

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE	§	
COMPLAINT FILED BY ROGER L.	§	
HALL, RAPID CITY SOUTH	§	
DAKOTA, AGAINST QWEST	§	DOCKET NO. CTOS-002
CORPORATION REGARDING	§	
THE COST OF TELEPHONE LINE	§	
EXTENSIONS	§	

**ROGER L. HALL'S MOTION TO COMPEL AND HALL'S
RESPONSE TO QWEST CORPORATION'S
MOTION FOR DISPOSITION**

NOW COMES Roger L. Hall ("Hall") and submits this Motion to Compel and his Response to Qwest Corporation's Motion For Summary Disposition and would show unto the Commission as follows:

1. MOTION TO COMPEL

1.1 Before addressing Qwest's Motion For Summary Disposition, this Commission should be aware that Qwest has abused the judicial process by failing to respond to Hall's Interrogatories and Requests For Production before filing its Motion For Summary Disposition. On or about December 29, 2008, Hall issued 24 Interrogatories and Requests For Production to Qwest. Instead of complying with the requests, Qwest used obstructive tactics by merely making frivolous, boilerplate objections that are so common for companies of its size. A copy of Qwest's boilerplate objections to Hall's Interrogatories and Requests For Production are attached as Exhibits A and B for the convenience of the Commission.

1.2 Qwest did provide Hall with a few documents that it knew Hall already had, but it failed to produce any of the documents that it knows it has sole and exclusive possession of. Those documents remain hidden behind the castle wall. Qwest also failed to answer any of the Interrogatories,

1.3 Hall, respectfully requests that the Commission review the attached discovery requests and Qwest's frivolous objections and issue an order overruling all those objections, and order Qwest to provide legitimate answers to each and every Interrogatory and to produce all of the documents requested.

II. RESPONSE TO MOTION FOR SUMMARY DISPOSITION

2.1 All of the evidence Hall needs to demonstrate to the Commission why Qwest's Motion For Summary Disposition should be denied are behind the castle wall- in Qwest's own hands. Qwest knew this and, therefore, refused to give Hall the evidence he needed before filing its frivolous Motion. Before Hall can demonstrate that there are material issues of fact sufficient to defeat Qwest's Motion for Summary Disposition, Qwest must be ordered to comply with its legal obligation to provide legitimate responses to Hall's discovery requests, and Hall must be given sufficient time to review that evidence and prepare an adequate response to the Motion. Until the Commission addresses and rules on the Motion to Compel the Court should refuse to hear argument on the Motion For Summary Disposition, and delay its ruling on such Motion. Two things must happen. First, Qwest must fully and completely comply with the order, and demonstrate that it has complied with that order. Second, Hall must be given a chance to review the evidence and prepare his response.

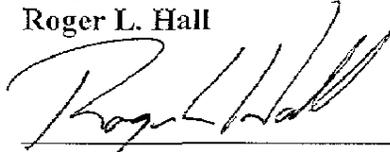
2.2 Until those two things happen, Hall respectfully requests that the Commission deny the Motion For Summary Disposition, or delay its ruling.

III. CONCLUSION

4.1 In conclusion, Qwest has failed in its obligation to provide Hall with the very evidence he needs to defeat Qwest's Motion For Summary Judgment. Therefore, Hall respectfully requests that the Commission grant his Motion to Compel.

4.2 Hall also respectfully requests that the Commission either deny the Motion For Summary Disposition, or delay its ruling pending a demonstration by Qwest that it has completely and totally complied with the Order compelling it to provide legitimate responses to the Interrogatories and all the documents requested.

Respectfully submitted,
Roger L. Hall



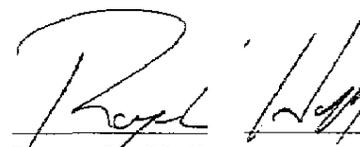
2107 Westgate Place
Rapid City, SD 57702

CERTIFICATE OF SERVICE

I hereby certify thm a true and correct copy of the foregoing Response to Motion To Dismiss has been served upon Qwesl by and through its attorney of record:

George Baker Thomson, Jr.
Corporate Counsel
Qwest Corporation
1801 California 3t, Suite 1000
Denver, CO 80202
303-383-6645
303-383-8588 (Fax)

Via ~~email~~, fax and regular U.S. mail.



