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Attorneys for Qwest Corporation

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IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**MOTION FOR ISSUANCE OF
COMMISSION SUBPOENAS**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

Qwest Corporation (“Qwest”), by and through its undersigned attorneys, and pursuant to Commission Rules of Procedure 56, 222 and 226, *IDAPA 31.01.01.056, 31.01.01.222 and 31.01.01.226*, moves the Commission for an order issuing the subpoenas that are attached as Attachments 1-11 for the purpose of obtaining information relevant to the Commission’s review of Qwest’s duty to provide certain network elements on an unbundled basis.

BACKGROUND

On August 21, 2003, the Federal Communications Commission (FCC) released its Triennial Review Order (*TRO*),¹ which adopts new rules concerning unbundled network elements (UNEs). The *TRO* also imposes certain requirements on state commissions to make determinations concerning whether incumbent local exchange carriers must continue to provide certain UNEs to competitive local exchange carriers (CLECs) pursuant to 47 U.S.C. § 251(c)(3).

Among other findings, the *TRO* makes a national finding that competitors are impaired without access to unbundled local circuit switching when serving mass-market customers. However, the *TRO* did so with the clear reservation that the FCC lacked the specific facts necessary for a more granular analysis of specific markets² and delegated to state commissions the authority to rebut the FCC's finding by conducting a market-by-market analysis concerning impairment for mass-market switching.

The *TRO* repeatedly states that a state commission's task in a Triennial Review case is to examine multiple factors to determine whether the national finding of impairment for mass market switching is valid within specific markets. The Commission's ability to complete this task is enhanced by its access to information that can only be obtained through discovery. The FCC made it clear that, in order to fulfill its mandate, the Commission must not only examine information in the possession of Qwest, but must also examine information in the possession of CLECs and other providers:

State commissions possess the requisite expertise to apply [FCC]-prescribed standards, and they routinely utilize processes and

¹ *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Deployment of Wireline Service Offering Advance Telecommunications Capability*, CC Docket Nos. 01-338, 96-98 and 98-147 (August 21, 2003) ("*Triennial Review Order*" or "*TRO*").

² With regard to mass market switching, the FCC stated: "We also recognize that a more granular analysis may reveal that a particular market is not subject to impairment in the absence of unbundled local circuit switching." *TRO*, at ¶ 461.

procedures – including discovery, sworn testimony, and cross-examination on the record – that are essential to reasoned fact finding.³

The *TRO* mandates that state commissions engage in a granular, fact-specific analysis, not only to analyze whether impairment exists within relevant geographic markets, but to define the relevant geographic markets: “State commissions must first define the market in which they will evaluate impairment.”⁴ The Commission must analyze a vast amount of information much of which is within the possession of CLECs and other providers to make this determination.

Likewise, Qwest’s effort to definitively identify the unbundling relief it is requesting will be materially assisted by review of the same information—that can only occur following discovery.

DISCUSSION

1. **The Commission has the legal authority to issue subpoenas to obtain discovery from nonparties.**

Idaho statute provides, “the commission shall have full power and authority to implement the federal telecommunications act of 1996” and that “the commission may promulgate. . . procedures necessary to carry out the duties. . . required” by the federal act.⁵ The Triennial Review Order implements provisions of the federal telecommunications act of 1996, and delegates to the states the FCC’s authority under section 251(d)(2) of the act concerning incumbent local exchange companies’ unbundling requirements for certain network elements, including mass-market switching.⁶

The Commission’s ability to conduct the granular, fact-finding analysis required by the *TRO* and Idaho statute, will be materially enhanced by information from CLECs providing

³ *Id. at* ¶ 488.

⁴ *Id. at* ¶ 495.

⁵ *Idaho Code* § 62-615(1);(3).

⁶ *TRO at* ¶¶ 187-90.

telecommunications services in Idaho who have not chosen to intervene as parties. The requested subpoenas are directed to those non-party CLECs that Qwest believes operate as facilities-based providers in Idaho. The discovery requests attached to the requested subpoenas have been strictly limited to obtain only such information as is material to the determinations the Commission must make in this case with a minimum of burden to the subpoenaed companies.⁷

Idaho Code § 61-602 provides that “the commission and each commissioner shall have power to issue writs of summons and subpoenas . . . in the like manner and to the same extent as courts of record.” Similarly, Commission Rule of Procedure 226, *IDAPA 31.01.01.226*, allows the Commission, “upon motion in writing, or upon a Commissioner’s own initiative” to issue subpoenas for the attendance of witnesses, the production of documents, or “the production of any books, accounts, papers or records of a utility or carrier kept within or without Idaho to any designated place of deposition, hearing or investigation.” These subpoena powers are in no way limited to requiring attendance of or document production by utilities or companies regulated by the Commission.

2. The information sought by the subpoenas will materially enhance the Commission’s analysis in this case.

The requested subpoenas fall into two groups. The first group is directed to three companies that were not served with discovery by Staff but which, according to Qwest’s records, operate as facilities-based competitors in Idaho. Qwest submits that it is important to the Commission’s analysis in this case that all relevant information from all facilities-based carriers be considered in determining whether CLECs will be impaired without the availability of mass market switching provided by Qwest on an unbundled basis.

