

EXHIBIT A

KIRA M. SLAWSON (7081)
BLACKBURN & STOLL, LC
Attorneys for E Fiber Moab, LLC and
E Fiber San Juan, LLC
257 East 200 South, Suite 800
Salt Lake City, Utah 84111
Telephone: (801) 521-7900

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Consolidated Matter of the Applications of)
E Fiber Moab, LLC and E Fiber San Juan, LLC)
For Certificates of Public Convenience and) Docket No. 20-2618-01
Necessity to Provide Facilities-Based Local)
Exchange Service and Be Designated as Carriers)
Of Last Resort in Certain Rural Exchanges)

**RESPONSES OF E FIBER MOAB, LLC AND E FIBER SAN JUAN, LLC TO FRONTIER
COMMUNICATIONS' SECOND SET OF DATA REQUESTS**

SUBJECT TO PSC R746-1-602 AND 603

2.1 E Fiber states in direct testimony that it intends to construct new fiber optic facilities throughout the Local Exchanges. Does E Fiber intend to connect fiber optic facilities directly to homes or businesses?

Response: Yes.

- a. If so, please state where and how the fiber optic network will directly connect to a home or business.

Response: E Fiber will connect the fiber to the homes and businesses using an Optical Network Terminal (ONT). See Response to DPU DR 1.7.

2.2 In his direct testimony, E Fiber witness Brock Johansen (“Johansen”) states that E Fiber’s affiliate, Emery Telecommunications & Video, Inc. (“ET&V”), has been awarded certain grants to provide broadband services in certain portions of the Local Exchanges and that it will install fiber infrastructure to provide those services. Please describe in detail the proposed buildout of that fiber infrastructure and any other planned buildout of ET&V’s fiber and/or DOCSIS network in the Local Exchanges. In your answer please include the following information:

- a. **The current status of the buildout of this fiber infrastructure, including the percentage of the buildout completed and the percentage of the homes and businesses in each of the Local Exchanges that currently have access to this fiber infrastructure;**

- b. The timeline for completing the remaining buildout of this fiber infrastructure;**
- c. The percentage of homes and businesses in each of the Local Exchanges that will have access to this fiber infrastructure once the build out is complete;**
- d. Whether ET&V has connected or ET&V intends to connect this fiber infrastructure directly to homes or businesses, and if so, where and how the fiber optic network will directly connect to a home or business.**

Response: E Fiber objects to this question as vague and ambiguous and calling for highly confidential and proprietary network information of the non-regulated affiliate ET&V, which is not relevant to this proceeding. Subject to and without waiving the foregoing objection, E Fiber has committed to providing voice service to all customers and businesses in the Local Exchanges, subject to the E Fiber line extension tariffs. Where ET&V has previously installed fiber (not using grant funds), those fiber assets (and voice customers) will be moved to E Fiber. For areas of fiber infrastructure constructed or to be constructed with grant funds by ET&V, E Fiber will purchase voice capacity from ET&V to provide its voice service. E Fiber has committed to providing voice service as a carrier of last resort to all customer or classes of customers in the Local Exchanges within 5 years of the granting of the applications. ET&V's Grant Projects are fiber to the premises installations with the requirement to provide broadband services at specific metrics.

2.3 In his declaration in opposition to Frontier's Motion for Partial Summary Judgment, Johansen states that ET&V customers on fiber facilities access voice services utilizing a powered telephone connected into an RJ11 jack that sends an analog communications signal from the attached copper wire travels to an Optical Network Terminal ("ONT") that is installed either on the side of the customer's premises or inside the outer wall of the customer's premises. Please describe what happens to the analog communications signal once it reaches the ONT and the path that communications signal travels from the ONT: In your answer please include the following information:

- a. Describe how the ONT connects to and communicates with ET&V's network;**
- b. State each ONT make and model that ET&V either currently utilizes or intends to utilize within the next 2 years for its fiber customers.**
- c. State whether the method of travel at any given point utilizes Internet protocol and, if so, identify where and when the communication travels via Internet protocol;**
- d. State whether the communication is on the public switched telephone network and, if so, where and when it is on the PTSN and where and when it is not;**
- e. State whether the communication undergoes any net protocol conversion and, if so, where that conversion occurs;**
- f. State whether the communication undergoes any enhanced functionality to**

end users due to E Fiber's use of IP technology;

