



As to timeliness, Alltel in accordance with the initial schedule in this matter served its first set of discovery on June 12, 2006. The objections and response to the first set were received on July 3, 2006. In an attempt to resolve the multiple objections and failure or refusal to respond by the Golden West Companies, Alltel prepared a second set of discovery that in many respects tried to refocus or refine Alltel's original request in the hope that as restated and reiterated, the second set would generate responses without the need for motions to compel. The responses and objections to the second set were received on July 31, 2006. Unfortunately, these responses again failed to provide complete responses and therefore it is necessary for Alltel to file this motion. This motion is not untimely as there is no applicable motions deadline. Moreover, the Golden West Companies had represented a need to have their motions determined before filing testimony when this matter was pending in front of the SDPUC. As such, WWC did not then file a motion to compel because determinations of the motions might have impacted the extent of necessary discovery and potentially even force WWC to seek another round of discovery. For example, the Golden West Companies' motion to incorporate the record in CT 05-001, resulted in WWC expecting to request another round of discovery to clarify issues that might have arisen out of the transcript should that order be granted.

The information sought is information that should be readily available to the Golden West Companies because it is information its experts would have relied upon in forming their testimony and are directly relevant to the issues in this proceeding. Providing this information will also aid in hearing this matter. Without this information being provided prior to hearing, the Golden West Companies' witnesses would be subject to a much more extensive cross-examination on the technical questions to ensure the witnesses for WWC have all the necessary information to defend their testimony under cross-examination.

Respondent Golden West Companies' Objections and Responses to Alltel's First Set of Interrogatories and Requests for Production of Documents are attached hereto as Exhibit A. Respondent Golden West Companies' Objections and Responses to Alltel's Second Set of Interrogatories and Requests for Production of Documents are attached hereto as Exhibit B.

Alltel is requesting an Order to Compel Petitioners to answer Interrogatories Nos. 7, 29, 31, 32, 37, 43, 44, 46, 48, 51, 53, 54, 56, 57, and Requests for Production No. 16.

### ANALYSIS

Under Public Utilities Commission Administrative Rule 20:10:01:22.01, an order to compel may be granted by the Commission upon the showing of good cause by a party to the proceeding. Additionally, this rule sets forth that discovery is to proceed "in the same manner as in the circuit courts of this state." Admin. R. S.D. 20:10:01:22.01 (1998).

In South Dakota circuit court discovery is governed by SDCL § 15-6-26(b):

Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:

- (1) In general. Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party, including the existence, description, nature, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter. It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

The discovery rules are to be accorded a "broad and liberal treatment." Kaarup v. St. Paul Fire and Marine Insurance Co., 436 N.W.2d 17, 21 (S.D. 1989). "A broad construction of the discovery rules is necessary to satisfy the three distinct purposes of discovery (1) narrow the issues; (2) obtain evidence for use at trial; (3) secure information that may lead to admissible

evidence at trial.” *Id.* at 19 (citing 8 C. Wright and A. Miller, Federal Practice and Procedure, § 2001 (1970)).

Golden West objects to Interrogatories numbers. 29, 31, 37, 43, 44, 51, and Requests for Production No. 16, and provides none of the requested information. *See* exhibits A, B. Golden West’s response to each of these requests reads:

In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, Golden West Companies object to this request on the basis that the request is overly broad and unduly burdensome.

*See* exhibits A, B. Golden West provided no specific reasons for objecting to these interrogatories.

Recently, SDCL 15-6-33(a) was amended to read:

Any party may serve upon any other party written interrogatories to be answered by the party served or, if the party served is a public or private corporation or a partnership or association or governmental agency, by any officer or agent, who shall furnish such information as is available to the party. Interrogatories may, without leave of court, be served upon the plaintiff after commencement of the action and upon any other party with or after service of the summons and complaint upon that party.

Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the objecting party shall state the reasons for the objection and shall answer to the extent the interrogatory is not objectionable. The answers are to be signed by the person making them, and the objections signed by the attorney making them. The party upon whom the interrogatories have been served shall serve a copy of the answers, and objections, if any, within thirty days after the service of the interrogatories, except that a defendant may serve answers or objections within forty-five days after service of the summons and complaint upon that defendant. A shorter or longer time may be directed by the court or, in the absence of such order, agreed to in writing by the parties. *All grounds for an objection to an interrogatory shall be stated with specificity.* Any ground not stated in a timely objection is waived unless the party's failure to object is excused by the court for good cause shown. The party submitting the interrogatories may move for an order under § 15-6-37(a) with respect to any objection to or other failure to answer an interrogatory. A party answering interrogatories must set out the interrogatory immediately preceding the answer thereto.

SDCL § 15-6-33(a) (emphasis added). This language took effect July 1, 2006. The italicized language of the current statute did not appear in the previous language of the statute. Golden West filed its Objections and Responses to Alltel's Second Set of Interrogatories and Requests for Production on July 31, 2006. Therefore, at the time these Objections and Responses were filed, Golden West was under a duty to state with specificity its grounds for objecting to the interrogatories, or waive such grounds for objection. *Id.* Since Golden West failed to state with specificity its grounds for objection, its objections have been waived, and Golden West must disclose the requested information.

The current language of SDCL section 15-6-33(a) is identical to the relevant language of Federal Rule of Civil Procedure 33(b)(4) which reads: "All grounds for an objection to an interrogatory shall be stated with specificity." Fed. R. Civ. Pro. 33(b)(4). Courts examining the language of this rule have made it clear that objecting to an interrogatory by merely stating that it is irrelevant, unduly burdensome, oppressive, etc., without supplying an adequate reason for this objection is not good enough. "Defendant cannot evade its discovery responsibilities by 'simply intoning this familiar litany' that the interrogatories are burdensome, oppressive or overly broad. . . . [Defendant] must show specifically how, despite the broad and liberal construction afforded the federal discovery rules, each interrogatory is not relevant or how each question is overly broad, burdensome or oppressive. *Compagnie Francaise D'Assurance Pour Le Commerce Exterieur v. Phillips Petroleum Co.*, 105 F.R.D. 16, 42 (S.D.N.Y. 1984) (quoting *Roesburg v. Johns-Manville Corp.*, 85 F.R.D. 292 (D.C. Pa. 1980)).

Because the objections are inadequate, in response to Interrogatories, 29, 31, 37, 43, 44, 51, and Request for Production 16 should be required to be produced. Additionally, responses should be required because each of these interrogatories requests directly relevant information regarding the Golden West network and how the costs of that network were allocated by Golden

West in their costs study. The requested information on allocation of costs is necessary to analyze the cost study and was necessary for Petitioners to complete the cost study. A key issue in this case, Issue number one through three of the Petition, is what rates will be charged for termination of wireless calls on the Petitioner's network. FCC Rules require that any rates must be based on TELRIC costs. In order to determine TELRIC costs, a study must be performed. A key feature and essential component of such a study is not just determining total forward looking costs of the network upon which the calls are to terminate, but also which of those total costs are allocated to the service that is to be provided.

In response to Interrogatory 7, Golden West has failed to provide end point location of each interoffice circuit for point of presence within the Golden West Company's network. *See* Exhibit A, p 8-9. End point location is critical to determine how much of the transport network is utilized. For example, a circuit that goes from a customer premise through a wire center to a meet point with another carrier will utilize a different amount of network transport than a circuit that rides the transport network through several wire center nodes before it terminates or is handed off at a meet point. It is not possible to properly evaluate a network cost study without this basic information. Alltel can not prepare for cross examination or prepare to respond to the Petitioners' proposed costs study testimony without this information. This information will narrow the issues before the Office of Hearing Examiners, may itself be evidence to be used at trial, and clearly may lead to admissible evidence at trial. Therefore, good cause exists to compel Golden West to provide the end point locations of each interoffice circuit for point of presence within the Golden West circuit.

