

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

Brandenburg Telephone Company; Duo County)
Telephone Cooperative Corporation, Inc.; Highland)
Telephone Cooperative, Inc., Mountain Rural)
Telephone Cooperative Corporation, Inc.; North)
Central Telephone Cooperative Corporation; South)
Central Rural Telephone Cooperative Corporation, Inc.)
And West Kentucky Rural Telephone Cooperative)
Corporation, Inc.)

Complainants

) Case No.
) 2007-00004

v.

Windstream Kentucky East, Inc.; and)
Windstream Kentucky West, Inc.)

Defendants

WINDSTREAM KENTUCKY EAST, LLC'S DATA REQUESTS TO COMPLAINANTS

Windstream Kentucky East, LLC ("Windstream East") submits the following Data Requests to Brandenburg Telephone Company; Duo County Telephone Cooperative Corporation, Inc., Highland Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, South Central Rural Telephone Cooperative Corporation, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc. (collectively, "Complainants") to be answered individually by each Complainant in accord with the following:

DEFINITIONS

- "Windstream East" means Windstream Kentucky East, LLC.

- “You” and “your” refer to Complainants, individually or collectively, as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting on behalf of Complainants.
- “Complainants” means, individually or collectively depending on the applicable context, Brandenburg Telephone Company; Duo County Telephone Cooperative Corporation, Inc., Highland Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, South Central Rural Telephone Cooperative Corporation, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc. and its or their subsidiaries, affiliates, present and former officers, employees, agents, directors, and all other persons acting or purporting to act on Complainants' behalf.
- “Affiliate” as defined in Section 3 of the Federal Telecommunications Act of 1996 (“the Act”) means “a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term “own” means to own an equity interest (or the equivalent thereof) of more than 10 percent.” (47 U.S.C. §153(1).)
- “Document” shall have the broadest possible meaning under applicable law and means every writing or record of every type and description that is in your full or partial possession, custody or control, 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 commentary or notation whatsoever that does not appear in the original.

- “Referring” or “relating to” means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.
- “And” and “or” as used herein shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction shall serve to bring within the scope of these discovery requests any information that would otherwise not be brought within their scope.
- “Identify” or “identifying” or “identification” when used in reference to a document means to provide, with respect to each document requested to be identified by these discovery requests, 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.
- The singular as used herein shall include the plural, and vice versa, and the masculine gender shall include the feminine and the neuter.

GENERAL INSTRUCTIONS

These discovery requests are to be answered 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.

To the extent that the specific document, work paper, or information as requested does not exist, but a similar document, work paper, or information does exist, provide the similar document, work paper, or information.

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 East.

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

Interrogatories

INTERROGATORY NO. 1: For the years 2006, 2007, and 2008, please identify by name and contact information the individuals employed or retained by your local exchange carrier operations with responsibilities for performing network switching translations work for your

incumbent local exchange carrier operations, your competitive local exchange carrier operations, and any affiliated wireless operations.

INTERROGATORY NO. 2: Please identify in detail all agreements and arrangements, whether written or verbal, formal or informal, between you and any other carrier (including any of your Affiliates) to provide for the provision or receipt of transit traffic, specifically traffic which originates on your network, traverses another company's network and terminates to yet a different company's network or which originates on another company's network, traverses yet another company's network and terminates to your company's network .

INTERROGATORY NO. 3: Please refer to page three of your Response to Windstream East's Motion to Dismiss wherein you allege that Windstream East's "tariff serves as a disincentive to third parties who might otherwise approach the RLECs for an interconnect agreement, because third parties can now simply route traffic through Windstream without such an agreement." With respect to this allegation, please identify in detail and by name all such third parties, all communications (including the dates thereof) between you and said third parties, and all other facts forming the basis for your allegation.

INTERROGATORY NO. 4: Please refer to page four of your Response to Windstream East's Motion to Dismiss in which you allege that Complainants "have taken temporary measures to reduce their injuries" by rerouting your transit traffic off of Windstream East's network. With respect to this allegation regarding "temporary measures", please identify the date on which and the circumstances under which you anticipate rerouting back through Windstream East's network the transit traffic originating with calls placed by your end users and delivered to a third party, including your Affiliate(s).

INTERROGATORY NO. 5: Please identify in detail all arrangements between you and any of your Affiliates in which you allow or otherwise provide for the transit or traversing of your Affiliate's traffic through your end office(s).

INTERROGATORY NO. 6: Please identify in detail all arrangements between you and any third party in which you allow or otherwise provide for the transit or traversing of the third party's traffic through your end office(s).

INTERROGATORY NO. 7: Please identify in detail all arrangements between you and any third party (including any Affiliate) in which you provide transit service, or provide a service which permits calls to traverse your network, through your tandems(s) in any capacity and identify in detail all associated charges assessed by you.

