

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:)
)
Windstream Kentucky East, LLC for)
Arbitration of an Interconnection)
Agreement with New Cingular Wireless)
PCS, LLC, D/B/A AT&T Mobility)
)
)
)

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MAR 29 2010
Case No. 2009-00246 PUBLIC SERVICE
COMMISSION

**WINDSTREAM KENTUCKY EAST, LLC'S SUPPLEMENTAL RESPONSES TO NEW
CINGULAR WIRELESS PCS, D/B/A AT&T MOBILITY'S FOLLOW-UP DATA
REQUESTS TO WINDSTREAM KENTUCKY EAST, LLC**

Windstream Kentucky East, LLC ("Windstream East") submits as follows in supplemental response to New Cingular Wireless PCS d/b/a AT&T Mobility's ("AT&T Mobility") Follow-Up Data Requests to Windstream East.

GENERAL OBJECTIONS TO DEFINITIONS OR INSTRUCTIONS

Windstream East objects to any of AT&T Mobility's definitions or instructions to the extent they purport to require production by Windstream East of knowledge and/or information protected by the attorney-client privilege, the work product doctrine or other applicable privilege or immunity, including privileged information possessed by its attorneys. Further, Windstream East objects to any attempt by AT&T Mobility to request information pertaining to entities not subject to the arbitration or this Commission's jurisdiction.

Windstream East also objects to any data request propounded by AT&T Mobility to the extent that it is not reasonably calculated to lead to the discovery of admissible evidence and/or seeks information or documents that are vague, overly burdensome, or not relevant to the claims asserted by AT&T Mobility in this matter.

Windstream East further objects to providing information that was previously provided to AT&T Mobility, that would require Windstream East to construct information not maintained in the regular course of business, or that otherwise is publicly available to AT&T Mobility.

Lastly, Windstream East objects to the extent that the number of data requests exceeds the limit allowed by Kentucky Rules of Civil Procedure CR 33.01.

**SPECIFIC SUPPLEMENTAL RESPONSES AND OBJECTIONS
TO DATA REQUESTS**

105. Based on Windstream Kentucky East's responses to AT&T Mobility's Data Requests 5 and 6, Windstream Kentucky East has not provided balance sheet statements for 2006, 2007 and 2008 apparently because these statements have not been filed with the Kentucky Public Service Commission or the Federal Communications Commission. Please provide Windstream Kentucky East's balance sheet statements for 2006, 2007, 2008 and 2009 at the greatest level of detail available and at least at the account level as found in Schedule III as filed recently by other incumbent local exchange carriers ("ILECs") with the Kentucky Public Service Commission. Note that for plant accounts, Schedule III provides beginning balances, additions, retirements, transfers and ending balances. Since ILECs file two versions of balance sheet statements (total company and Kentucky operations only) with the Kentucky Public Service Commission, Windstream Kentucky East should provide both versions, if different. If 2009 information is not currently available, provide the 2009 portion when it becomes available.

SUPPLEMENTAL RESPONSE: Please see **(redacted)**, attached hereto collectively as Exhibit A.

Windstream East Party Supporting the Response: David Blessing

106. Based on Windstream Kentucky East's responses to AT&T Mobility's Data Requests 5 and 6, Windstream Kentucky East has not provided income statements for 2006, 2007 and 2008 apparently because these statements have not been filed with the Kentucky Public Service Commission or the Federal Communications Commission. Please provide Windstream Kentucky East's income statements for 2006, 2007, 2008 and 2009 at the greatest level of detail available and at least at the account level as found in Schedule VI as filed recently by other incumbent local exchange carriers ("ILECs") with the Kentucky Public Service Commission. Since Schedule VI contains employee counts and total compensation for employees, provide this information as well for 2006, 2007, 2008 and 2009. Since ILECs file two versions of income statements (total company and Kentucky operations only) with the Kentucky Public Service Commission, Windstream Kentucky East should provide both versions, if different. If 2009 information is not currently available, provide the 2009 portion when it becomes available.

SUPPLEMENTAL RESPONSE: Please see Exhibit A.

Windstream East Party Supporting the Response: David Blessing

107. If not provided in response to AT&T Mobility Data Request 106, please provide Rent Revenue (Account 5240) for 2006, 2007, 2008 and 2009. If available, separately identify the portion attributable to conduits and poles. On the other hand, if Rent Revenue separately attributable to conduits and poles is unavailable, provide 2008 “Equivalent Number of Poles,” “Conduit System-Trench Kilometers,” and “Conduit System-Duct Kilometers” using definitions consistent with the 2007 instructions for the FCC’s ARMIS Report 43-08. If 2009 information is not currently available, provide the 2009 portion when it becomes available.

SUPPLEMENTAL RESPONSE: Windstream East objects to this data request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence and/or seeks information or documents that are not relevant to the claims asserted by AT&T Mobility in this matter. Windstream East does not use pole and conduit revenues in developing its cost studies, including the one that is at issue in this matter.

Windstream East Party Supporting the Response: David Blessing

Date: 3/29/2010

Respectfully Submitted,

By: Robert C. Moore

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CERTIFICATE OF SERVICE

On this 29TH day of MARCH, 2010, true and correct copies of the foregoing **Supplemental Responses** were transmitted via United States certified mail, postage prepaid, return receipt requested to:

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Robert C. Moore

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Exhibit A

(redacted)