Roger L. Hall

Qwest Corporation
Law Department
(612) 672-8950-Phone
(612) 672-8911-Fax

200 South 5th Street Room 2200
Minneapolis, MN 55402

Duane Scherr
Lead Paralegal



January 28, 2008

Roger L. Hall
2107 Westgate Place
Rapid City, SD 57702

**Re: In the Matter of the Complaint Filed by Roger L. Hall, Rapid City South
Dakota, Against Qwest Corporation Regarding the Cost of Telephone
Line Extensions
Docket No. TC 08-002**

Dear Mr. Hall:

Enclosed for service are the following regarding the above-referenced matter:

1. Qwest Corporation's General Objections;
2. Qwest Corporation's responses to Roger L. Hall's First Set of Interrogatories (Request Nos. 1-24).

Very truly yours,

A handwritten signature in cursive script that reads "Duane Scherr".

Duane Scherr

Enclosures

cc: George Thomson, Esq.
Colleen Sevold
Kara Semmler

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of January, 2009, **Qwest Corporation's General Objections and responses to Roger L. Hall's First Set of Interrogatories (Request Nos. 1-24)** were served upon the following party via overnight mail:

Roger L. Hall
2107 Westgate Place
Rapid City, SD 57702

Duane Scherr

**PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE COMPLAINT) FILED BY ROGER L. HALL, RAPID) CITY, SOUTH DAKOTA, AGAINST) QWEST CORPORATION REGARDING) THE COST OF TELEPHONE LINE) EXTENSIONS))))	QWEST CORPORATION'S) GENERAL OBJECTIONS TO) ROGER L. HALL'S FIRST) SET OF INTERROGATORIES)) DOCKET NO. CT08-002))
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**QWEST CORPORATION'S ("QC") RESPONSES TO ROGER L. HALL'S
FIRST SET OF INTERROGATORIES**

Qwest Corporation ("QC"), having been served with written discovery requests from Complainant Roger L. Hall (First Set of Interrogatories, served December 29, 2008), hereby responds to the requests.

GENERAL OBJECTIONS

QC incorporates the following objections into each of its specific objections below.

1. QC objects generally to these data requests to the extent they seek information protected by the attorney-client privilege, the attorney work product doctrine, the right to privacy established in Article I, Section 1 of the United States Constitution, CPNI rules and regulations, or any other applicable privilege or right.

2. QC objects generally to these data requests to the extent they are overbroad or seek information not relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence, and to the extent that the data requests are vague and ambiguous or unduly burdensome.

3. QC objects generally to each data request insofar as it purports to require QC to inquire of all of its current and former employees, agents and representatives to determine whether information responsive to the data request exists on the grounds that such an inquiry would be unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. QC will therefore limit its inquiry to the appropriate employees currently employed by QC that have or have had responsibility for matters to which the data request relates.

4. QC objects generally because the information sought is not limited by time, and therefore the requests are unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

5. QC objects generally to these data requests to the extent that the information requested is known to the Propounder, or to the extent they are related to or require the production or identification of documents, writings, records, or publications in the public domain, or to the extent the information requested is equally available to the Propounder or which is available to the Propounder from sources other than QC.

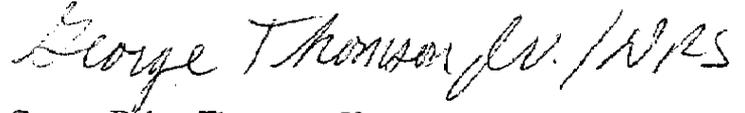
6. QC objects generally to these data requests to the extent they elicit information concerning Qwest affiliates other than Qwest Corporation, the Defendant in the proceeding.

7. QC objects generally to this set of interrogatories because they were propounded in violation of the Commission's Order Setting Procedural Schedule, issued in this case on November 10, 2008, which required **completion** of all discovery by December 31, 2008. Complainant Roger Hall did not propound this set of interrogatories until December 29, 2008.

