

**BEFORE THE  
KENTUCKY PUBLIC SERVICE COMMISSION**

**RECEIVED**  
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PUBLIC SERVICE  
COMMISSION

In the Matter of: )  
)  
MCI COMMUNICATIONS SERVICES, INC.; )  
BELLATLANTIC COMMUNICATIONS, INC.; )  
NYNEX LONG DISTANCE COMPANY; TTI )  
NATIONAL, INC.; TELECONNECT LONG )  
DISTANCE SERVICES AND & SYSTEMS )  
COMPANY; AND VERIZON SELECT )  
SERVICES, INC. )

COMPLAINANTS )

v. )  
)  
WINDSTREAM KENTUCKY WEST, INC.; )  
WINDSTREAM KENTUCKY EAST, INC. – )  
LEXINGTON; AND WINDSTREAM )  
KENTUCKY EAST, INC. – LONDON )

DEFENDANTS )

Case No. 2007-00503

**SPRINT NEXTEL'S SECOND SET OF REQUESTS  
FOR INFORMATION TO WINDSTREAM**

Sprint Communications Company L.P., Sprint Spectrum L.P., Nextel West Corp., and NPCR, Inc. d/b/a Nextel Partners (collectively, "Sprint Nextel") serves and files its Second Set of Requests for Information to Windstream Kentucky West, LLC and Windstream Kentucky East, LLC (collectively, "Windstream"). Pursuant to the Commission's March 29, 2010 Order, responses to this Second Set of Requests for Information are due by April 16, 2010.

## DEFINITIONS

"And" and "Or" shall mean "and/or."

"Affiliate" shall have the meaning as defined in 47 U.S.C. § 153(1). "Affiliated" shall be construed in a manner consistent with the meaning of "Affiliate" as defined in 47 U.S.C. § 153(1).

"Company" shall mean Windstream Kentucky West, Inc., Windstream Kentucky East, Inc. – Lexington, and Windstream Kentucky East, Inc. – London (collectively, "Windstream").

"Communication" or "communications" shall mean all meetings, conversations, conferences, discussions, correspondence, messages, telegrams, telefax, mailgrams, and all oral and written expressions or other occurrences whereby thoughts, opinions or data are transmitted between two or more persons.

The term or terms "Windstream," "you," or "your" shall refer to the Company, its predecessor(s), if any, as well as its divisions, parent and subsidiary entities, all related companies for which the incumbent local exchange Carrier has partial or full ownership or control, all other companies sharing management with the Company, and the officers, directors, employees, agents, representatives, and other personnel thereof, any entity through which the Company provides telecommunications service, and all Affiliates.

"Concerning" and "concern" shall mean memorializing, mentioning, to be connected with, comprising, consisting, indicating, describing, referring, relating to, evidencing, showing, discussing, or involving in any way whatsoever the subject matter of the Request for Information.

"Describe" when used with respect to an occurrence, event, activity, or any transaction, means to provide a complete and detailed list of its nature, its time and place and to identify the persons present and involved. The term "describe" when used with respect to a document, means to

provide a complete and detailed description of its nature and content. The term "describe," when used with respect to a communication other than a document, means to provide a complete and detailed description of its nature and content.

The term or terms "document", "documentation", "data", "material" and "information" shall include, but are not limited to, the following-regardless of format (e.g., electronic, paper copy or other form of audio, electronic or visual recording items: correspondence, memoranda, financial data, reports, investigations, studies, analyses, calculations, plans, communications, notes, notebooks, marginalia, telephone logs, recordings, opinions, decisions, photographs, drawings, sketches, graphic renderings, bulletins, pamphlets, circulars, articles, press releases, video tapes, data compilations, drafts, brochures, and other documents or tangible things of whatever description that may constitute or contain information within the scope of the Request for Information, which are in the possession, custody and control of the Company - including without limitation, any officers, directors, employees, agents, attorneys or other representatives or Company's Affiliates.

"Identify" or "state the identity of" means:

- (a) In the case of a person, to state the name; last known residence; employer or business affiliation; and occupation and business position held.
- (b) In the case of a company, to state the name; if incorporated, the place of incorporation; the principal place of business; and the identity of the person(s) having knowledge of the matter with respect to which the company is named.
- (c) In the case of a document, to state the identity of the person(s) who prepared it; the sender and recipient; the title or a description of the general nature of the subject matter; the date of preparation; the date and manner of distribution and publication; the location

of each copy and the identity of the present custodian; and the identity of the person(s) who can identify it.

(d) In the case of a fact, an act or event, to state a complete description of the act or event; when it occurred; where it occurred; the identity of the person(s) performing said act (or omission); the identity of all persons who have knowledge, information or belief about the act; when the act, event, or omission first became known; the circumstances; the manner in which such knowledge was first obtained; and the documents or other writings which memorialize the instance.

“Including” means “including but not limited to.”

"Person" or "Persons" shall mean any individual, association, partnership, corporation, firm, organization, or entity.