Interrogatory 46 asks Golden West: "With respect to the Golden West response to Interrogatory 15, identify and explain in detail each and every 'technical issues' that Petitioners believe may result when a single area code is associated with a seven digit number and a routing

point for a dialed number assigned to Alltel is in the same LATA as the Petitioner customer that originates a call.” See Exhibit B.

Golden West’s response was clearly evasive and non-responsive, claiming the Interrogatory is not based on how the network exists, and that no technical issues should exist. However, in Golden West’s response to Interrogatory 15, Golden West stated: “Golden West Companies believe that technical issues may result when multiple area codes may be associated with a seven digit number.” Exhibit A at 14. Interrogatory 46 simply asks Golden West to identify the technical issues referred to in Interrogatory 15. Golden West’s response to Interrogatory 46 evades listing the technical issues mentioned in Interrogatory 15, which is exactly what Interrogatory 46 requests. “For the purposes of this subdivision an evasive or incomplete answer is to be treated as a failure to answer.” SDCL § 15-6-37(a)(3). Therefore, Golden West should be compelled to respond completely and accurately to Interrogatory 46.

Additionally, Alltel will need to address the technical issues referred to in Interrogatory 15 either before or during the hearing. Requiring Alltel to conduct exhaustive cross examination on these issues will extend the hearing significantly. Disclosure of these issues prior to the hearing will enable Alltel to focus its direct examination on the most relevant technical issues, thereby saving valuable trial time and fulfilling the first function of discovery i.e., narrowing the issues. *See Kaarup* at 19.

Golden West responds to Interrogatory no. 48 as follows: “In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of relevant evidence.” Exhibit B at 13. As discussed above, Golden West’s failure to state its specific grounds for objecting to this Interrogatory effectively waived their objection. Furthermore, South Dakota rules of discovery are to be afforded “broad and liberal treatment”. *Kaarup* at 21.

The language of the discovery rules requires a broad definition of the term “relevant.” “This phraseology implies a broad construction of “relevancy” at the discovery stage because one of the purposes of discovery is to examine information that may lead to admissible evidence at trial”. 8 *C. Wright and A. Miller, Federal Practice and Procedure*, § 2008 [1970]. Golden West must therefore be compelled to answer Interrogatory no. 48, as well as all other interrogatories to which Golden West responded that the information sought was neither relevant nor likely to lead to the discovery of relevant evidence.

Interrogatory no. 48 is relevant in that it seeks to determine how interest is allocated. Interest is another cost of the network. Determining how interest is allocated is directly relevant to whether the cost study was properly prepared. A key issue may be, depending on the answer to this interrogatory, that Petitioners allocated far too much interest to certain services. Interest allocation is again directly relevant to determine how much costs might be associated with delivering of traffic and therefore is directly relevant in influencing the resulting rates from a costs analysis.

Golden West’s response to Interrogatory no. 53 is also evasive and non-responsive, as it does not provide the information requested. Alltel’s Interrogatory 53 states:

With respect to Interrogatory 22, identify where any traffic (packet or circuit switched) associated with Golden West Companies’ DSL services utilizes any portion of Golden West network from the point of loop interface with the DSL line card to the point the traffic exits the Golden West network. Identify each transport route, each facility or trunk group, and each piece of equipment that DSL traffic traverses and termination of CMRS traffic. If also utilized by CMRS traffic, identify the total costs of each route, facility, trunk group, or equipment, the allocation of those costs to DSL, and the rationale with supporting calculations for such allocation.

Exhibit B, at 14.

In response Golden West makes their usual objection and additionally states: “Without waiving any of these objections, Golden West Companies state as follows: DSL is not a switched

service; thus it does not share transport circuits with CMRS traffic.” Exhibit B at 14.

Interrogatory no. 53 requested identification of specific portions of Golden West’s network used by DSL services. Stating that DSL does not share transport circuits with CMRS traffic provides only a small portion of the requested information. The identification of the portion of the Golden West network associated with DSL service was not included. If any portion of the network that is used to terminate wireless calls, and therefore a cost included in the costs study, is also used to provide DSL service then some portion of the costs of the network must also be allocated to DSL and excluded from the wireless traffic termination costs. Additionally, the fact that DSL may not use the same transport circuit does not mean it is not using some of the same equipment or facilities. It would be inappropriate to allow the costs associated with DSL to be included in the costs and therefore rates to be paid by WWC.

As such, this response has not been answered, and Golden West must therefore be compelled to produce the information requested by Interrogatory no. 53.

Interrogatory no. 54 states:

For each interoffice fiber route identified in Exhibit DP-2 offered in response to Alltel’s 1<sup>st</sup> set of interrogatories, provide the following information:

- a. Type of fiber cable (buried, underground or aerial).
- b. Forward-looking utilization as assumed in cost study if different than utilization that has already been provided.
- c. Cable installed cost/foot by type of cable and cable size.
- d. Cable forward-looking cost as assumed in cost study.

Exhibit B at 14-15. In its response, Golden West fails to address either a. or c. of Alltel’s interrogatory. The response reads in pertinent part:

Without waiving any of these objections, Golden West Companies state as follows:

- b. The forward-looking utilization is the same as the embedded utilization
- d. An average forward-looking installed cost/foot for cable was used in the FLEC model. This information was provided in response to DP-2, GWD020178, GWD020179 and GWD020184.

Exhibit B at 15. Obviously no response was given to parts a. and c. of interrogatory 54. As this response is incomplete, and the objections made by Golden West have been waived and are without merit as discussed above, Golden West must be compelled to provide the information requested in parts a. and c. of Interrogatory 54. Again, the requested information is basic to the analysis of the costs study that is being supported by Petitioners. The requested information is very basic information that is essential and directly relevant to determining what costs are included in the Petitioners' study, whether they should have been included or whether they should have been included in the amount Petitioners included.

Golden West also provides an incomplete response to Interrogatory 56. Interrogatory 56 states:

With respect to any other network nodes, the following information is requested:

- a. Identify all network nodes through which mobile-to-land traffic may be transported. (An interoffice node is a standalone, host or remote switch).
- b. Identify the type of transmission equipment for the transport system carrying mobile-to-land traffic and the equipment capacity of the transmission equipment.
  - i. Currently in service.
  - ii. Forward-looking, if different.
- c. Provide the total investment and investment by transmission equipment component (add/drop multiplexers, digital cross-connect systems, fiber optic terminals, etc.) and supporting documentation.
- d. Identify the total demand in DSO equivalents for the transmission equipment. This should include all traffic and circuits handled by the transmission equipment – voice trunks, special access circuits, private lines, DSL circuits and others.
  - i. Currently in service.
  - ii. Forward-looking, if different.

Exhibit B at 16. In their response Golden West objects that the interrogatory is vague. "Golden West Companies also object to the discovery as being vague and using the phrase "other network nodes." Golden West Companies do not understand this term." Exhibit B at 17. Golden West goes on to point to previously provided information that may be helpful. Golden West's objection is without merit regarding use of the phrase "other network nodes" and does not excuse their failure to provide the requested information. Again, each detail requested is about

the details of the network that Petitioners have fabricated and from which they have developed a costs analysis. Alltel is merely seeking to know as much about that network as does Golden West so that Alltel can test the Golden West costs conclusion. As such, Golden West should be compelled to provide the information requested in Interrogatory no. 56.

