

# BRIGGS AND MORGAN

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OCT 11 2006

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October 9, 2006

Darla Pollman Rogers  
Ritter, Rogers, Wattier & Brown, LLP  
319 South Coteau Street  
P.O. Box 280  
Pierre, South Dakota 57501-0280

Rolayne Ailts Wiest  
South Dakota Public Utilities Commission  
500 East Capitol  
Pierre, South Dakota 57504-5070

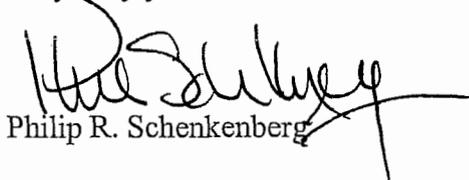
**Re: Verizon Wireless et al. v. State of South Dakota et al.  
Court File No. 04-3014**

Dear Darla and Rolayne:

Enclosed and served upon you please find the following documents in connection with the above-referenced matter:

- Plaintiff's Rule 26(a) Disclosures, as Supplemented October 6, 2006
- Plaintiff Verizon Wireless' Supplemental Answers to Intervenors' and Defendants' First Set of Interrogatories.

Very truly yours,

  
Philip R. Schenkenberg

PRS/smo  
Enclosures  
cc: Gene Lebrun

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UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
CENTRAL DIVISION

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Verizon Wireless (VAW) LLC,  
CommNet Cellular License Holding, LLC,  
Missouri Valley Cellular, Inc.,  
Sanborn Cellular, Inc., and  
Eastern South Dakota Cellular, Inc.,  
d/b/a VERIZON WIRELESS,

Plaintiff,

vs.

Bob Sahr, Gary Hanson, and Dustin Johnson,  
in their official capacities as  
the Commissioners of the South Dakota  
Public Utilities Commission,

Defendants,

South Dakota Telecommunications Ass'n  
and Venture Communications Cooperative,

Intervenors.

Civil Number 04-3014

**PLAINTIFF'S RULE 26(a)  
DISCLOSURES, AS SUPPLEMENTED  
OCTOBER 6, 2006**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Plaintiffs Verizon Wireless (VAW) LLC, CommNet Cellular License Holding, LLC, Missouri Valley Cellular, Inc., Sanborn Cellular, Inc., and Eastern South Dakota Cellular, Inc., d/b/a Verizon Wireless ("Verizon Wireless") provide the following supplementation of its initial disclosures. The forgoing information is based upon information currently known to Verizon Wireless. Verizon Wireless reserves the right at any time to supplement this disclosure as discovery commences and proceeds in litigation. This disclosure is not intended, and shall not be construed as, a waiver of any privilege that may attach to any documents or information responsive hereto. Additionally, these disclosures are made without waiving any objections to introduction of any

evidence at trial. By virtue of these disclosures, Verizon Wireless does not admit that the disclosed information is relevant or admissible.

- (A) **Identification of Individuals.** The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

John Clampitt  
Verizon Wireless  
2785 Mitchell Drive, MS 7-1  
Walnut Creek, CA 94598  
(925) 708-7018

Mr. Clampitt has knowledge regarding licenses held by Verizon Wireless, the ways in which Verizon Wireless connects to the public switched network in South Dakota, the way calls are delivered to incumbent telephone companies, and Verizon Wireless' current interconnection agreements in the state. Mr. Clampitt also has knowledge regarding whether Verizon Wireless currently has the ability to generate reports that would identify outbound traffic as intraMTA, interMTA and interstate, and interMTA and intrastate.

Doug Miller  
Verizon Wireless  
9725 Pflumm Rd.  
Lenexa, KS 66215  
816-520-0077

Ron Sampson  
Verizon Wireless  
1530 E. Army Post Rd.  
Des Moines, IA 50320  
515-240-0034

Mr. Miller and Mr. Sampson have knowledge regarding the location and coverage of Verizon Wireless' cell towers that serve South Dakota, and of the location of the switches that are connected to these cell towers.

Chris D. Kostenbader  
Senior Member of Technical Staff  
Verizon Wireless  
126 W Gemini Drive  
Tempe AZ 85283  
Office: 480-777-4337

Mr. Kostenbader has knowledge regarding industry standards and Verizon Wireless' capability with regard to signaling protocol and the population of signaling fields.

Ben Campomanes  
2785 Mitchell Dr., MS9-2  
Walnut Creek, CA  
925-279-6347 (office), 925-788-5751 (cell)

Mr. Campomanes has knowledge with regard to what call data is stored in Verizon Wireless' systems.

Sam Giannini  
Verizon Wireless  
10740 Nall Ave.  
Overland Park, KS 66211  
913-344-2888

Mr. Giannini has knowledge with regard to traffic engineering issues in South Dakota.

Ed Harrop  
Verizon Wireless  
Associate Director, Interconnection/Network Compliance  
Three Verizon Place  
Mail Stop: GA3B1REG  
Alpharetta, GA 30004  
678-339-4258

Mr. Harrop is familiar with the kinds of changes to Verizon Wireless' internal measuring and billing systems that would have to take place for the company to measure and report traffic by MTA and state.

**(B) Documents. A copy of, or a description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the party that the disclosing party may use to support its claims or defenses, unless solely for impeachment.**

The following general categories of documents may include discoverable information relevant to disputed facts alleged with particularity in the Complaint:

1. License information for Verizon Wireless, which is available in the FCC's Universal Licensing System that can be accessed through the [www.fcc.gov](http://www.fcc.gov).
2. Alliance for Telecommunications Industry Solutions ("ATIS") standards documents, including Document No. ATIS-030011, a copy of which is in the possession of Plaintiffs' counsel.

3. Coverage maps and tower location information, which are in the possession of Plaintiffs' counsel.

These initial disclosures are based on the information presently available to Verizon Wireless. As discovery in this case proceeds, additional information responsive to each of the above categories of information may come to the attention of both parties.

- (C) **Computation of Damages.** A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Not applicable.

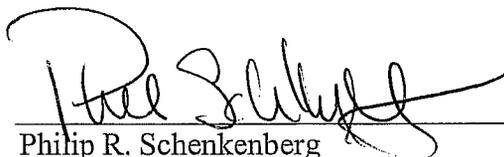
- (D) **Insurance and/or Indemnity Agreements.** For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Not applicable.

Dated: October 6, 2006

**LYNN, JACKSON, SHULTZ &  
LEBRUN, P.C.**

Gene N. Lebrun  
909 St. Joseph Street  
P. O. Box 8250  
Rapid City, South Dakota 57709  
Telephone: (605) 342-2592

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

Philip R. Schenkenberg  
David C. McDonald  
**Briggs and Morgan, P.A.**  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 977-8400

**ATTORNEYS FOR PLAINTIFFS**