

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

IN THE MATTER OF THE COMPLAINT
OF ORBITCOM, INC. AGAINST MCI
COMMUNICATIONS SERVICES, INC.
D/B/A VERIZON BUSINESS SERVICES
AND TELECONNECT LONG DISTANCE
SERVICES & SYSTEMS COMPANY D/B/A
TELECOM*USA FOR UNPAID ACCESS
CHARGES

TC08-135

**ORBITCOM'S OBJECTIONS AND
RESPONSES TO VERIZON'S THIRD SET
OF DISCOVERY REQUESTS**

COMES NOW Orbitcom, Inc. ("Orbitcom"), and hereby submits its Responses to
Verizon's Third Set of Data Requests dated August 21, 2009:

OrbitCom's Responses to
Verizon Data Requests
70, 71 and 72



Verizon 070: Produce all correspondence, memoranda or other documents concerning OrbitCom's retention of call detail records that it received from Qwest and any other billing records used to produce invoices issued to Verizon. This request is limited to correspondence, memoranda or documents created after January 2008.

OBJECTION AND RESPONSE: OrbitCom objects to this Request to the extent that it is overly broad and unduly burdensome. OrbitCom further objects to this Request to the extent it is not reasonably limited as to time and scope.

Without waiving these objections, as has previously been stated, OrbitCom, pursuant to those policies and practices as outlined in its intrastate tariff, retains records for a short period of time. In response to requests from Verizon for call detail information, OrbitCom made it clear to Verizon that the documents did not exist in the requested format. Additionally, Verizon's disputes in this matter changed over the course of time and were truly only made known during the Spring of 2009 following the exchange of various correspondence between the respective parties.

Additionally, Verizon's Third Set of Data Requests to OrbitCom pre-dated the August 25, 2009 oral ruling on Verizon's Motion to Compel a response to DR 048 of Verizon's Second Set of Data Requests to OrbitCom. The Commission ruled that OrbitCom provide CDRs for a 5-day period in accordance with DR 48, which OrbitCom produced during the week of August 24-28.

Verizon 071: Produce all communications between OrbitCom and its third-party billing vendor or vendors, during the period January 2008 through July 2009, concerning the retention of call detail records and other information used to produce invoices issued to Verizon.

OBJECTION AND RESPONSE: None. See Objection and Response to DR 070 above.

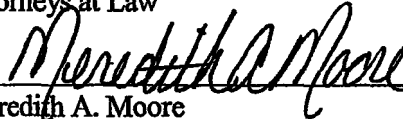
Verizon 072: Produce all correspondence, memoranda or other documents concerning any directions OrbitCom provided its third-party billing vendor or vendors concerning the retention of call detail records and other information used to produce invoices issued to Verizon. This request is limited to correspondence, memoranda or documents created after January 2008.

OBJECTION AND RESPONSE: None. See Objection and Response to DR 070 above.

Dated this 4th day of September, 2009.

CUTLER & DONAHOE, LLP

Attorneys at Law



Meredith A. Moore

100 North Phillips Avenue, 9th Floor

Sioux Falls, SD 57104-6725

Telephone: (605) 335-4950

meredithm@cutlerfirm.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served electronically on the 4th day of September, 2009, upon the following:

Ms. Karen Cremer
Staff Attorney
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
karen.cremer@state.sd.us
Telephone: 605-773-3201

Ms. Terri LaBrie Baker
Staff Analyst
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501
terri.labriebaker@state.sd.us
Telephone: 605-773-3201

David A. Gerdes
May, Adam, Gerdes & Thompson, LLP
503 South Pierre Street
PO Box 160
Pierre, SD 57501
dag@magt.com
Telephone: 605-224-8803

Thomas F. Dixon
Assistant General Counsel
Verizon
707 - 17th Street, #4000
Denver, CO 80202
thomas.f.dixon@verizon.com
Telephone: 303-390-6206



Meredith A. Moore