8. Please see QC's specific objections and responses attached hereto.

Dated: January 28,2009

Respectfully Submitted,



George Baker Thomson, Jf.
Corporate Counsel
Qwest Corporation
1801 California St., Suite 1000
Denver, CO 80202
303-383-6645
303-383-8588 (fax)
george.thomson@gwest.com

Hall, Roger L. 001

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify all other mobile home parks in South Dakota in which the mobile homes in the park are sitting on un-platted lots (i.e. not subdivided into individual lots) where the PUC or some other judicial body ordered the owner of the mobile home park to pay Qwest the cost of upgrades for adding phone lines to individual mobile homes with demarcation points terminating at each individual mobile home. In answering this Interrogatory, please identify the name, address and phone number of the owner of the mobile home park, the PUC docket number, if any, and the month and the year in which the order was issued.

RESPONSE:

Qwest objects to this data request because it requests information in a form or of a nature not retained by Qwest in the ordinary course of business and therefore requests information that cannot be provided without completing a special study or analysis. Qwest also objects because this request seeks information beyond the scope of this proceeding which is not reasonably calculated to lead to the discovery of admissible evidence. Qwest objects to the extent the information sought applies to locations outside its certificated local service territory. Finally, Qwest objects to this request to the extent the information sought is available from the Public Utilities Commission or "some other judicial body", and is therefore equally available to the Complainant.

Respondent: Qwest Legal

IAN TROMP (ITROMP) 01/01/2009 16:17 CLLI:HLCYSOCO
RECORD NO: ROGERHALL2451 SHEET:03 REV:4

CONFIDENTIAL: DISCLOSE AND DISTRIBUTE SOLELY TO US WEST
EMPLOYEES HAVING A NEED TO KNOW

WARRANTY: 90 DAY LIMITED WARRANTY
RECORD NO: BLANK FROM SHEET SHEETS: 03/01

CONFIDENTIAL: DISCLOSE AND DISTRIBUTE SOLELY TO US WEST
EMPLOYEES HAVING A NEED TO KNOW

Reason for reissue: Issue: Date:

QUESTION #2;
MPOP is LABELLED NAU ON THE OUTSIDE OF THE BOX,

QUESTION #5;
LABELED FIRST BUILDING ON SKETCH.