⁷ Although the subpoenas require attendance at deposition for the purpose of taking witness testimony, they also provide the less-intrusive alternative of responding to the discovery questions in writing. Further, under Rule 222 the Commission is granted authority to “authorize or compel necessary discovery not listed in these rules.” *IDAPA 31.01.01.222*.

The second group of subpoenas is directed to facilities-based CLECs that were served with discovery by Staff. These subpoenas merely seek to supplement the discovery propounded by Staff to assure that the Commission has important information that is relevant to the determinations it must make in this case particularly whether self-provisioning of mass market switching is feasible in Idaho markets.⁸

RELIEF REQUESTED

Qwest requests that the Commission issue the attached subpoenas without delay.⁹ The Commission is required to complete its impairment analysis within nine months of the effective date of the *Triennial Review Order*. Pursuant to Commission Rule 226.03, *IDAPA 31.01.01.226.03*, the Commission may, upon motion, quash a subpoena or “condition denial of the motion to quash upon reasonable terms.” Qwest submits that review of any CLEC motion brought under this rule and exercise of this authority, if necessary, will provide the appropriate level of protection to a subpoenaed CLEC with legitimate legal concerns about the Commission’s use of its subpoena powers in this case. Qwest states that it will tender to the subpoenaed persons all fees required by statute and rule if the subpoenas are issued.

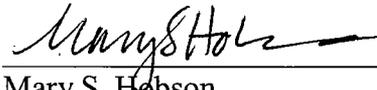
For the parties to this case and participants in the telecommunications industry in Idaho, prompt issuance of these subpoenas will facilitate the level of analysis required for this proceeding and help ensure that factually sound determinations are made with regard to the important issues that must be decided here.

⁸ *TRO at ¶ 463.*

⁹ Commission Order No. 29375 requires that responses to initial discovery requests be completed by December 19, 2003. Immediate issuance of these subpoenas will allow the CLECs sufficient time to respond within that deadline.

Respectfully submitted this 20th day of November, 2003.

Qwest Corporation



Mary S. Hobson
Stoel Rives LLP

Adam L. Sherr
Qwest

Attorneys for Qwest Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this ^{21st}20th day of November, 2003, I served the foregoing

MOTION FOR ISSUANCE OF COMMISSION SUBPOENAS as follows:

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Brandi L. Gearhart, PLS
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ATTACHMENT 1

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Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF PROJECT
MUTUAL**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: Project Mutual Telephone Cooperative Association, Inc. (“PMT”)
Charles H. Creason, Jr., 702 Fifth Street, Rupert, ID 83350

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). PMT shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to PMT concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by PMT cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

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This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (Project Mutual)**

DISCOVERY REQUESTS

1. Please identify all switches owned or controlled by PMT that are being used in Idaho to provide service to customers served by facilities at or above the DS-1 level. For each switch that you identify, please identify the type (e.g., 5ESS and 4ESS) and describe the "footprint" of the switch, meaning the geographic area that the switch is capable of reaching. Separately, please provide the same information for customers served by DS-0 loop facilities.

2. For each switch that you identify in response to Request No. 1, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks installed; and (4) the number of trunks currently in use. In addition, for each switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please state whether the information in the LERG is current and accurate for the switches that PMT owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that PMT owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

4. Please provide the average total revenue per line that PMT received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical

features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please provide the average total revenue per line that PMT has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please explain how PMT defines its **business customer** segments and provide any documents that reflect this definition or the criteria PMT uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that PMT incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs

associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to PMT's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using PMT's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. Please provide the average total cost per line that PMT incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to PMT's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with PMT's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

9. To the extent not provided in response to Request Nos. 7 and 8, please identify the types or categories of customer acquisition costs PMT incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 7 and 8, please provide the per line costs PMT

incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

10. Please identify the monthly churn rate PMT has experienced for local exchange customers in each month in which it has provided local exchange service in the Idaho market. In answering this request, you should calculate the churn rate based upon the number of lines lost each year divided by the average number of lines in service that year. In calculating churn, do not include customers who move but stay with the company. Please produce all documents that refer or relate to the information you provide in response to this request.

11. In connection with PMT's churn rates in Idaho for the most recent 24 months that are available for local exchange customers, of the total customers that have left PMT, please identify the percentage that have left within one month of signing up for service, within two months of signing up for service, within three months of signing up for service, and within six months of signing up for service. Please produce all documents that refer or relate to the information you provide in response to this request.

12. Please identify each rate plan that PMT offers to local exchange customers in Idaho. In addition, please identify the percentage of PMT's total local exchange customers in Idaho that subscribe to each plan that you identify. Please produce all documents that reflect, refer or relate to the information you provide in response to this request.

13. For rate plans identified in Response No. 12 that include a per minute of use component, please provide the average long-distance per minute usage in Idaho of PMT's local exchange customers who subscribe to such plans for the most recent 24 months available. Please produce all documents that reflect, refer, or relate to the information you provide in response to this request.