- g. State whether the communication is a circuit-switched communication or a packet-switched communication. If it is subject to both circuit-switching and packet-switching, state where and when it is subject to both types of switching.**

Response: E Fiber objects to this Data Request as mischaracterizing the statements in Brock Johansen's Declaration. In the Declaration, Brock Johansen stated that E Fiber plans to offer the same voice service that is offered to all the customers in the exchanges of Emery, Carbon, and Wayne counties by Emery Telephone, Carbon/Emery Telcom, Inc., and Hanksville Telcom, Inc. These are regulated telephone companies. ET&V is a non-regulated affiliate. Subject to and without waiving the foregoing objection, for the configuration of E Fiber's voice services over fiber and ET&V's voice service over DOCSIS 3.1, see Response to DPU DR 1.7 and Exhibit DPU DR 1.7 – Services Over Fiber and Exhibit DPU DR 1.7 – Services Over DOCSIS 3.1.

2.4 Please describe the path a communication will travel within E Fiber's proposed fiber network when a residential E Fiber customer on the proposed network makes a voice call to another residential E Fiber customer in the same Local Exchange. In your answer please include the following information:

- a. Describe the equipment through which the communication will travel, including customer premises equipment, if any, and any equipment installed by E Fiber;**
- b. State whether the method of travel at any given point utilizes Internet protocol and, if so, identify where and when the communication travels via Internet protocol;**
- c. State whether the communication is on the public switched telephone network and, if so, where and when it is on the PTSN and where and when it is not;**
- d. State whether the communication undergoes any net protocol conversion;**
- e. State whether the communication undergoes any enhanced functionality to end users due to E Fiber's use of IP technology;**
- f. State whether the communication is a circuit-switched communication or a packet-switched communication. If it is subject to both circuit-switching and packet-switching, state where and when it is subject to both types of switching.**

Response. See Response to DPU 1.7 and Exhibit DPU DR 1.7 – Services over Fiber. The voice communication does not undergo any net protocol conversion and there is no enhanced functionality to end users due to E Fiber's use of IP technology. The voice traffic can be either circuit-switched or packet-switched at the Class 5 switch depending what mode of data link is being used to transport the digital signal (TDM or IP).

2.5 Please state whether the answer to Frontier's data request 2.4, above, is the same if the

voice call were traveling within the existing or proposed fiber network belonging to ET&V pursuant to the federal grants identified in testimony. If the answer is different, please explain the difference.

Response: No difference.

2.6 Please describe the path a communication will travel within E Fiber’s proposed network when a residential E Fiber customer on the proposed network makes a voice call to a residential customer that is not an E Fiber customer. In your answer please include the following information:

- a. Describe the equipment through which the communication will travel, including customer premises equipment, if any, and any equipment installed by E Fiber;**
- b. State whether the method of travel at any given point utilizes internet protocol and, if so, identify where and when the communication travels via internet protocol;**
- c. State whether the communication is on the public switched telephone network and, if so, where and when it is on the PTSN and where and when it is not;**
- d. State whether the communication undergoes any net protocol conversion;**
- e. State whether the communication undergoes any enhanced functionality to end users due to E Fiber’s use of IP technology.**

Response: See attached Exhibit FTR DR 2.6 – E Fiber Network Services over Fiber to Other Customer. For voice calls from a residential E Fiber customer to a residential customer that is not an E Fiber customer, once the call reaches the Class 5 switch, it will be sent via transport trunks to the carrier of the called party for call termination. These calls do not undergo any net protocol conversion or enhanced functionality to end users due to E Fiber’s use of IP technology.

2.7 Please state whether the answer to Frontier’s data request 2.6, above, is the same if the voice call begins on the proposed fiber network to be built out by ET&V pursuant to the federal grants identified in testimony and goes to a residential customer that is not on that same fiber network. If the answer is different, please explain the difference.

Response: There is no difference in the call path.

2.8 With respect to E Fiber’s 5-year broadband buildout plan described in its Application and the testimony, please estimate the percentage of existing customers in each Local Exchange to whom E Fiber could provide service if asked (and without the customer being subject to line extension charges), after each of the five years of the buildout plan.