Interrogatory 57 requests:

Using Exhibit 3 from Alltel's original set of interrogatories to Petitioners, provide for each Petitioner the most recent period each Petitioner has complete data of minutes of use data, stating whether the reported data are actual measured or estimated, the dates of the data and identifying the records that support the responses. Provide your response in electronic form.

- a. To the extent the MOU data provided differs from MOU data used in a FLEC model, explain and reconcile these differences.
- b. To the extent that the MOU data are actual, identify all usage terminated to an ISP trunk group.
- c. To the extent the MOU data are actual, identify all usage originated to Alltel and the trunk group that carries that traffic to Alltel.

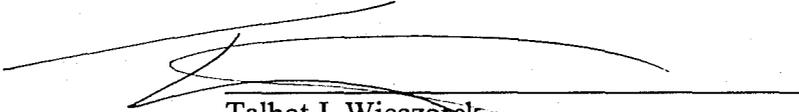
Exhibit B at 17. In response, Golden West states: "Without waiving any objections, Golden West Companies provides the following information: The MOU information for each FLEC study is found at the following pages: GW 000029, GW000050, GW000079, GW000107, GW000132, GW000156 and GW000183." Exhibit B at 18. This data is insufficient. MOU, are minutes of use of the network. It is not enough to simply know costs to construct a network, but it is essential to know the demand or use of such. Therefore, without the MOU data, Alltel can not properly prepare to challenge the costs study and rates that Petitioners contend they should be allowed to charge Alltel. The requested information is critical to Alltel's ability to produce relevant evidence at trial, and as such must be provided by Golden West.

The production of the above information is well within the proper scope of discovery and should be produced by Golden West. This information is clearly within the scope of discoverable material and does not contain any items that would be considered privileged.

Furthermore, the acquisition of this information would narrow the issues before the Commission, and would lead to the production of evidence to be used at trial. Good cause exists for the Commission to compel Golden West to provide the information requested in each of the aforementioned Interrogatories and Requests for Production.

Dated this 13 day of September, 2006.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 13 day of September, 2006, I sent electronically and by first-class mail, postage prepaid, a true and correct copy of WWC'S **BRIEF IN SUPPORT OF MOTION TO COMPEL** to:

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In the Matter of the Petitions of Armour	)	
Independent Telephone Company,	)	
Bridgewater-Canistota Telephone Company,	)	Docket Nos.
Golden West Telecommunications	)	
Cooperative, Inc., Kadoka Telephone	)	TC06-036
Company, Sioux Valley Telephone Company,	)	TC06-037
Union Telephone Company, and Vivian	)	TC06-038
Telephone Company (collectively the "Golden	)	TC06-039
West Companies") for Arbitration Pursuant to	)	TC06-040
the Telecommunications Act of 1996 to	)	TC06-041
Resolve Issues Relating to Interconnection	)	TC06-042
Agreements with WWC License L.L.C.	)	
("Western Wireless").	)	

**GOLDEN WEST COMPANIES' OBJECTIONS AND RESPONSES TO FIRST SET OF  
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS  
PROPOUNDED TO GOLDEN WEST COMPANIES**

STATE OF SOUTH DAKOTA    )  
  :SS  
COUNTY OF MINNEHAHA    )

Armour Independent Telephone Co., Bridgewater-Canistota Independent Telephone Co., Golden West Telecommunications Cooperative, Inc., Kadoka Telephone Co., Sioux Valley Telephone Company, Union Telephone Company (of Hartford), and Vivian Telephone Company ("Golden West Companies") submit their Objections and Responses to the First Set of Interrogatories and Requests for Production of Documents from WWC License L.L.C. ("Western Wireless"). Golden West Companies have made every reasonable effort to respond to this discovery and specifically reserve the right to supplement or amend this response if and when additional information responsive to the requests becomes known or located.

EXHIBIT  
A  
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**I. OBJECTIONS TO DEFINITIONS AND GENERAL OBJECTIONS TO INTERROGATORIES.**

Golden West Companies generally object to the Definitions set forth by Western Wireless in Western Wireless' Interrogatories and Requests for Production of Documents to Golden West Companies (the "Discovery") as follows:

1. To the extent that the Discovery is not relevant to any unresolved issue or subject matter raised in this proceeding.
2. To the extent that the Discovery is not reasonably calculated to lead to the discovery of any relevant admissible evidence.
3. To the extent that the Discovery is vague and ambiguous.
4. To Definitions number 3 and 6 and Instruction number 3 to the extent that the Discovery seeks to impose burdens upon Golden West Companies that are overly broad and unduly burdensome.
5. To the extent that the Discovery calls for information already in the possession and control of Western Wireless or in the public record equally accessible to Western Wireless.
6. To the extent that Western Wireless seeks to impose a burden upon Golden West Companies to secure documents or information in the possession, custody or control of persons or entities other than Golden West Companies for the reason that any such request is overly broad, beyond the scope of discovery, and is unduly burdensome or protected by the attorney client privilege or attorney work product privilege.
7. To the extent that the Discovery places conditions on the production of information, which conditions are not required by or consistent with the rules governing the discovery process in this proceeding.

8. Golden West Companies have made every reasonable effort to locate the information and/or documents requested in the Discovery. That effort has been made in good faith. Golden West Companies cannot affirm, however, that "all" such information and/or documents have been supplied. Golden West Companies believe that "all" such information and/or documents have been produced. In the event that Golden West Companies discover inadvertent lack of production of information or documents in response to the Discovery, Golden West Companies will supplement this response in accordance with the applicable rules of discovery.

9. The responses contained herein are made solely for the purposes of these proceedings. Each response provided is subject to all objections as to competence, relevance, materiality, propriety, admissibility, and any and all other objections on grounds to which the same statement would be subject if delivered by way of live testimony in court. All such objections and the right to assert the same at hearing are expressly reserved by Golden West Companies, and may be interposed at the time of hearing or in conjunction with other uses of the responses.

10. The foregoing objections are hereinafter referred to as the "General Objections."

## **II. INDIVIDUAL OBJECTIONS TO INDIVIDUAL DISCOVERY REQUESTS.**

Subject to and without waiving its General Objections as stated above, Golden West Companies hereby provide the following responses and individual objections to the Discovery.

**Interrogatory 1.** For each Data Request, identify each person who assisted in the preparation of these responses, or who provided information for the purpose of preparing these responses.

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following information:

Jason Ausmann, Mapping Technician, Golden West Companies, 415 Crown Street, Wall, South Dakota 57790 – Request for Production 1.

Galen Boyd, Network Manager, Golden West Companies 415 Crown Street, Wall, South Dakota 57790 – Interrogatory 27. Request for Production 12

Gwen Davis, Administrative Assistant, Golden West Companies 415 Crown Street, Wall, South Dakota 57790 – Interrogatory 1, 9, 22, 26 and 27. Requests for Production 3, 5, 11, 12, 13 and 15.

Dick Deutscher, Staff Engineer, Golden West Companies 415 Crown Street, Wall, South Dakota 57790 – Interrogatory 27.

Greg Goddickson, Inside Plant Supervisor, Golden West Companies, 1510 National Avenue, Hot Springs, South Dakota 57747 – Interrogatories 2, 9 and 26.