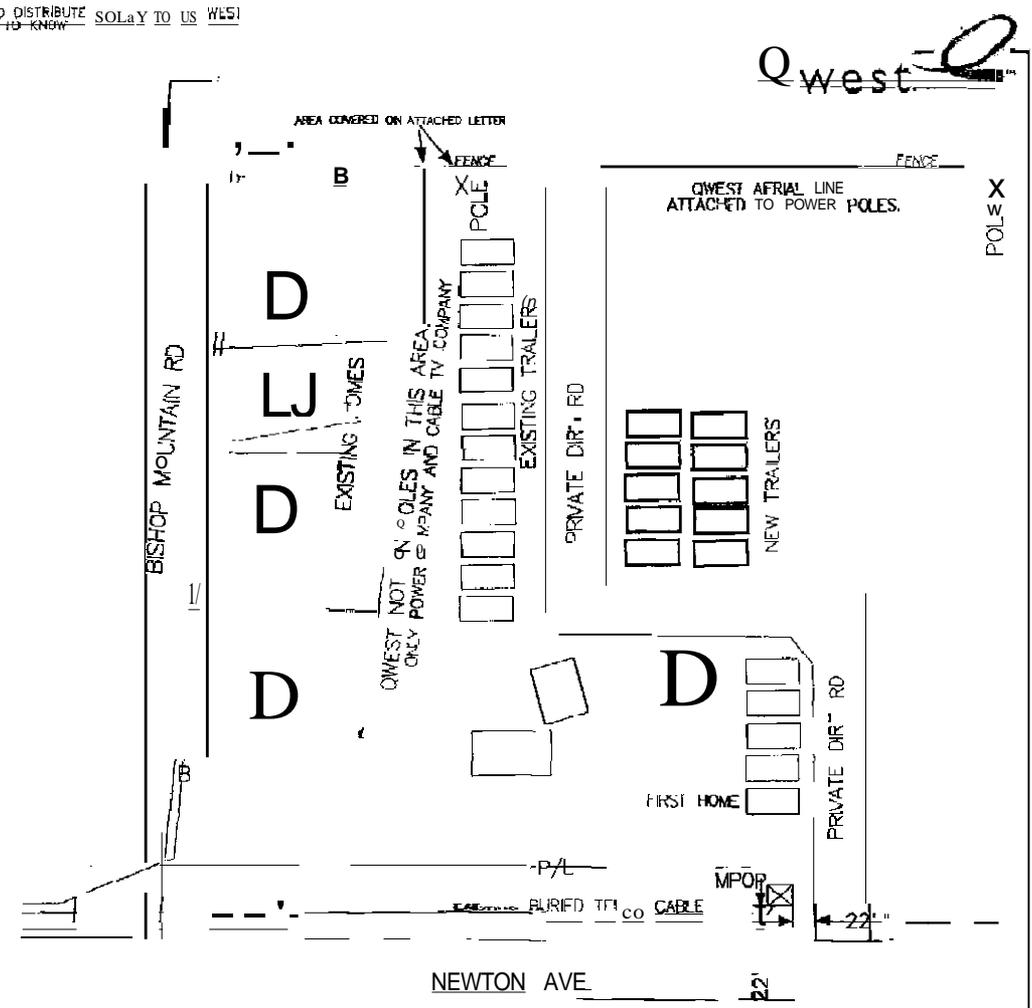
QUESTION #6
ITEMIZED COST TO BE ATTACHED.

QUESTION #7;
THERE ARE CURRENTLY TWO PHONE LINES AVAILABLE
AT THE MPOP AS OF 1-01-08-2009.

QUESTION #14;
ALL LOWEST CABLES NEAR THE PROPERTY ARE SHOWN
ON THE SKETCH,

QUESTION #15:
APPROXIMATELY 3900 FT FROM THE MPOP TO
THE HILL CITY SWITCH

QUESTION #15&19;
SEE SKETCH AND ATTACHED DOCUMENTATION.



REMARKS:	Notice: Not for disclosure outside of Qwest or affiliates without written agreement.	
	DESIGNED BY: IAN TROMP TELEPHONE: 605-394-4558 TAPLR CODE: 410402 PLAT REF: 3A1PL3	JOB: ROGER HALL GEO CODE: TG41D2 WE CLLI: HLCYSOCO ISSI: 1 ISS DATE:

Hall, Roger L. 002

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify the exact location(s) of the demarcation point(s) and the **minimum point of presence (MPOP) of each of the phone lines terminating at the Mobile Home Park in question.**

RESPONSE:

Please see Attachment A.

Respondent: Dan Kaiser, Network Manager

Hall, Roger L. 003

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify every factual reason why you believe the Mobile Home Park in question is a "campus environment" or "campus arrangement" as those terms are used in your Motion to Dismiss.

RESPONSE:

Qwest objects to this data request on the grounds that the terms "campus environment" and "campus arrangement" were not used in Qwest's Answer and Motion to Dismiss, filed with the Commission on May 51 2008.

Respondent: Qwest Legal

Hall, Roger L. 004

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify all South Dakota PUC or South Dakota court rulings in which a **mobile home park whose mobile homes do not sit on individually** platted lots have been ruled to be a "campus environment" or a "campus arrar_gement."

RESPONSE:

Qwest objects to this data request because it requests information in a form or of a nature not retained by Qwest in the ordinary course of business and therefore requests information that cannot be provided without completing a special study or analysis. Qwest also objects because this request seeks information beyond the scope of this proceeding which is not reasonably calculated to lead to the discovery of admissible evidence. Qwest objects to the extent the information sought applies to locations outside its certificated local service territory. Qwest objects to this request to the extent the information sought is available from the Public Utilities Commission or South Dakota courts, and is therefore equally available to the Complainant. Finally, Qwest refers to its response to Data Request 01-003, explaining that the terms above were not used in Qwest's Answer and Motion to Dismiss.