"Refer," "referring to," "relate," "related" and "relating to" shall mean having a legal, factual or logical connection, relationship, correlation, or association with the subject matter of the request.

Representatives” means directors, officers, staff, employees, agents, members, consultants, witnesses or other persons acting on behalf of the party to which these requests for information are served.

“Telecommunications Carrier” shall have the meaning defined pursuant to 47 USC § 153(44).

Words of gender shall be construed as including all genders, without limitation.

Words in the singular shall be construed to mean the plural or vice versa as appropriate.

## INSTRUCTIONS

1. These Requests for Information are continuing in nature, requiring you to change, supplement, and correct all responses to conform to available information, including such information as first becomes available to you after the responses hereto are filed and made, should additional information become known or should information supplied in the responses prove to be incorrect or incomplete.
2. Each Request for Information shall be answered separately. The Response to each Request for Information provided should first restate the Request for Information. In producing documents in response to these Requests for Information, you should number each document and indicate the specific Request for Information in response to which the document is being produced. To the extent that any document falls within the scope of multiple Requests for Information, multiple productions are not contemplated; one production with reference to each of the multiple Requests for Information is sufficient.
3. In answering these Requests for Information, furnish all information that is available to you or may be reasonably ascertained by you or otherwise subject to your Company's knowledge, possession, custody or control.
4. As part of each of response to a Request for Information, identify the person or persons most knowledgeable about such response, the person or persons responsible for the preparation of such response, and the name of the witness in this proceeding who will sponsor the answer and can vouch for its accuracy.
5. If any document inquired about has been lost or destroyed, identify the document by author, date, subject matter, place, manner, reason and the circumstances of the loss or destruction, the last known location of the document, and the person who has knowledge concerning the manner in which it was lost or destroyed.

6. If you object to any part of a Request for Information, answer all parts of such requests to which you do not object, and as to each part to which the Company does object, separately set forth the specific basis for the objection.
7. If form of privilege or other protection from disclosure is claimed as a ground for withholding information within a document that is responsive to a Request for Information, set forth with respect to such document:
  - (a) the date and number of pages of the document;
  - (b) the identity of the author(s) and or preparer(s);
  - (c) the identity of the addressee, if any;
  - (d) the title;
  - (e) the type of tangible thing (e.g., letter, memorandum, telegram, chart, report, recording disc);
  - (f) the subject matter (without revealing the information as to which privilege or protection from non-disclosure is claimed);
  - (g) the identity of each person who has received the document or to whom knowledge of the contents of the document was communicated;
  - (h) the identity of the present custodian(s);
  - (i) the nature of your claim of non-discoverability (e.g., attorney client privilege); and,
  - (j) each and every fact on which you rest your claim of privilege or other protection from disclosure, stated with sufficient specificity to permit Sprint to make a full determination as to whether the claim is valid.
8. Responses that include Windstream proprietary information may be submitted to Sprint Nextel pursuant to the parties' recently executed "Information Exchange and Non-Disclosure Agreement".

## SECOND SET OF REQUESTS FOR INFORMATION

### **Request No. 19**

Specify the amount of intrastate switched access revenue Windstream generated in Kentucky in 2009 from each rate element. Please provide this information separately for Windstream Kentucky East, LLC and Windstream Kentucky West, LLC . Identify and provide all documents concerning, constituting, discussing, referencing, addressing, or describing such revenue.

### **Request No. 20**

Specify the billed access minutes associated with the local switching revenue amounts provided in Request No. 1. Please provide this information separately for Windstream Kentucky East, LLC and Windstream Kentucky West, LLC . Identify and provide all documents concerning, constituting, discussing, referencing, addressing, or describing such access minutes.

### **Request No. 21**

Please provide the total switched access lines in service in Windstream's Kentucky service areas as of 12-31-09. Please provide a breakdown of those lines between residential and business lines. Please provide this information separately for Windstream Kentucky East, LLC and Windstream Kentucky West, LLC. Identify and provide all documents concerning, constituting, discussing, referencing, addressing, or describing such lines.

### **Request No. 22**

Please provide the revenue collected from Windstream local service customers for the calendar year of 2009 for each of the following services from Windstream in Kentucky. Please split the revenues between residential and business customers. Please provide this information separately for Windstream Kentucky East, LLC and Windstream Kentucky West, LLC. Identify and provide all documents concerning, constituting, discussing, referencing, addressing, or describing such revenue.

- (a) basic local service including mandatory additive services such as extended area calling, dial tone, etc.
- (b) long distance toll service
- (c) DSL
- (d) all calling features

**Request No. 23**

Please provide the count of Windstream local service customers that could have obtained each of the following services from Windstream at the end of calendar year 2009. Please split the customer counts between residential and business customers. Please provide this information separately for Windstream Kentucky East, LLC and Windstream Kentucky West, LLC. Identify and provide all documents concerning, constituting, discussing, referencing, addressing, or describing such customer counts.