Response: E Fiber is committing to providing voice service as a carrier of last resort to any customer or class of customer who requests it, subject only to line extension tariffs. Line extension charges

are determined on a case by case basis pursuant to the term of the tariff and the particular circumstances of the customer, and are typically only used for very high cost customers to balance the public interest of providing service to customers who request it with the assurance that the costs to build to those customers will be reasonable and prudently incurred.

2.9 At the conclusion of E Fiber’s proposed 5-year plan to install fiber broadband infrastructure, what portion of the customers in each of the Local Exchanges will be served by infrastructure installed pursuant to federal grants obtained by ET&V?

Response: We have no way of knowing which customers will elect to be served by our infrastructure.

2.10 Please state whether the proposed E Fiber network:

- a. Would enable real time, two-way voice communication originating from or terminating at the user’s location in Internet protocol or a successor protocol;**

Response: No. The real time, two-way voice communication for E Fiber’s customers originates or terminates at their location in analog form, not in Internet protocol. Voice traffic is provided through E Fiber’s optical network terminal (ONT) using the registered jack-11 (RJ-11) ports and these ports cannot accept Internet Protocol traffic.

- b. Uses a broadband connection from the user’s location;**

Response: E Fiber’s voice telephone service does not use a broadband connection from the end user’s location. A voice only customer would not have a broadband connection at their location. See Exhibit DPU DR 1.7 – Services Over Fiber.

- c. Permits a user to receive a telephone call that originates on the public switched telephone network and to terminate a call to the public switched telephone network.**

Response: Yes.

- d. If your answer to any of the above is “no,” please explain.**

2.11 Please state whether the ET&V network built (or to be built) pursuant to the federal grant funds referenced in Johansen’s direct testimony:

- a. Would enable real time, two-way voice communication originating from or terminating at the user’s location in Internet protocol or a successor protocol;**
- b. Uses a broadband connection from the user’s location; and**
- c. Permits a user to receive a telephone call that originates on the public switched telephone network and to terminate a call to the public switched telephone network.**
- d. If your answer to any of the above is “no,” please explain.**

Response: Currently ET&V only provides analog telephone service that does not require a broadband connection; and such service is connected to the public switched telephone network. ET&V is a CLEC in the Moab exchange, but is not certificated to provide telephone service in the other exchanges in Grand and San Juan Counties. If the E Fiber companies are granted a certificate of public convenience and necessity and are allowed to provide telephone service, the fiber telephone customers of ET&V will be converted to E Fiber customers as provided in the grant documents, and telephone service will be provided as set forth in Response to DR 2.4 above.

2.12 Please state whether the proposed E Fiber network uses Internet protocol or a successor protocol that enables an end-user to send or receive voice, data, or video communications.

Response: The E Fiber network does not use Internet protocol at the end-users location to provide telephone service as explained DR 2.4. The telephone service provided by E Fiber will be analog. However, E Fiber will provide wholesale broadband Internet access service to its affiliate ET&V. ET&V will provide retail broadband Internet access service and will have redundant connections to the public Internet. E Fiber will not maintain any connections to the public Internet.

2.13 Please state whether the ET&V network built (or to be built) pursuant to the federal grant funds referenced in Johansen’s testimony uses Internet protocol or a successor protocol that enables an end-user to send or receive voice, data, or video communications.

Response: See Response to 2.12.

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of September, 2020, I served a true and correct copy of Applicant's Responses to Frontier's First Set of Data Requests via e-mail transmission to following persons at the e-mail addresses listed below:

Division of Public Utilities

Brenda Salter

Artie Powell

bsalter@utah.gov

dpudatarequest@utah.gov

wpowell@utah.gov

Office of Consumer Services

Michelle Beck

Alyson Anderson

mbeck@utah.gov

akanderson@utah.gov

Assistant Utah Attorneys Generals

Justin Jetter

Robert Moore

jjetter@utah.gov

rmoore@utah.gov

Citizens Telecommunications Company of Utah

Phillip Russell

Gregory Brubaker

prussell@jdrslaw.com

Gregory.c.brubaker@ftr.com

/s/Kira M. Slawson