

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Verizon's Objection,)	Docket No. 08-2430-01
Protest and Request for Investigation in)	
Response to Qwest's Recent Filing of its)	
Revised Access Service Tariff Sheets 13,)	
13.1, and 16)	

VERIZON'S RESPONSE TO QWEST'S THIRD SET OF DATA REQUESTS

MCI Communications Services, Inc. d/b/a Verizon Business Services ("Verizon Business") hereby provides its response to Qwest Corporation's ("Qwest's") Third Set of Data Requests in the above-referenced proceeding.

Verizon Business's responses and objections shall not be construed as a waiver of any other objection Verizon Business may have, including objections to the use of any response for any purpose, in this proceeding or any other proceeding, including but not limited to objections regarding relevance, privilege, discoverability, and/or admissibility of documents. As Verizon Business's investigation and analysis of this proceeding is ongoing, Verizon Business expressly reserves the right, but does not undertake any obligation, to supplement or amend the objections and responses set forth below.

GENERAL OBJECTIONS

Verizon Business makes the following General Objections to Qwest's Third Set of Data Requests. These General Objections are incorporated by reference and made part of Verizon Business's responses to each and every request as if fully repeated therein:

1. Verizon Business interprets Qwest's data requests to apply to Verizon Business's regulated intrastate operations in Utah and limits its responses accordingly. To the extent that any request, definition or instruction is intended to apply to matters that take place outside the state of Utah and that are not related to Utah operations subject to the jurisdiction of the Commission, and to the extent any request, definition or instruction seeks documents or information about services or business activities not subject to the jurisdiction of the Commission, Verizon Business objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

2. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it seeks to impose requirements or obligations on Verizon Business beyond, in addition to, or different from those imposed by Utah law or Commission rules and practices.
3. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it seeks documents or information protected from discovery by the attorney-client privilege, the work-product doctrine, the community of interest doctrine, a joint defense agreement, or any other applicable privilege, immunity, or doctrine. Pursuant to this objection, Verizon Business specifically reserves the right to request the return of such documents or information from Qwest, without prejudice to any claim of privilege, in the event any such document or information is inadvertently produced. Nothing contained in these responses is intended to be, or in any way constitutes, a waiver of any such applicable privilege, immunity, or doctrine.
4. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it is overly broad, unduly burdensome, oppressive, or as written, would be unduly expensive or time consuming to provide a response.
5. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it is overly broad, vague, imprecise, ambiguous, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests, and to the extent it seeks documents or information not identified with reasonable particularity. Verizon Business reserves the right to define its own terms in its responses.
6. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action.
7. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it seeks documents or information that are beyond Verizon Business's knowledge, possession, custody or control.
8. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it seeks documents or information that is not collected or maintained by Verizon Business in the normal course of business including, but not limited to, documents or information that would require Verizon Business to undertake special studies.
9. Verizon Business is a large organization with employees located in many different locations in Utah and in other states. In the course of its business, Verizon Business creates countless documents that are not subject to record retention requirements of the Commission or the Federal Communications Commission. These documents are kept in numerous locations and are frequently moved from site to site as

employees change jobs or as the business is reorganized. Therefore, it is possible that not every document has been identified in response to these requests. Verizon Business will conduct a reasonable and diligent search of those files that are reasonably expected to contain the requested information. To the extent that any request, definition or instruction purports to require more, Verizon Business objects on the grounds that compliance would impose an undue burden or expense.

10. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent it seeks to have Verizon Business create documents not in existence at the time of the request.

11. Verizon Business objects to each and every request, as well as to each definition and instruction, to the extent each is redundant and duplicative of other discovery requests.

12. Nothing contained in Verizon Business's responses to any request is intended to be, or in any way constitutes, a waiver of its objections or right to object to any additional, supplemental, or further request, or any part thereof. Verizon Business expressly reserves the right to identify additional objections in its future or supplemental responses to these data requests.

13. Verizon Business objects to the continuing nature of Qwest's data requests as outside the bounds of permissible discovery under Utah law and Commission precedent. Verizon Business expressly reserves the right (but does not undertake any obligation) to supplement, revise, amend, correct, clarify, or otherwise modify its responses at any time. Verizon Business also reserves the right to assert any other applicable objections to these requests, and to object to any other request relating to the subject matter of its responses.

Notwithstanding the foregoing general objections, but without waiving them, Verizon Business responds as follows:

QWEST DATA REQUEST. For the state of Utah, please provide all terminating JARS-based CDRs for all traffic delivered to Qwest via Feature Group D for the entire day of March 25, 2009. Include all fields of data generated by JARS, and provide a detailed written description of each column heading, including but not limited to what each data field contains, any logic used to populate each field, and defining any acronyms used. In addition, please separate the JARS-based CDRs by LATA and by ACNA (MCI and WTL). Provide these JARS-based CDRs in Excel format, splitting into sequential worksheets, limited to no more than 50,000 records per worksheet and include headers in each worksheet.

RESPONSE: Verizon Business objects to this request as overbroad, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Because this proceeding involves Qwest's proposal to change the manner in which it treats "unidentified" traffic for purposes of rating such calls, the request is overbroad in that it seeks 100 percent of Verizon Business's call detail records, including records for calls for

which the jurisdiction is identified or identifiable; such calls, which represent the vast majority of Verizon Business's traffic, would not be affected by the tariff changes and, thus, records for such calls are not relevant to the proceeding. Verizon Business also objects to the request because it would require Verizon Business to create documents that do not exist at the present time, specifically, in Excel format and in the manner specified in the request. Verizon does not and did not on March 25, 2009, maintain the records requested in that manner.

RESPONSIBLE PERSON: Legal