Respondent: Qwest Legal

Hall, Roger L. 005

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.**Date Requested:** 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify the building that you consider to be the "first building" (as that term is used in your Motion to Dismiss) in the Mobile Home Park in question.

RESPONSE:

Qwest objects to this data request on the grounds that the term "first building" is not found in Qwest's Answer and Motion to Dismiss. Subject to and without waiving that objection, Qwest states: Please see Qwest's response to Information Request No.2.

Respondents: Qwest Legal and Dan Kaiser, Network Manager

Hall, Roger L. 006

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please provide an itemized statement of the actual costs of adding the additional phone lines requested by Hall (separating out parts and labor), and explain how each of those costs were calculated.

RESPONSE:

Please see Attachments A and B.

Respondent: **Susan Cotton, Network Manager**

3D Docket No. eT08-002

Hall 01-006

Attachment A

January 14, 2009

Roger Hall
2107 W Gate PL
Rapid City, SD

File #: 40026

Dear Mr. Hall,

We have received revised cost information for the placement of additional Owest facilities required at your Main Point of Presence (MPOP) on Newton Ave in Hill City, SD. Per Owest Corporation's South Dakota Exchange and Network Services Catalog No.1, Owest has determined that it will be less expensive for you to provide service from your existing MPOP versus the aerial solution you discussed with Dan Kaiser. The quoted amount below includes work consisting of accessing 10 splice locations and pushing 25 pairs to the Newton Ave closure. These facilities are based on Owest Design Standards which allows 2 pairs per lot and will take care of your immediate needs, which is to serve 12 homes within your mobile home park. If more houses are added, Owest will have to go back another 1,400 feet to provide additional capacity and would incur additional charges billable back to you.

Because the established MPOP is on Newton Ave, bringing your facilities from the rear of your lots is not an option without you incurring additional costs. Bringing in facilities from the rear of your lots would require placing an Alternate Point of Presence (APOP) that would incur additional costs to access 2 additional splice locations, place a new aerial terminal and do conformance testing on the cable.

The cost options you requested for buried service wire are: \$0.29 per foot for 3 pair-22 gauge, \$0.42 per foot for 3 pair-19 gauge, \$0.39 per foot for 6 pair-22 gauge, and \$0.62 per foot for 6 pair-19 gauge. You would be responsible to pick the material up at our Creek Drive location in Rapid City, SD during normal business hours.

Before we can begin construction, it will be necessary for you to agree to the following terms. The revised cost to add capacity to your MPOP will be \$2,127.26 plus your cost for the buried service wire that you elect to place. You will be required to follow the South Dakota Owest Corporation Exchange and Network Services Catalog No.1, Section 4.7 (Other Construction or Conditions). Because this quote resulted from

SD Docket No. eTOS-002

Hall 01-006

Attachment A

settlement discussions, Qwest will require you to sign a settlement agreement which dismisses your formal complaint to the SD PUC. We will provide the settlement agreement in a separate document.

Please note that this proposal will no longer be valid if it is not accepted within 30 days.

If you have any questions regarding the actual construction or construction timeframe please call Ian Tromp at (605) 394-4558. If you would like to proceed with a contract, please call me at (612) 381-5556 to have a contract forwarded to you from the Resource Allocation Group in Littleton, CO.

PLEASE NOTE The contract will need to be signed and returned with a check or purchase order before the work can begin.

Thank you,

Sue Cotton
Special Construction Billing Manager
Qwest Corporation
2800 Wayzata Blvd, Room 300
Minneapolis, MN 55405

SD Docket No. CT08-002
Hall 01-006
Attachment B

July 18, 2008

Roger Hall
2107WGatePL
Rapid City, SO

File #: 40026

Dear Mr. Hall,

We have received information indicating that additional Qwest facilities are required at your Main Point of Presence (MPOP) on Newton Ave in Rapid City, SO. Per the South Dakota State Tariffs, Qwest has determined that we are best able to provide service from your MPOP versus an aerial solution. Work will consist of accessing 10 splice locations and push cable facilities to the Newton Ave closure. Because the established MPOP is on Newton Ave, bringing aerial facilities from the rear of your lots is not an option without additional costs. Bringing in facilities from the rear of your lots would be considered placing an Alternate Point of Presence (APOP) that would incur additional costs to access 2 additional splice locations, placing a new aerial terminal and do conformance testing on the cable.