Denny Law, Eastern Region Manager, Golden West Companies, 525 East 4<sup>th</sup> Street, Dell Rapids, South Dakota 57022 – All responses.

Clark Mortenson, Comptroller, Golden West Companies, 415 Crown Street, Wall, South Dakota 57790 – Request for Production 7.

Larry Hettinger, Heartland Consulting, 1000 Innovative Drive, Mitchell, SD 57301 - Interrogatories 1, 14, 15, 19, 20, 21, 22 and 29. Requests for Production 3, 6, 7 and 15.

James Overcash, Attorney – Objections.

Paul Schudel, Attorney – Objections.

Meredith Moore, Attorney – Objections.

Dan Caldwell, TELEC Consulting Resources, Inc., Embassy Tower, Suite 310, 9300 Underwood Avenue, Omaha, NE 68114 (“TELEC”) – All Responses.

Dan Davis, TELEC, 233 S. 13th Street, Suite 1225, Lincoln, Nebraska 68508- Interrogatory 1, 11 and 17. Requests for Production 9, 10 and 15.

Tim Eklund, TELEC, Embassy Tower, Suite 310, 9300 Underwood Avenue, Omaha, NE 68114- Interrogatories 1, 2, 6, 7, 8, 22, 23, 24 and 25. Requests for Production 1, 2, 8 and 15.

Charley Ogden, TELEC, Embassy Tower, Suite 310, 9300 Underwood Avenue, Omaha, NE 68114– Interrogatories 1, 2, 3, 7, 8, 12, 13, 22, 23, 24 and 25. Requests for Production 2 and 8.

Sue Vanicek, TELEC, 233 S. 13th Street, Suite 1225, Lincoln, Nebraska 68508– Interrogatory 30.

**Interrogatory 2.** Complete the form attached as Exhibit 1 (Network data), providing the requested information for each end office exchange in which a Golden West Company is certificated to provide telecommunications service. Provide your response in electronic form.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, Golden West Companies also object to the discovery as being overly broad and unduly burdensome. Without waiving any objections, Golden West Companies provide the information attached as Exhibit I-2.

**Interrogatory 3.** Identify each interoffice fiber route of OC-12 capacity or greater and identify each use of the available capacity on that route and any unused capacity:

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, without waiving any objections, Golden West Companies provide the following response:

The following documents are provided: Map of interoffice facilities, Exhibit I-4 and spreadsheet describing interoffice ring facilities Exhibit I-3. Circuit information was previously provided with FLEC study materials.

**Interrogatory 4.** Prepare a network diagram showing where wireless (CMRS) and other 251(b)(5) reciprocal compensation calls are received, the Transport required to terminate the call, and where call Termination occurs.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Golden West Companies also object to the discovery as being overly broad and unduly burdensome to show

where every call would terminate for each of Golden West Companies' customers. Additionally, without waiving any objections, Golden West Companies provide the following response:

Golden West Companies believe that CMRS calls are received by Golden West Companies through every connection that each Golden West Companies have with other carriers. A diagram of all of the Golden West Companies facilities is provided as Exhibit I-4. (Note: Vivian Telephone Company is shown on map under name of Golden West Communications.) These connections would include (but may not be limited to) the following:

Company	CMRS Calls Received
Armour Independent Tel. Co.	All Interexchange Carriers via SDN CEA Tandem
Armour Independent Tel. Co.	Qwest terminating toll trunks
Bridgewater-Canistota Ind. Tel. Co.	All Interexchange Carriers via SDN CEA Tandem
Bridgewater-Canistota Ind. Tel. Co.	Qwest terminating toll trunks
Golden West Telecommunications Coop., Inc.	Qwest terminating toll trunks
Golden West Telecommunications Coop., Inc.	All Interexchange Carriers via SDN CEA Tandem
Golden West Telecommunications Coop., Inc.	CMRS Direct Connection-Martin Exchange at Pine Ridge host Switch
Golden West Telecommunications Coop., Inc.	CMRS Direct Connection-Wall Exchange
Golden West Telecommunications Coop., Inc.	CMRS Direct Connection-Hot Springs Exchange
Golden West Telecommunications Coop., Inc.	Faith Municipal Telephone Co. EAS Trunks
Golden West Telecommunications Coop., Inc.	Qwest EAS Trunks
Kadoka Telephone Company	Qwest Toll Terminating Trunks
Kadoka Telephone Company	All Interexchange Carriers via SDN CEA Tandem
Kadoka Telephone Company	CMRS Direct Connection-Kadoka Exchange
Sioux Valley Telephone Company	Qwest Toll Terminating Trunks
Sioux Valley Telephone Company	All Interexchange Carriers via SDN CEA Tandem
Sioux Valley Telephone Company	Qwest EAS Trunks
Sioux Valley Telephone Company	Midstate Communications EAS Trunks
Union Telephone Company	Qwest Toll Terminating Trunks
Union Telephone Company	All Interexchange Carriers via SDN CEA Tandem
Union Telephone Company	Qwest EAS Trunks
Vivian Telephone Company	Qwest Toll Terminating Trunks

Vivian Telephone Company

All Interexchange Carriers via SDN CEA  
Tandem

Vivian Telephone Company

CMRS Direct Connection-Winner Exchange

Vivian Telephone Company

CMRS Direct Connection-Custer Exchange

Vivian Telephone Company

CMRS Direct Connection-Mission Exchange

Vivian Telephone Company

CMRS Direct Connection-Custer Exchange

Vivian Telephone Company

CMRS Direct Connection-Winner Exchange

Vivian Telephone Company

CMRS Direct Connection-Murdo Exchange at  
the Winner Host Switch

Vivian Telephone Company

CMRS Direct Connection-Gregory Exchange  
at the Burke Host Switch

Vivian Telephone Company

Qwest EAS Trunks

Vivian Telephone Company

Prairiewave Community Telephone EAS  
Trunks

The diagram includes information outside of the Golden West Companies service area. Switches are identified as square boxes. Places where cable meets, assuming this is the meaning of "transmission nodes," are designated by a dot. Interoffice routes are identified as lines between boxes. Golden West Companies do not understand the difference between interoffice routes and intercompany transmission facilities. Call record data can be collected at host switch locations.

**Interrogatory 5.** For each of your company's central office switches (tandem, host, and remote), describe in detail how a call originating from one of the end users in the telephone company exchange area supported by that switch, would be routed to each of the following Alltel telephone numbers:

605-381-1000	Rapid City, South Dakota
605-941-2000	Sioux Falls, South Dakota
605-673-1500	Custer, South Dakota
605-441-2500	Martin, South Dakota
507-340-2200	Mankato, Minnesota
605-661-1800	Yankton, South Dakota

A ported in number from VZW

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to the discovery as being overly broad and unduly burdensome because the rate centers for every possible call to a every number ported from VZW (assuming this is a Verizon company) is very large because of Verizon's wireline and wireless network that exists in

the United States. Without waiving any objections, Golden West Companies provide the following response:

Responsive information is located in Exhibit I-5.

**Interrogatory 6.** Complete Exhibit 3 (MOU data) by providing 2005 minute of use data, stating whether the reported data are actual measured or estimated, and identifying the records that support the responses. Provide your response in electronic form.

- (a) To the extent the MOU data provided in Exhibit 3 differs from the MOU data used in the FLEC Model, explain and reconcile these differences.
- (b) To the extent the MOU data are actual, identify all usage terminating to an ISP trunk group.
- (c) To the extent the MOU data are actual, identify all usage originated to Alltel and the trunk group that carries that traffic to Alltel.

