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**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

AT&T CORP. and AT&T  
COMMUNICATIONS OF THE  
PACIFIC NORTHWEST, INC.,

Complainants,

vs.

QWEST CORPORATION,

Respondent.

Docket No. UT-041394

QWEST'S THIRD SET OF DATA  
REQUESTS TO AT&T CORP. AND  
AT&T COMMUNICATIONS OF THE  
PACIFIC NORTHWEST, INC.

TO: AT&T CORP. and AT&T COMMUNICATIONS OF THE PACIFIC NORTHWEST, INC.

Pursuant to WAC 480-07-400 Qwest Corporation ("Qwest") requests that AT&T Corp. and AT&T Communications of the Pacific Northwest, Inc. provide responses to the following data requests to the undersigned within ten (10) business days of the date of service of these requests:

**DEFINITIONS**

As used herein, the following terms have the meaning as set forth below:

1. The terms "AT&T," "you," and "your" shall include AT&T Corp. and AT&T Communications of the Pacific Northwest, Inc. and their attorneys, employees, servants, agents and representatives, and any person acting on their behalf for any purpose.

2. "List," "describe," "detail," "explain," "specify," or "state" shall mean to set

1 forth fully, in detail and unambiguously, each and every fact of which you, your company or  
2 your agents or representatives have knowledge which is relevant to the answer called for by the  
3 data request.

4           3.       The terms “document,” “documents,” or “documentation” as used herein shall  
5 include, without limitation, any writings and documentary material of any kind whatsoever,  
6 both originals and copies (regardless of origin and whether or not including additional writing  
7 thereon or attached thereto), and any and all drafts, preliminary versions, alterations,  
8 modifications, revisions, changes and written comments of and concerning such material,  
9 including, but not limited to: correspondence, letters, memoranda, internal communications,  
10 notes, reports, directions, studies, investigations, questionnaires and surveys, inspections,  
11 permits, citizen complaints, studies, papers, files, books, manuals, instructions, records,  
12 pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders,  
13 acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams,  
14 communications sent or received, print-outs, diary entries, calendars, tables, compilations,  
15 tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets,  
16 photographs, tape recordings, movie pictures, videotapes, transcripts, logs, work papers,  
17 minutes, summaries, notations and records of any sort (printed, electronic, recorded or  
18 otherwise) of any oral communications whether sent or received or neither, and other written  
19 records or recordings, in whatever form, stored or contained in or on whatever medium  
20 including computerized or digital memory or magnetic media that:

- 21           (a)       are now or were formerly in your possession, custody or control; or  
22           (b)       are known or believed to be responsive to these data requests, regardless of who  
23           has or formerly had custody, possession or control.

24           4.       The terms “identify” and “identity,” when used with reference to a person, mean  
25 to state his or her full name, present or last known address, present or last known telephone  
26 number, present or last known place of employment, position or business affiliation, his or her

1 position or business affiliation at the time in question, and a general description of the business  
2 in which he or she is engaged.

3 5. The terms “identify” and “identity,” when used with respect to any other entity,  
4 mean to state its full name, the address of its principal place of business, and the name of its  
5 chief executive officers.

6 6. The terms “identify” and “identity,” with respect to a document, mean to state  
7 the name or title of the document, the type of document (e.g., letter, memorandum, telegram,  
8 computer input or output, chart, etc.), its date, the person(s) who authored it, the person(s) who  
9 signed it, the person(s) to whom it was addressed, the person(s) to whom it was sent, its general  
10 subject matter, its present location, and its present custodian. If any such document was but is  
11 no longer in the possession of AT&T subject to its control, state what disposition was made of  
12 it and explain the circumstances surrounding, and the authorization for, such disposition, and  
13 state the date or approximate date of such disposition.

14 7. The terms “identify” and “identity,” with respect to any non-written communica-  
15 tion, mean to state the identity of the person(s) making and receiving the communication, their  
16 respective principals or employers at the time of the communication, the date, manner and place  
17 of the communication, and the topic or subject matter of the communication.

18 8. The term to “state the basis” for an allegation, contention, conclusion, position  
19 or answer means: (a) to identify and specify the sources therefore; (b) to identify and specify all  
20 facts on which you rely or intend to rely in support of the allegation, contention, conclusion,  
21 position or answer; and (c) to set forth and explain the nature and application to the relevant  
22 facts of all pertinent legal theories upon which you rely for your knowledge, information and/or  
23 belief that there are good grounds to support such allegation, contention, conclusion, position or  
24 answer.

25 9. The terms “relates to” or “relating to” mean referring to, concerning, responding  
26 to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing,

1 embodying, defining, stating, explaining, summarizing, or in any way pertaining to.

2 10. The term “including” means “including, but not limited to.”

3 11. The terms “CLEC” or “competitor” means any competing local exchange carrier  
4 not affiliated with Qwest, regardless of whether the carrier is presently providing local  
5 telephone exchange services in the State of Washington.

6 12. The term “carrier” means any provider of telecommunications services.

### 8 INSTRUCTIONS

9 A. These data requests shall be deemed to be continuing. You are obliged to  
10 change, supplement, and correct all answers to data requests to conform to available  
11 information, including such information as first becomes available to you after the answers and  
12 production of documents hereto are filed and made, should additional information become  
13 known or should information supplied in the answers or documents prove to be incorrect or  
14 incomplete.

15 B. The response to each data request provided should restate the question asked and  
16 also identify the person(s) supplying the information.

17 C. In answering these data requests, furnish all information that is available to you  
18 or may be reasonably ascertained by you, including information in the possession of any of your  
19 agents or attorneys, or otherwise subject to your knowledge, possession, custody or control.

20 D. If in answering these data requests you encounter any ambiguity in construing  
21 the request or a definition or instruction relevant to the inquiry contained within the data  
22 request, set forth the matter deemed “ambiguous” and set forth the construction chosen or used  
23 in answering the data request.

24 E. If you object to any part of a request, answer all parts of such requests to which  
25 you do not object, and as to each part to which you do object, separately set forth the specific  
26 basis for the objection.

1 **DATA REQUESTS**

2 26. Please provide all documents that relate to or were referenced in AT&T's  
3 responses to any of Qwest's data requests. It is not necessary to provide publicly available  
4 documents such as the MFJ, or documents that were provided with the complaint, but please  
5 provide copies of all other documents, even if AT&T believes Qwest might already have those  
6 in its possession.

7 27. If not provided in response to request #26 above, please provide all documents  
8 referring to, relating to or regarding occupation of or access to Qwest-owned conduit in  
9 Washington by The American Telephone and Telegraph Company, AT&T Corp., or AT&T  
10 Communications of the Pacific Northwest, Inc., or any subsidiary or affiliate thereof, since  
11 January 1, 1984.

12 28. Please provide the name of the AT&T employee(s) or other individual(s) who  
13 provided the factual information in each of AT&T's responses to Qwest's data requests #1-30.

14 29. Please provide any information AT&T has concerning how the rates in the  
15 conduit licenses at issue in this proceeding were arrived at.

16 30. If not already provided, please provide all documents relating to AT&T's  
17 response to data request #29. If provided in response to another data request, please specifically  
18 identify which document or documents are responsive to #29.

19 DATED this \_\_\_\_ day of December, 2004.

20 QWEST

21 \_\_\_\_\_  
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