The cost options for buried service wire are: \$0.29 per foot for 3 pair-22 gauge, \$0.42 per foot for 3 pair-19 gauge, \$0.39 per foot for 6 pair-22 gauge, and \$0.62 per foot for 6 pair-19 gauge. You would be responsible to pick the material up at our Creek Drive location in Rapid City, SO during normal business hours.

Before we can begin construction, it will be necessary for you to agree to the following terms. The cost to add capacity your MPOP will not exceed \$2,400.00 plus the cost of the buried service wire that you elect to place. You will be required to follow the State of South Dakota Tariffs, Section 4.7 for Special Construction.

Please note that this proposal will no longer be valid if it is not accepted within 30 days.

If you have any questions regarding the actual construction or construction timeframe please call Ian Tromp at (605) 394-4558. If you would like to proceed with a contract, please call me at (612) 381-5556 to have a contract forwarded to you from the Resource Allocation Group in Littleton, CO.

PLEASE NOTE The contract will need to be signed and returned with a check or purchase order before the work can begin.

Thank you,

Sue Cotton
Special Construction Billing Manager
Qwest Corporation
2800 Wayzata Blvd, Room 300
Minneapolis, MN 55405

Hall, Roger L. 007

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: **Qwest Corporation**Information Requested By: **Hall, Roger L.**

Date Requested: 12/29/2003

Date Response Due: 01/29/2009

REQUEST:

Please identify how many pairs of phone lines are available for use from the southeast corner of Hill City to the main switch.

RESPONSE:

Qwest objects to this data request on the grounds that the phrase "pairs of phone lines are available for use from the southeast corner of *Hill City*" is vague and ambiguous. Subject to and without waiving that objection, Qwest assumes that this request is asking how many pairs of phone lines are available from the existing MOP. As of January 3, 2009, there are two pairs left.

**Respondents: Dan Kaiser, Network Manager
Qwest Legal**

Hall, Roger L. 008

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify the exact location where every phone line owned by Qwest runs across the Mobile Home Park in question, and identify the easements or contracts that exist authorizing these phone lines to pass through the property.

RESPONSE:

Qwest provided facility locations in response to Data Request 01-002. Also, please see Attachment A.

Respondents: Dan Kaiser, Network Manager
Qwest Legal

SO Docket No. CT08-002 Hall 01-008 Attachment A

Northwestern Bell

P.O. Box 100
Rapid City, South Dakota
November 10, 1980
File: J.D. 48120 - Hill City
R/W 8304

BURIED
SECTION ON
EAST SIDE OF
PROPERTY

Mr. Orville Hall
P.O. Box 367
Hill City, South Dakota 57745

Dear Sir:

This is to confirm our conversation in which you granted Northwestern Bell permission to bury a cable on your property in Hill City, South Dakota. The cable will be placed in the northeast corner of ~~Lot 4 of~~ Outlot 3 for approximately 45 feet and buried 30 inches deep. The area will also be cleaned up to your satisfaction.

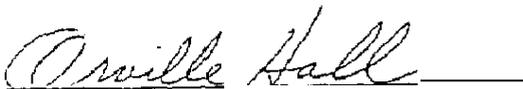
Would you please indicate your concurrence with this agreement by signing the attached copy of this letter and return it to this office in the enclosed self-addressed envelope. We wish to thank you for this courtesy and assure you that the cable will be rearranged at your request to eliminate any interference with future activities on your property.

Yours truly,



R. E. Breen
Engineer R/W

CONCURRED:



Sent to Sioux Falls
12-30-80

Hall, Roger L. 009

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested by: Hall, Roger L.