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

Golden West Companies do not have complete MOU data for 2005 and consequently can not identify material differences between the data sets. Carrier access billing data for 2005 is provided in Exhibit I-6.

**Interrogatory 7.** Complete the form attached as Exhibit 2 (Circuit data), providing the requested interoffice circuit information for point of presence within the Golden West Company's network. Provide your response in electronic form.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Golden West Companies also object to the discovery as being overly broad and unduly burdensome. Additionally, without waiving any objections, Golden West Companies have previously provided relevant information in the FLEC Model Documents for WWC labeled as GW000032-

GW000033, GW000053-GW000054, GW000082-GW000088, GW000110-GW000111,  
GW000135-GW000138, GW000159-GW000160 and GW000187-GW000193.

**Interrogatory 8. With respect to the FLEC Model Assumptions:**

- (a) Identify the actual federal income tax rate paid by each Golden West Company for the years 2003, 2004, and 2005. [Task 2(d)].
- (b) Provide the Nortel invoice for the Hartford switch that was used as a basis of comparison for the "switch investment costs ... supplied by RV W." [Task 6]
- (c) Provide the Nortel invoice(s) that identify the cost of "an average box for OC-12, OC-48, and OC-192" transmission equipment. [Task 8]
- (d) Provide the data from "other companies" that was used to formulate the assumption that "wireless terminating minutes for GW and Vivian were assumed to be 12% of local minutes." [Task 12]
- (e) Confirm or deny that the FLEC Model assumptions allocate the entire value of all central office buildings as a cost applicable to CMRS traffic. If denied, explain how this building value is applied in the FLEC Model. [Addendum 1 1 A]
- (f) Confirm or deny that the FLEC Model assumptions allocate the entire value of all land on which a central office building is located as a cost applicable to CMRS traffic. If denied, explain how this land value is applied in the FLEC Model. [Addendum 1 2A]
- (g) Provide the data and the workpapers used to develop "exchange/interexchange fiber ratios." [Addendum 1 4A]
- (h) Identify the basis for the switch costs allocation. [Other Inputs]

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

Response 8a:

<u>Company</u>	<u>Federal Income Tax Rate on Taxable Income</u>
Armour Independent Telephone Company	35%
Bridgewater-Canistota Independent Tel. Co.	35%
Golden West Telecommunications Cooperative Inc.	35%
Kadoka Telephone Company	35%
Sioux Valley Telephone Company	35%

Union Telephone Company  
Vivian Telephone Company

35%  
35%

Response 8b: Copy of invoice provided as Exhibit I-8.

Response 8c: Copy of invoice provided as Exhibit I-8.

Response 8d: Following the development of the 12% allocation number, data was discovered that provided wireless terminating minutes. Consequently, the 12% allocation number was not used and should be deleted from page GW000201 previously transmitted to Western Wireless.

Response 8e: Denied. The FLEC model proportionally allocates the value of central office buildings to all traffic.

Response 8f: Denied. The FLEC model proportionally allocates the value of land to all traffic.

Response 8g: Copy of work papers is provided as Exhibit I-8.

Response 8h: The switch investments are split into several components. The split was made primarily to allow for the elimination of the non-traffic sensitive line portion of the switch from the study. The switch components were split based on knowledge of typical small company switches. The components are line (30%), trunk (10%), matrix (23%) and processor (37%). The 30% line portion is consistent with the FCC's MAG order. 47 C.F.R. Sec. 69.306(d)(2).

**Interrogatory 9.** Provide the names and Operating Company Numbers (OCN) of all carriers with which you currently exchange any traffic and describe the terms of the arrangement, the nature of the traffic exchanged, how such traffic is routed, whether such traffic is recorded, and how such traffic is rated.

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

Responsive information is located in Exhibit I-9.

**Interrogatory 10.** Identify any Affiliate of any Golden West Company, and explain the terms and conditions on which you exchange traffic with that affiliated entity.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, without waiving any objections, Golden West Companies provide the following information:

**Identification of Affiliates:**

Golden West Telecommunications Cooperative, Inc.  
Golden West Technologies, Inc.  
Golden West Telephone Properties, Inc.  
Vivian Telephone Company  
Union Telephone Company of Hartford  
Armour Independent Telephone Co.  
Bridgewater-Canistota Independent Telephone Company  
Kadoka Telephone Company  
Golden West Cablevision  
Golden West PCS, Inc.  
Rapidnet, Inc.  
Sioux Valley Telephone Co.  
Valley Cablevision of South Dakota, Inc.  
Aurora Cable TV, Inc.  
Sioux Valley Wireless Holdings, LLC  
SDN Communications LLC  
Express Communications, Inc.  
WMW Cable TV Co.  
Union Telnet, Inc.  
G.W. Wireless, Inc.  
Golden West Tele-Tech, Inc.

The following entities exchange voice traffic under the terms of the documents provided in response to Document Production 3:

Golden West Telecommunications Cooperative, Inc. has EAS arrangements with:  
Vivian Telephone Company  
Kadoka Telephone Company

Vivian Telephone Company has EAS arrangements with:  
Golden West Telecommunications Cooperative, Inc.

Kadoka Telephone Company has EAS arrangements with:  
Golden West Telecommunications Cooperative, Inc.

**Interrogatory 11.** Identify each switch used by Golden West that provides trunk side switching capability, and identify the number of square miles served by each such switch.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Golden West Companies also object to the discovery as being overly broad and unduly burdensome. Without waiving any objections, Golden West Companies provide the following information:

Trunk side switch capability is available at host or stand alone switch locations.

**Interrogatory 12.** Identify the quantity and type of each circuit that delivers Alltel terminating traffic to each of your end offices or originates traffic to Alltel's network. State whether these circuits are or are not included in the circuit counts provided in Exhibit 2 and if included, under which category of Exhibit 2.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, without waiving any objections, Golden West Companies provide the information attached as Exhibit I-12 and state that it lacks data regarding which specific Western Wireless customers are called by Golden West Companies customers, so it is unable to identify how each of these calls would be routed.

All circuits are included in the circuit counts provided with the FLEC study data.

**Interrogatory 13.** Identify any circuits and facilities that are used by Golden West to Transport or Terminate CMRS traffic that are also used to deliver other telecommunications, information, internet or video services to wholesale or retail consumers.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, Golden

West Companies object to this request as being vague. Without waiving any objections, Golden West Companies provide the following information attached as Exhibit I-13.

**Interrogatory 14.** Identify your applicable interstate and intrastate switched access rates, and identify the portion of the network related to each rate element that makes up those rates. Identify each rate element that would apply to the delivery of CMRS traffic originating in a different MTA and delivered via a Qwest tandem switch.

**Objection and Response:** Without waiving any objections, Golden West Companies provides the following response:

All of the Golden West Companies, for interstate switched access traffic, except Union Telephone Company, concur in the National Exchange Carrier Association Tariff F.C.C. No. 5. This tariff can be found at <http://www.neca.org/media/tariff5.pdf>, and Section 6, Switched Access Services, contains a full explanation of each Traffic Sensitive rate element. Also, Section 6.1.3 (Page 6-6) contains a drawing showing the rate elements and how they apply to each portion of the network. Union Telephone Company has its own interstate Traffic Sensitive switched access tariff on file with the FCC (Union Telephone Company Tariff F.C.C. No. 1) for its interstate Traffic Sensitive traffic. This tariff can be found at:

<http://svartifoss2.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/webpublic/selectlec.hts>

For the Common Line Pool, for interstate switched access traffic, Union Telephone Company concurs in the National Exchange Carrier Association Tariff F.C.C. No. 5.