INTERROGATORY NO. 8: Please refer to your allegation on page three of your Response to Windstream East's Motion to Dismiss that the provisions of Windstream East's transit tariff are "unnecessarily onerous upon the RLECs." With respect to this allegation, please identify and quantify in detail all such negative impacts you allege to have incurred (including the dates thereof) and all other facts forming the basis for your allegation.

INTERROGATORY NO. 9: Please identify in detail all documents between you and AT&T-Kentucky relating to negotiations of a transit traffic agreement between you and AT&T-Kentucky.

INTERROGATORY NO. 10: Please refer to your allegation on page five of your Response to Windstream East's Motion to Dismiss in which you state that Windstream East's transit tariff

“effectively robs the RLECs of the practicable ability to recover reciprocal compensation from third parties transiting Windstream East’s network.” With respect to this allegation, please identify and quantify in detail all actual reciprocal compensation or opportunities for reciprocal compensation of which you allege to have been deprived and all facts forming the basis for your allegation. Include in your response the specific dates on which you allege to have been so “robbed” and the specific names of the third parties from whom you allege to have been denied the right to collect reciprocal compensation.

INTERROGATORY NO. 11: Please identify in detail all indirect interconnection arrangements you have with any of your Affiliates or other third parties.

INTERROGATORY NO. 12: Please identify in detail all indirect interconnection arrangements your Affiliates have with any incumbent local exchange carrier in Kentucky.

INTERROGATORY NO. 13: Please refer to your allegation on page two of your surreply to Windstream East’s Motion to Dismiss that your “injuries are occurring right now.” Please describe with specificity all injuries you allege to have incurred, including the dates and nature thereof and identify all other facts forming the basis for your allegation.

INTERROGATORY NO. 14: Please refer to your allegation on page two of your surreply to Windstream East’s Motion to Dismiss that the existence of Windstream East’s transit tariff “injures the RLECs abilities to operate...both presently and prospectively.” Please describe with specificity the injuries referenced in this allegation as well as all other facts forming the basis for your allegation.

INTERROGATORY NO. 15: Please describe in detail the nature and scope of the “flurry of motions” referenced by your counsel during the parties’ informal conference in this matter on February 6, 2009 and provide the dates on which said motions will be filed.

INTERROGATORY NO. 16: Please provide the date on which you began performing local number portability dips or queries on all non-extended area service traffic you deliver to Windstream East.

INTERROGATORY NO. 17: With respect to the date you provided in response to Interrogatory No. 16 above, please explain in detail the reasons why you were not performing the dips or queries prior to that time or the reason why you are not doing so today.

INTERROGATORY NO. 18: Please describe and provide all evidence and other facts, you have compiled with respect to the rates contained in Windstream East’s transit tariff, including any comparisons, cost study analyses, consultant opinions, and other such documents that will form the basis for your testimony in this matter.

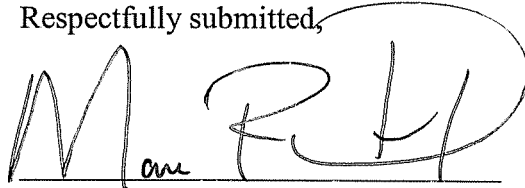
INTERROGATORY NO. 19: With respect to your allegations regarding your financial injuries in this matter, please identify all instances of your alleged financial hardships, and include specifically your earnings reports and authorized rates of return for the years 2006, 2007, and 2008.

Request for Production

RFP NO. 1: Please produce copies of all documents referenced in the foregoing interrogatories and your responses thereto or otherwise relied upon by you to formulate your responses to the Interrogatories, including but in no way limited to transit traffic agreements, documents

regarding your alleged injuries, documents establishing your end offices as tandems, your affiliate transaction documents, earnings reports, documents pertaining to your "flurry of motions," your cost study analyses, and consultant opinions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark R. Overstreet". The signature is written in a cursive style with a large, looped "M" and "R".

Mark R. Overstreet, Esq.
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COUNSEL FOR WINDSTREAM
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CERTIFICATE OF SERVICE

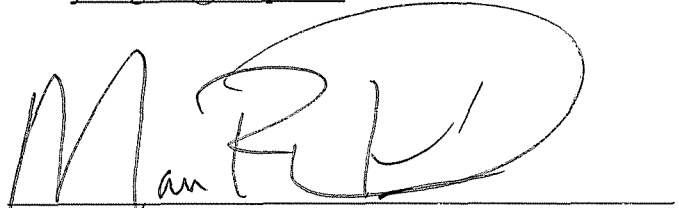
I hereby certify that a copy of the foregoing was served by electronic mail and United States First Class Mail, postage prepaid, on this 19th day of February, 2009 upon:

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A handwritten signature in black ink, appearing to read "Mark R. Overstreet", written over a horizontal line.

Mark R. Overstreet