Date Requested: 2/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please state every factual reason why you believe the Mobile Home Park in question is not within the city limits of Hill City, south Dakota.

RESPONSE:

Qwest objects to this data request on the grounds that it requests information that is beyond the scope of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving that objection, Qwest has expressed no opinion in any pleading in this docket as to whether "the mobile home park in question" is within or outside the city limits of Hill City.

Respondent: Qwest Legal

Hall, Roger L. 010

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. eT08-002

Information Requested From: **Qwest Corporation****Information Requested By:** **Hall, Roger L.**

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify everything Qwest has done to provide adequate and reliable phone facilities to the prospective phone customers who will ultimately live in the Mobile Home Park in question.

RESPONSE:

Qwest objects to this data request because it calls for speculation regarding Qwest's future business plans. Requests for information or speculation regarding Qwest's business plans, future plans, forecasts, estimates, and the implications or ramifications of such plans and forecasts are not reasonably calculated to lead to the discovery of relevant and admissible evidence. Subject to and without waiving those objections, Qwest states: Qwest continues to offer local service in accordance with the rates, terms and conditions listed in its publicly available catalogs and tariffs, and in accordance with PUC rules.

Respondent: Qwest Legal

Hall, Roger L. 011

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: **Qwest Corporation**

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due; 01/29/2009

REQUEST:

Please identify everything Qwest has done to provide adequate and reliable phone facilities to the prospective phone customers who will ultimately live in the southeast area of Hill City.

RESPONSE;

Please see objections and responses to Data Request 01-010.

Respondent: Qwest Legal

Hall, Roger L. 012

State Of South Dakota
Ball, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From; Qwest Corporation

Information Requested By: Eall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify who you consider to be the "subscriber," or the "customer" of the phone services at the Mobile Home Park in question, and why.

RESPONSE:

Qwest objects to this data request on the grounds that "subscriber, or the customer of the phone services" are vague and ambiguous. These terms might refer to Mr. Hall, or to individual renters in the park, or to a third party, depending on which of the multitude of Qwest's products or services are being examined.

Respondent: Qwest Legal

Hall, Roger L. 013

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify the names and addresses of the persons that you bill for **phone services at the Mobile Home Park in question, and who pays those bills.**

RESPONSE:

Qwest objects to this data request on the grounds that providing an answer would violate CPNI statutes or rules. Qwest also objects because the requested information is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Respondent: Qwest Legal

Hall, Roger L. 014

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please explain what phone facilities exist and their exact locations for Qwest to currently serve the existing residents of the Mobile Home Park in question, and where the phone lines and the demarcation points are for those customers.

RESPONSE:

Please see Qwest's response to Data Request 01-002.

Respondent: Dan Kaiser, Network Manager

Hall, Roger L. 015

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify the approximate distance from the nearest Qwest switch to the Mobile Home Park in question, and how much capacity to service customers is available in that switch.

RESPONSE:

Qwest objects to this data request on the grounds that it requests irrelevant information not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving that objection, Qwest states: Please see Qwest's response to Data Request 01-002.

Respondent: Dan Kaiser, Network Manager
Qwest Legal

Hall, Roger L. 016

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

If the PUC orders Qwest to provide phone lines and service to the additional mobile homes at the Mobile Home Park in question, please identify which switch will service those lines.

RESPONSE:

Qwest objects to this data request on the grounds that it calls for **speculation about events in the future. Subject to and without waiving that objection, Qwest states: The Hill City switch.**

Respondent: **Dan Kaiser, Network Manager**
Qwest Legal

Hall, Roger L. 017

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify how many linear feet of phone lines will have to be installed in order to provide phone service to the residents of the additional mobile homes in the Mobile Home Park in question.

RESPONSE:

Qwest objects to this data request because it calls for speculation. Qwest has suggested several construction options to Mr. Hall regarding how to serve future tenants, and has provided two written construction quotes. The answer to this question could change according to Mr. Hall's choices, which are outside Qwest's control. Requests for information or speculation regarding Qwest's facilities construction plans or forecasts of required telephone plant, and the implications or ramifications of such plans and forecasts are not reasonably calculated to lead to the discovery of relevant and admissible evidence.