All of the Golden West Companies, for intrastate switched access traffic, except Kadoka Telephone Company, concur in the Local Exchange Carrier Association, Inc. Tariff No.1, which is on file with the South Dakota Public Utilities Commission. This document is provided in Exhibit I-14. Section 6, Switched Access Service, contains a full explanation of each Traffic Sensitive rate element and how each rate element applies to each portion of the network.

Section 3, Carrier Common Line Access Service, explains this rate element and the portion of

the network to which it applies. Kadoka Telephone Company bills intrastate switched access services in accordance with Kadoka Telephone Company Tariff No. 1, which is on file with the South Dakota Public Utilities Commission. (Kadoka Telephone Company Tariff No. 1 mirrors almost all of the wording contained in Local Exchange Carrier Association, Inc. Tariff No. 1, except for rates.) This document is provided as Exhibit I-14.

All of the tariffs mentioned above explain each of their respective rate elements and their rate application.

**Interrogatory 15.** Alltel has proposed obtaining numbers with a routing point at a Qwest tandem switch but a rating point at an exchange served by Golden West. Identify any technical reason why Golden West could not deliver traffic to such numbers on a local basis pursuant to Alltel's proposal.

**Objection and Response:** Without waiving any objections, Golden West Companies provides the following response:

The Golden West Companies have no interconnection agreements that allow the interconnection described above. Consequently, the Golden West Companies may be unable to identify all technical reasons that the proposal described in this interrogatory is technically infeasible, but believe the difficulties of this proposal would include:

- a. No direct trunk groups are currently established, from each host/stand alone switch within each Golden West Company to each Qwest tandem located in South Dakota for this traffic;
- b. Golden West Companies believe that technical issues may result when multiple area codes may be associated with a seven digit number. Consequently, depending on transport arrangements, it may be impossible to provide separate routing for Western Wireless calls, even if direct trunks existed; and

c. Technical issues may also result from attempting to send traffic to or through other telecommunications carriers using procedures that do not conform to law, industry standards and rules of the Federal Communications Commission and South Dakota Public Utilities Commission.

The Golden West Companies expressly reserve and confirm their rights to supplement or amend this response if and when additional information responsive to this interrogatory becomes known.

**Interrogatory 16.** State each and every fact, and application of law to fact, upon which you rely to support Golden West's position that any final agreement should become effective January 1, 2006 as noted in the draft agreement attached to the Petition.

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

The Golden West Companies believe that the final agreement should become effective January 1, 2006, to recognize the compensation due to the parties for the termination of traffic since the date of termination of the previous interconnection agreement between the parties. The Golden West Companies believe that the compensation after January 1, 2006, should "true-up" to the rates and compensation parameters that will be contained in the agreement resulting from this proceeding. Currently, Golden West Companies have filed, and there is pending, a motion with the South Dakota Public Utilities Commission to have this matter resolved. See also the memorandum in support of such motion, a copy of which has been served on Western Wireless.

**Interrogatory 17.** Confirm or deny that your company has produced a study that compares traffic originated on your company's network and terminated to Alltel's network with traffic originating on Alltel's network and terminating on your company's network.

(a) If you deny that such a study has been produced, explain the basis for your claim that an imbalance of traffic exists.

- (b) If such a study has been produced, provide a copy of the balance of traffic study (and all associated workpapers, data, and other documentation) prepared by or on behalf of your company that you intend to use in connection with this proceeding. If the data used in the study is not for the more recent calendar year, provide an updated study using data for the most recent calendar year. If this data is stored and/or was developed with the aid of a computerized spreadsheet application, provide an electronic copy of the spreadsheet including data and computational algorithms.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, Golden West Companies object that the request is overly broad and unduly burdensome. Without waiving any objections, Golden West Companies provide the following response:

Golden West Companies confirm that a study has been completed.

Response 17(a): Not Applicable.

Response 17(b): Documents provided as Exhibit I-17. No study for the most recent calendar year has been completed.

**Interrogatory 18.** What is the actual weighted cost of all your outstanding long-term debt as of year-end 2005, including all federal-funding such as RUS?

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Golden West Companies also object to the discovery as being vague by using the term "weighted cost." Golden West Companies do not understand this term and will provide the interest cost for the Golden West Companies for 2005. Without waiving any objections, Golden West Companies provide the following response:

The Golden West Companies' interest expense for 2005 was \$3,882,252.00.

**Interrogatory 19.** Confirm or deny that no traffic transits between your remote switches and host switches other than EAS traffic and toll traffic. If this statement is denied, identify all other types and quantities of traffic that transits between a host switch and a remote switch (such as CMRS, ISP, or other non-EAS local traffic).

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

Deny. The following types of traffic, in addition to EAS and toll traffic, transit between the remote switches and the host switches: CMRS and dial-up ISP. Golden West Companies object to the request to provide "quantities" of traffic on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence, and further that the request is overly broad and unduly burdensome. Without waiving any of these objections, Golden West Companies state that the total quantities of traffic relevant to the FLEC study have been provided, and Golden West Companies do not have data readily available to provide the quantities for each individual type of traffic between each host and each remote switch.

**Interrogatory 20.** Is any local or EAS intercompany traffic carried on Host-Remote links between one of your end offices and a host or remote of another carrier? If so, please specify the routes on which this occurs. If not, please confirm that all intercompany local and EAS traffic is exchanged on circuits reported as "EAS Circuits" in Exhibit 2.

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

Yes, local or EAS intercompany traffic is carried on the routes for the Host-Remote links between the Wood and White River exchanges (remote switches) of Golden West Telecommunications Cooperative, Inc. and the Mission exchange (host switch) of Vivian Telephone Company.

**Interrogatory 21.** Confirm or deny that no traffic transits between your host switches other than toll traffic. If this statement is denied, identify all other types of traffic that transits between a host switch and a remote switch (such as CMRS, ISP, EAS, or other non-EAS local traffic).

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

Deny. The following other types of traffic transit between the remote switches and the host switches: CMRS and dial-up ISP.

**Interrogatory 22.** Provide a detailed explanation of how the Golden West Companies provision DSL circuits, where the costs associated with DSL equipment, transmission, and maintenance appear in the Forward Looking Economic Cost Model, whether any such costs are recovered by a Golden West Company through any tariff other than its DSL tariff and where any MOU associated with DSL circuits appear in Exhibit 2.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Without waiving any objections, Golden West Companies provide the following response:

The FLEC model does not include the investment costs of DSL equipment, only costs associated with switching equipment and interoffice transport. Expenses in the FLEC model are based proportionally on investment. Because DSL investment is not included, no DSL expenses are included. DSL circuits are dedicated point to point circuits, and therefore no traffic measurements are made or are relevant to such circuits.

After July 1, 2006, all of the Golden West Companies, including Union Telephone Company, will receive DSL settlement revenues from the NECA Traffic Sensitive Pool.

With regard to "where any MOU associated with DSL circuits," Golden West Companies are not aware, based upon their understanding of the terms, of any MOUs associated with DSL circuits.

**Interrogatory 23.** Concerning the "Golden West Telecommunications Central Office Equipment Replacement Opinion of Probable Cost – 2006," provide the following:

- (a) The identity and contact information for the individual(s) that produced the opinion;
- (b) All documentation related to the request to produce the opinion or used in the development of the opinion
- (c) A financial and capability comparison of the assumed central office equipment used to formulate the opinion and the central office equipment in use by Golden West at the time of the study.

