligations under the access reform plan proposed by Sprint.

**RESPONSE:**

**REQUEST NO. 5:** Please identify the “full suite of services” that Mr. Appleby alleges the RLEC offer. ( See Test. of J. Appleby at 23:8.)

**RESPONSE:**

**REQUEST NO. 6:** Please produce all documents that evidence, support, or relate to Sprint’s responses to these data requests.

**RESPONSE:**

**REQUESTNO.7** : Please provide copies of all correspondence and other filings made by Sprint at the FCC in conjunction with the pending ICC reform (WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket No. 01-92, 96-45; and GN Docket No. 09-51).

**RESPONSE:**

**REQUESTNO.8** : Please explain how Sprint's position with respect to ICC reform at the FCC affects its position in this matter.

**RESPONSE:**

## **DATA REQUESTS TO VERIZON**

**REQUEST NO. 1** : Does Verizon propose to abolish carrier of last resort (“COLR” ) obligations for Kentucky incumbent local exchange carriers? If so, please explain how it proposes the statutory objective of universal service will be satisfied. If not, please explain how incumbent local exchange carriers will be able to meet their COLR obligations under the access reform plan proposed by Verizon.

### **RESPONSE:**

**REQUEST NO. 2** : Provide all analysis conducted by Verizon or its witness (Mr. Price) showing that rural “Kentucky consumers no longer are forced to rely on wireline ILEC service to be assured affordable basic universal service.” ( See Test. of D. Price at 11:4-5.)

### **RESPONSE:**

**REQUEST NO. 3** : At page 13, lines 13-14 of Mr. Price’s testimony, he testifies that “when local rates are kept artificially low through subsidy payments not available to new entrants, entry is discouraged.” Is Verizon aware of any other factors that may discourage market entry? If so, what are they? Without limiting Verizon’s identification of all factors that may discourage market entry, does Verizon believe that investment in telecommunications/data services for an area of low population density, with less developed infrastructure, and low average income would present an equally attractive investment when compared to an area of

higher population density, more developed infrastructure, and higher average income? Please explain why or why not.

**RESPONSE:**

**REQUEST NO. 4 :** At page 40, lines 15-17, Mr. Price testifies that the fact “that AT&T has continued to compete effectively without an NTSRR subsidy for a decade confirms that other Kentucky ILECs can, too.” Please provide the economic, financial, and other analysis supporting this conclusion. Similarly, if Mr. Price believes it would be irrelevant to consider AT&T’s economies of scale and market capitalization, along with its significantly more urban and concentrated customer base and potential customer base, please explain why.

**RESPONSE:**

**REQUEST NO. 5 :** Please identify all VOIP service providers known to Verizon that offer services in Kentucky. With respect to each such VOIP service provider identified, please also provide the following information:

- (a) Monthly or annual minutes of use originated by the VOIP service provider;
- (b) Monthly or annual minutes of use terminated by the VOIP service provider;
- (c) Percentage of traffic volume originated by the VOIP service provider by a customer located in the service territory of an RLEC; and

(d) Percentage of traffic volume terminated by the VOIP service provider to a customer located in the service territory of an RLEC.

**RESPONSE:**

**REQUEST NO. 6 :** With respect to Mr. Price's testimony at page 21, lines 7-8, identify all states that have reduced switched access charges. With respect to each such state identified, please indicate whether the mandated reduction was accompanied by the institution of a benchmark and/or a revenue replacement mechanism for rate of return on rural incumbent local exchange carriers.

**RESPONSE:**

**REQUEST NO. 7 :** Please provide all studies, reports, or similar analyses reviewed or produced by Mr. Price in connection with his analysis of the financial impact of benchmarking upon the ability of rural incumbent local exchange carriers.

**RESPONSE:**

**REQUESTNO.8** : Please produce all documents that evidence, support, or relate to Verizon's responses to these data requests.

**RESPONSE:**

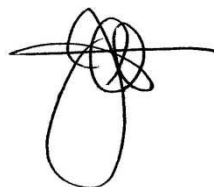
**REQUESTNO.9** : Please provide copies of all correspondence and other filings made by Verizon at the FCC in conjunction with the pending ICC reform (WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket No. 01-92, 96-45; and GN Docket No. 09-51).

**RESPONSE:**

**REQUESTNO.10** : Please explain how Verizon's position with respect to ICC reform at the FCC affects its position in this matter.

**RESPONSE:**

Respectfully submitted,

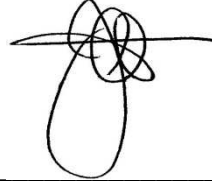
A handwritten signature consisting of a horizontal line with a large, stylized loop and a vertical line extending downwards from the center of the loop.

JohnE.Selent  
EdwardT.Depp  
**DINSMORE&SHOHL LLP**  
101SouthFifthStreet  
2500NationalCityTower  
Louisville,Kentucky40202  
(502)540-2300(Telephone)  
(502)585-2207(Facsimile)

*CounseltotheRLECs*

**CERTIFICATE OF SERVICE**

In accordance with Ordering Paragraph No. 5 of the Commission's March 10, 2011 Order, this is to certify that the RLECs' August 5, 2011 electronic filing is a true and accurate copy of the documents to be filed in paper medium; that the electronic filing has been transmitted to the Commission on August 5, 2011; that an original and one copy of the filing will be delivered to the Commission on August 5, 2011; and that, on August 5, 2011, electronic mail notification of the electronic filing will be provided through the Commission's electronic filing system.

A handwritten signature in black ink, consisting of a large loop at the bottom and several overlapping loops above it, ending in a horizontal line.

---

*Counsel to the RLECs*

868888vv1