Respondent: Qwest Legal

Hall, Roger L. OIS

State Of South Dakcta
Hall Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: **Qwest Corporation**
Information Requested By: Hall, Roger L.
Date Requested: 12/29/2008
Date Response Due: 01/29/2009

REQUEST:

Please identify the location of any overhead and/or underground phone lines that cross the property lines of the Mobile Home Park in question and all overhead and/or underground lines that come within a 500 yard radius of the borders of the Mobile Home park in question and the amount of capacity in those phone lines.

RESPONSE:

Please see Qwest's response to Data Request 01-002.

Respondent: **Dan Kaiser, Network Manager**

Hall, Roger L. 019

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information **Requested From:** Qwest Corporation

Information Requested by: Hall, Roger L.

Date Requested: 12/29/2008**Date Response Due:** 01/29/2009

REQUEST:

Please identify all easements and/or contracts that allow Qwest's overhead phone lines to cross the boundaries of the Mobile Home Park in Question! and identify when those easements or contracts came into existence.

RESPONSE:

See Qwest's response to Data Request 01-008.

Respondents: Dan Kaiser, Network Manager
Qwest Legal

Hall, Roger L. 020

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation
Information Requested By: Hall, Roger L.
Date Requested: 12/29/2008
Date Response Due: 01/29/2009

REQUEST:

Please identify the gross income and net income that you will receive by providing phone service to the additional home sites in the Mobile Home Park in question and explain how you did your calculations.

RESPONSE:

Qwest objects to this data request on the grounds that it calls for speculation, and that it is unbounded by time. The complainant is the only person with information regarding how many "additional home sites" may eventually exist at some unspecified time in the future in the mobile home park. Qwest also objects because this data request seeks information in a form or of a nature not retained by Qwest in the ordinary course of business, and therefore would require a special study or analysis.

Respondent: Qwest Legal

Hall, Roger L. 021

State OE South Dakota
Hall, Roger L.
INFORMATION REQUEST

DDcket No. CT08-002

Information Requested From: Qwest Corporati
Information Requested By: Hall, Roger L.
Date Requested: 12/29/2008
Date Response Due: 01/29/2009

REQUEST:

Please identify the names, addresses and phone numbers of any testifying experts whom you expect to call at trial, and identify the subject matter of their testimony, explain fully each of the opinions they intend to express, and the basis of those opinions.

RESPONSE:

Qwest objects to this data request on the grounds that it calls for speculation and is premature. Qwest will identify its witnesses, and will prefile testimony, if and when a procedural schedule which includes a hearing is approved in this docket by the Commission.

Respondent: Qwest Legal

Hall, Roger L. 022

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. eT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested; 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please define Lifeline Service and LinkUp Assistance.

RESPONSE:

Please see Qwest Corporation's Exchange and Network Services catalog No.1, Section 5.2.6. The website location is

http://ttariffs.qwest.com:8000/idc/groups/public/documents/tariff/sd_e_c_no_1_S005p041.pdf#Page=12&PageMode=bookmarks.

Respondent: Qwest Legal

Hall, Roger L. 023

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. eTOB-002

Information Requested From: **Qwest Corporation**

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please define the qualifications for Lifeline Service and LinkUP **assistance.**

RESPONSE:

please see response to Data Request 01-022.

Respondent: Qwest Legal

Hall, Roger L. 024

State Of South Dakota
Hall, Roger L.
INFORMATION REQUEST

Docket No. CT08-002

Information Requested From: Qwest Corporation

Information Requested By: Hall, Roger L.

Date Requested: 12/29/2008

Date Response Due: 01/29/2009

REQUEST:

Please identify any customers in the Mobile Home Park in question who are currently Lifeline Service customers or have requested Lifeline Service and LinkUp Assistance.

RESPONSE:

Qwest objects to this data request on the grounds that providing an answer would violate CPNI statutes or rules. Qwest also objects because the **requested information is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.**

Respondent: Qwest Legal