**Objection and Response:** Without waiving any objections, Golden West Companies provide the following response:

Response 23a:

Marty Nore  
RVW, Inc.  
4118 Howard Blvd.  
P.O. Box 495  
Columbus, NE 68602

Response 23b: See Exhibit I-23

Response 23c: See Exhibit I-23.

**Interrogatory 24.** If any Golden West Affiliate or any Golden West unregulated service or enterprise is occupying any building space, land or is utilizing any equipment or power that is identified in the Forward Looking Economic Cost Models, identify the Affiliate, the specific Golden West resource occupied and/or utilized.

**Objection and Response:**

In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Golden West Companies also object to the request on the basis that it is overly broad and unduly burdensome. Golden West Companies also object to the discovery as being vague by using the term "identified." Golden West

Companies do not understand this term as it is used in relationship to a FLEC study. Without waiving any objections, Golden West Companies provide the following response:

The Golden West Companies spend a significant amount of resources segregating and accounting for their revenues, expenses and investments on a regulated and unregulated, as well as an individual company basis. Although there are situations where it is economical to share resources between companies or regulated and unregulated businesses, these sharing arrangements are recognized by the Golden West Companies and accounted for in the Golden West Companies' records. Additionally, these sharing relationships are typical of the types of sharing that would be done by a carrier with characteristics similar to the Golden West Companies. Golden West Companies are not aware of any sharing arrangements that are accounted for incorrectly and that would materially change the results of the FLEC study provided in this proceeding.

**Interrogatory 25.** For any Golden West Affiliate or any Golden West unregulated service or enterprise (including but not limited to Golden West Internet Services, Golden West Cable Television, Golden West Paging services) that jointly occupies Golden West land or buildings and/or utilizes joint resources (e.g., power, vehicles, equipment conduit, buried cable sheaths, etc.), identify by entity and location, the specific joint occupation and/or use, the method and amount of costs allocated among the entities, services or enterprises, and provide the workpapers that identify how those cost allocations have been addressed in Golden West's Forward Looking Economic Cost Models.

**Objection and Response:**

In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Golden West Companies also object to the request on the basis that it is overly broad and unduly burdensome. Without waiving any objections, Golden West Companies provide the following response:

Cost allocations between regulated and unregulated business have been addressed in the Forward Looking Economic Cost Model because the model allocates a percentage of the common costs to unregulated business activities based upon the amount of the non regulated investments.

**Interrogatory 26.** For each Golden West Internet Services (aka GoldenNavigator) local dial-up access number identify the following:

- (a) Amount of MOU terminated (i.e. duration of dial-up calls) to each of those numbers for most recent one month period. To the extent actual MOU is not available on a per access number basis, provide aggregate data. To the extent actual aggregate MOU data is not available, identify average hold time per dial-up internet session and the quantity of sessions for a minimum 10 day sample period;
- (b) The quantity of dial-up modem session capacity associated with each local dialup access number;
- (c) The points of interconnection between Golden West Internet Services and each Golden West Company; and
- (d) The equipment and facilities used to transport Golden West Internet Services traffic within each Golden West Company serving area.

**Objection and Response:**

Without waiving any objections, Golden West Companies provide the following response:

Response 26(a): Dial Up Internet MOUs for April or May 2006 are provided in Exhibit I-26 for Golden West Telecommunications Cooperative, Inc., Kadoka Telephone Company, Vivian Telephone Company, and Sioux Valley Telephone Company. Data for other companies has not been compiled.

Response 26(b) and (c): See information attached as Exhibit I-26. Page labeled "Information regarding Interrogatory 26(b) and (c)." One customer can use one trunk, so if there are 24

trunks, 24 customers can concurrently have access. This Exhibit also provides the trunk information.

Response 26(d): See information attached as Exhibit I-26.

**Interrogatory 27.** Identify and provide detailed cost information for each transmission network project undertaken in the past five years and for each project identify if it was performed jointly with another company or an Affiliate. Include all information associated with new fiber placements over the past five years.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, without waiving any objections, Golden West Companies provide information for interexchange projects performed since January 1, 2005, in Exhibit I-27.

**Interrogatory 28.** Identify all federal or state universal service support received for each of 2004 and 2005 for each study area in which Golden West is providing service.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, without waiving any objections, Golden West Companies believe that this information is publicly available and directs Western Wireless to the following web site:

<http://www.universalservice.org/hc/tools/disbursements/default.aspx>.

**Interrogatory 29.** If any Golden West Company performs tandem switching, transport, and/or Termination by using a switch that is also used by or provide service to any Affiliate, provide the following:

- (a) The name of the Affiliate, the tandem switching, transport, and/or end office switching elements used, the applicable rates, terms and conditions associated with such services;

- (b) Any written documents that establish or evidence the rates, terms, and conditions under which tandem switching, transport and/or local switching is provided by or to a Golden West Company; and
- (c) All documents which relate to or refer to these services.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence.

**Objection and Interrogatory 30.** State the portion of the following costs that would be incurred in building a network that terminated no traffic subject to reciprocal compensation obligations under 47 U.S.C, § 251(b)(5). Do so by filling in the second column with the expense used in the Forward Looking Economic Cost Models and by filling in the third column with a percentage:

Category of Expense	Expense as Reported in Cost Exhibits	Portion of Expense that Would be Incurred Assuming Network Terminated no Traffic Subject to Reciprocal Compensation Obligations
Switching	\$	%
Transmission Equipment	\$	%
Transmission Facility	\$	%
Traffic-Sensitive Loop	\$	%
Support Plant		%

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Without waiving any objections, Golden West Companies state:

The cost study was conducted in compliance with 47 C.F.R. § 51.505 and § 51.511, pursuant to the requirements of 47 C.F.R. § 51.705 to establish an incumbent local exchange carrier's rates for transport and termination. 47 C.F.R. § 51.511(a) states that "[t]he forward-looking economic cost per unit of an element equals the forward-looking economic cost of the element, as defined in § 51.505 of this part, divided by a reasonable projection of *the sum of the*

*total number of units of the element that the incumbent LEC is likely to provide to requesting telecommunications carriers and the total number of units of the element that the incumbent LEC is likely to use in offering its own services, during a reasonable measuring period.”* (emphasis added) 47 C.F.R. § 51.505(a) indicates that the forward-looking economic cost of an element equals the sum of the total element long-run incremental cost of the element and a reasonable allocation of forward-looking common costs. 47 C.F.R. § 51.505(b) states that “[t]he total element long-run incremental cost of an element is the forward-looking *cost over the long run of the total quantity of the facilities and functions that are directly attributable to, or reasonably identifiable as incremental to, such element*, calculated taking as a given the incumbent LEC’s provision of other elements.” (emphasis added)

In accordance with the rules cited above, the cost study identified the forward-looking cost of each element necessary to provide transport and termination, and divided such cost by the total number of units likely to be demanded over a reasonable time period for each element, respectively. Due to the fact that the cost study developed the cost of each element by dividing the total cost of providing each element by the total demand for providing each element, information is not available to determine the “Portion of Expense that Would be Incurred Assuming Network Terminated no Traffic Subject to Reciprocal Compensation Obligations.” Furthermore, assuming such information were available, the requested information would be irrelevant in determining the appropriate rates for transport and termination for the reasons discussed above.