- (a) Basic local service
- (b) long distance toll service
- (c) DSL

**Request No. 24**

Please provide the total universal service support payments Windstream received for its Kentucky operations from the various state and federal high cost service programs for calendar year 2009. Please breakdown that universal service support between High Cost Model, High Cost Loop, Safety Net Additive, Safety Valve, Interstate Access, Local Switching and Interstate Common Line. Please provide this information separately for Windstream Kentucky East, LLC and Windstream Kentucky West, LLC.

**Request No. 25**

Please provide the total revenue generated in the 2009 calendar year for basic residential local exchange service including mandatory additive services such as extended area calling, dial tone, etc. for each of the states in which Windstream operates a local telephone company.

**Request No. 26**

Please provide the number of residential switched access lines that were in service on 12-31-09 in the each of the states in which revenues were provided in response to Request No. 7.

**Request No. 27**

Please identify and provide any other documents not provided in Request No. 9 concerning, constituting, discussing, referencing, addressing, or describing the costs associated with performing end office switching, tandem switching, and transport functions by Windstream incumbent local exchange carriers in Kentucky. This request includes but is not limited to Windstream's most recent studies for Kentucky of the costs of intrastate access, unbundled end office switching, unbundled tandem switching and unbundled transport and reciprocal compensation services.

**Request No. 28**

Identify and provide all documents concerning, constituting, discussing, referencing, addressing, or describing the effect of high intrastate switched access rates on competition in any market segments, including but not limited to the wireless market and the wireline long distance market. Please include all documents Windstream has submitted in other state and federal jurisdictions addressing the impact of intrastate switched access rates on competition, including but not limited to complaints, testimony and supporting data.



**Request No. 29**

Please identify each situation within the last five years where an affiliate of Windstream Kentucky East, LLC and/or Windstream Kentucky West, LLC was required to reduce the level of its intrastate switched access rates as the result of state regulatory or legislative mandate in any state. Please include a description of the access change rates, the amount of annual access revenue reduction and other rate changes permitted by the mandate.

**Request No. 30**

Please identify and provide all documents concerning, constituting, discussing, referencing, addressing, or describing an affordable rate level for residential basic local service.

**Request No. 31**

Please provide the percentage of Windstream switched access lines in Kentucky that are presubscribed to Windstream long distance service offered by Windstream Communications, Inc. or any other Windstream entity or affiliate, whether facilities-based or through a third party IXC wholesale long distance arrangement.

**Request No. 32**

Please provide the percentage of Windstream's Kentucky residential customers as of the most recent date for which data is available:

- a) that purchase a service bundle
- b) that purchase basic local service only
- c) that purchase basic local and at least one additional local service

**Request No. 33**

Please provide the costs of intrastate switched access charges incurred by Windstream's long distance operations in Kentucky, including Windstream Communications, Inc. or any other Windstream entity, in 2006, 2007, 2008, and 2009, whether billed directly by Windstream Kentucky East, LLC or Windstream Kentucky West, LLC or by one or more third party IXC(s) providing wholesale long distance service to Windstream's long distance operations. Please note that it is not sufficient to note that one particular IXC "often" provides such service.

**Request No. 34**

Please reference the following statement from Windstream's February 18, 2010 new release entitled "Windstream reports fourth-quarter earnings results"<sup>1</sup> :

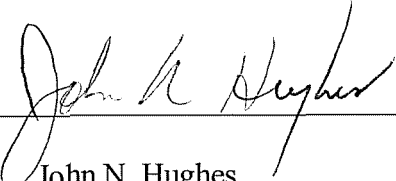
Windstream added more than 27,000 new high-speed Internet customers during the fourth quarter, bringing its total customer base to approximately 1,132,000 – an increase of 10 percent year-over-year. Overall broadband penetration is now 37 percent of total access lines and 55 percent of primary residential lines.

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<sup>1</sup> The news release is posted online at [http://news.windstream.com/article\\_display.cfm?article\\_id=1192](http://news.windstream.com/article_display.cfm?article_id=1192).

- a) Does Windstream admit or deny the statement?
- b) Please provide the number of high-speed Internet customers added by Windstream Kentucky East, LLC and Windstream Kentucky West, LLC in each quarter of 2009 and provide the total customer base for high-speed Internet service in Kentucky in each quarter of 2009.
- c) Please provide the overall broadband penetration in Kentucky as a percentage of total access lines and as a percentage of primary residential lines.

This 2<sup>nd</sup> day of March, 2010.



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Attorney for Sprint Nextel

**CERTIFICATE OF SERVICE**

I certify that this Second Set of Requests for Information of Sprint Communications Company L.P. have been served this day by first class mail to:

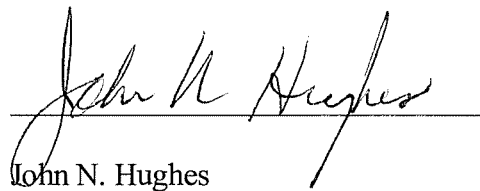
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BellSouth Telecommunications, Inc. dba AT&T  
601 West Chestnut Street, Room 408  
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This 2<sup>nd</sup> day of April, 2010.

  
John N. Hughes