## **REQUESTS FOR PRODUCTION OF DOCUMENTS**

**Request for Production 1.** Provide a network diagram for your network showing the Company's switches, transmission nodes, interoffice routes, intercompany transmission facilities,

and call record data collection points. Include capacity and in-service plant associated with each switch, node, route, and/or facility.

**Objection and Response:** Without waiving the General Objections, refer to the diagram and information provided in response to Interrogatory 3.

**Request for Production 2.** Provide copies of all documentation, including workpapers, notes, purchase contracts, planning documents, and the like, used or referred to in determining any inputs to the cost model relied on in this proceeding. If this data is stored and/or was developed with the aid of a computerized spreadsheet application, provide an electronic copy of the spreadsheet including data and computational algorithms:

- (a) Identify each input in the cost study which does not use Golden West Company specific data; and
- (b) For each input identified above, explain why the cost study does not use Golden West Company specific data, identify the source of the data used, and explain how the source data was adjusted for use in the FLEC Model.

**Objection and Response:** Without waiving the General Objections, Golden West Companies have already provided FLEC Model Documents to Western Wireless on approximately April 24, 2006. Golden West Companies provide additional documents herewith marked as Exhibit RP-2.

Response 2a: Two generic inputs were used in the FLEC cost model: Switch components and Switch processor division

Response 2b: The switch components were split based on general knowledge of typical small company switches. The components are line (30%), trunk (10%), matrix (23%), and processor (37%). The 30% line portion is consistent with the FCC's MAG order. 47 C.F.R. Sec. 69.306(d)(2).

Switch processor measurements are not readily available from switch statistics. Given the limited use of vertical services compared to basic calling, the division of 95% for basic switching and 5% for vertical services seems reasonable. This division has been used and accepted in other negotiations.

**Request for Production 3.** Provide copies of all written, and identify the parties and locations in the case of oral or implied; interconnection agreements and traffic exchange agreements between any Golden West Company and any ISP, ILEC, CLEC, or CMRS provider, including agreements with any carrier that allow Golden West to purchase unbundled network elements or telecommunications services for the purpose of resale.

**Objection and Response:** : In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Without waiving the General Objections, Golden West Companies provide the documents marked as Exhibit RP-3. Additionally, Golden West Companies resell long distance service that is purchased from Express Communications.

**Request for Production 4.** Provide copies of audited financial statements for 2004 and 2005 for each Golden West Company. If any Golden West Company or Affiliate is included within in a consolidated audit, provide that consolidated audit.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. The financial information relevant to the FLEC study has been provided in response to other requests.

**Request for Production 5.** Provide a copy of your 2002 and 2003 RUS Annual Report.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence.

**Request for Production 6.** Provide a copy of any cost study relating to Transport or Termination, prepared by Golden West in the past four years, and Golden West's most recent interstate and intrastate switched access rate cost study. If this data is stored and/or was developed with the aid of a computerized spreadsheet application, provide an electronic copy of the spreadsheet including data and computational algorithms.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Without waiving any objections, Golden West Companies previously provided the cost study in this proceeding and related documents.

**Request for Production 7.** If any Golden West Company is using a switch owned by an Affiliate or any Affiliate is using a switch owned by a Golden West Company, provide a copy of all cost studies relating to Transport or Termination, prepared by the Affiliate in the past five years, the Affiliate's most recent interstate and intrastate access rate cost studies and each Golden West Company's most recent interstate and intrastate access rate costs studies

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Without waiving any objections, Golden West Companies previously provided the FLEC study in this proceeding and related documents.

**Request for Production 8.** Provide copies of all sources and documentation, including workpapers, notes, purchase contracts, planning documents, and the like, used or referred to in determining any inputs to any cost model relied on in this proceeding.

**Objection and Response:** Without waiving any objections, Golden West Companies previously provided the cost study documentation in response to Request for Production 2.

**Request for Production 9.** Provide copies of all sources and documentation, including workpapers, notes, purchase contracts, planning documents, and the like, that support your claim that there is an imbalance of traffic between Golden West and Alltel.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, Golden West Companies object that the request is overly broad and unduly burdensome. Without waiving any objections, Golden West Companies provide the documents produced as Exhibit I-17.

**Request for Production 10.** Provide a copy of any study with respect to the balance of traffic between you and any other carrier, including Alltel, (and all associated workpapers, data, and other documentation) prepared by or on behalf of your company. If the data used in the study is not for the 2005 calendar year, provide an updated study using data for 2005. If this data is stored and/or was developed with the aid of a computerized spreadsheet application, provide an electronic copy of the spreadsheet including data and computational algorithms.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, Golden West Companies object on the basis that the request is overly broad and unduly burdensome. Without waiving any objections, Golden West Companies provide the documents produced as Exhibit I-17.

**Request for Production 11.** Provide any switch purchase contracts entered into by Golden West or any Affiliate since January 1, 2001, including line item detail for switch components.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, without waiving any objections, Golden West Companies provide the following documents for switches since January 1, 2005, as Exhibit DP-11.

**Request for Production 12.** Provide any contracts or purchase orders reflecting Golden West's purchase of transmission equipment since January 1, 2001 including line item detail for equipment components.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Additionally, without waiving any objections, Golden West Companies provide the following documents for transmission equipment since January 1, 2005, as Exhibit DP-12.

**Request for Production 13.** Provide a copy of the 2004 and 2005 financial statements and/or annual report for each of the Golden West Companies and any Golden West Affiliates to the extent they are not included in the same documents.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it seeks information that is not relevant or reasonably calculated to lead to the discovery of any relevant evidence. Without waiving the General Objections, Golden West Companies provide the attached documents marked as Exhibit DP-13.

**Request for Production 14.** Provide a complete record of revenues for 2003, 2004 and 2005, by USOA code, at the most discrete level of detail available consistent with 47 CFR Part 32 definitions.

**Objection and Response:** In addition to the provisions of the General Objections, Golden West Companies object to this request on the basis that it is not relevant or reasonably calculated to lead to the discovery of any relevant evidence.

**Request for Production 15.** Provide copies of all documents upon which you rely to support your answers to each Data Requests.

**Objection and Response:** Without waiving the General Objections, Golden West Companies provide the following response to this Request:

Documents have been provided in response to previous discovery requests.

Dated this 30th day of June, 2006.



DENNIS LAW ON BEHALF OF :

ARMOUR INDEPENDENT TELEPHONE COMPANY,  
BRIDGEWATER-CANISTOTA TELEPHONE COMPANY,  
GOLDEN WEST TELECOMMUNICATIONS  
COOPERATIVE, INC., KADOKA TELEPHONE  
COMPANY, SIOUX VALLEY TELEPHONE COMPANY,  
UNION TELEPHONE COMPANY, AND VIVIAN  
TELEPHONE COMPANY (COLLECTIVELY THE  
"GOLDEN WEST COMPANIES")

**AS TO OBJECTIONS:**



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Their Attorneys

**CERTIFICATE OF SERVICE**

On this 30th day of June, 2006, true and correct copies of the foregoing **GOLDEN WEST COMPANIES OBJECTIONS' AND RESPONSES TO FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED TO GOLDEN WEST COMPANIES** were transmitted to Talbot Wieczorek, of Gunderson, Palmer, Goodsell & Nelson, LLP, 440 Rushmore Road, Rapid City, SD 57701 and to Stephen B. Rowell, Mailstop 1269 B5-F11-C, One Allied Drive, Little Rock, AR 72202, legal counsel for WWC License L.L.C. by email.

  
Meredith A. Moore

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