ATTACHMENT B
to Subpoena Duces Tecum (Project Mutual)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that PMT received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that PMT has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how PMT defines its **business customer** segments and provide any documents that reflect this definition or the criteria PMT uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that PMT incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to PMT's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using PMT's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that PMT incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to PMT's switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with PMT's own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

6. Please produce all documents that reflect, refer or relate to the monthly churn rate PMT has experienced for local exchange customers in each month in which it has provided local exchange service in the Idaho market.

7. Please produce all documents that reflect, refer or relate to the percentage of local exchange customers within the most recent 24 months that have left PMT within one month of signing up for service, within two months of signing up for service, within three months of signing up for service, and within six months of signing up for service.

8. Please produce all documents that reflect, refer or relate to each rate plan that PMT offers to local exchange customers in Idaho. In addition, please provide all documents used to identify the percentage of PMT's total local exchange customers in Idaho that subscribe to each plan.

9. Please produce all documents for the most recent 24 months available that reflect, refer or relate to rate plans the average long-distance per minute usage in Idaho of PMT's local exchange customers who subscribe to plans that include a per minute of use component.

ATTACHMENT 2

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Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF KMC DATA**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: KMC Data LLC (“KMC”)

CT Corporation System, 300 North 6th Street, Boise, ID 83702

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). KMC shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to KMC concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by KMC cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

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adam.sherr@qwest.com

This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (KMC Data)**

DISCOVERY REQUESTS

1. Please identify all switches owned or controlled by KMC that are being used in Idaho to provide service to customers served by facilities at or above the DS-1 level. For each switch that you identify, please identify the type (e.g., 5ESS and 4ESS) and describe the "footprint" of the switch, meaning the geographic area that the switch is capable of reaching. Separately, please provide the same information for customers served by DS-0 loop facilities.

2. For each switch that you identify in response to Request No. 1, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks installed; and (4) the number of trunks currently in use. In addition, for each switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please state whether the information in the LERG is current and accurate for the switches that KMC owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that KMC owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

4. Please provide the average total revenue per line that KMC received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical

features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please provide the average total revenue per line that KMC has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please explain how KMC defines its **business customer** segments and provide any documents that reflect this definition or the criteria KMC uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that KMC incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs

associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to KMC's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using KMC's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. Please provide the average total cost per line that KMC incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to KMC's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with KMC's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

9. To the extent not provided in response to Request Nos. 7 and 8, please identify the types or categories of customer acquisition costs KMC incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 7 and 8, please provide the per line costs KMC

incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

10. Please identify the monthly churn rate KMC has experienced for local exchange customers in each month in which it has provided local exchange service in the Idaho market. In answering this request, you should calculate the churn rate based upon the number of lines lost each year divided by the average number of lines in service that year. In calculating churn, do not include customers who move but stay with the company. Please produce all documents that refer or relate to the information you provide in response to this request.

11. In connection with KMC's churn rates in Idaho for the most recent 24 months that are available for local exchange customers, of the total customers that have left KMC, please identify the percentage that have left within one month of signing up for service, within two months of signing up for service, within three months of signing up for service, and within six months of signing up for service. Please produce all documents that refer or relate to the information you provide in response to this request.

12. Please identify each rate plan that KMC offers to local exchange customers in Idaho. In addition, please identify the percentage of KMC's total local exchange customers in Idaho that subscribe to each plan that you identify. Please produce all documents that reflect, refer or relate to the information you provide in response to this request.

13. For rate plans identified in Response No. 12 that include a per minute of use component, please provide the average long-distance per minute usage in Idaho of KMC's local exchange customers who subscribe to such plans for the most recent 24 months available. Please produce all documents that reflect, refer, or relate to the information you provide in response to this request.

ATTACHMENT B
to Subpoena Duces Tecum (KMC Data)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that KMC received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that KMC has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how KMC defines its **business customer** segments and provide any documents that reflect this definition or the criteria KMC uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that KMC incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to KMC's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using KMC's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that KMC incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to KMC's switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with KMC's own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

6. Please produce all documents that reflect, refer or relate to the monthly churn rate KMC has experienced for local exchange customers in each month in which it has provided local exchange service in the Idaho market.

7. Please produce all documents that reflect, refer or relate to the percentage of local exchange customers within the most recent 24 months that have left KMC within one month of signing up for service, within two months of signing up for service, within three months of signing up for service, and within six months of signing up for service.

8. Please produce all documents that reflect, refer or relate to each rate plan that KMC offers to local exchange customers in Idaho. In addition, please provide all documents used to identify the percentage of KMC's total local exchange customers in Idaho that subscribe to each plan.

9. Please produce all documents for the most recent 24 months available that reflect, refer or relate to rate plans the average long-distance per minute usage in Idaho of KMC's local exchange customers who subscribe to plans that include a per minute of use component.

ATTACHMENT 3

Mary S. Hobson (ISB #2142)
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Qwest
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Seattle, WA 98191
Telephone: (206) 398-2507
Facsimile: (206) 343-4040
adam.sherr@qwest.com

Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF SPRINT
COMMUNICATIONS**

To: Sprint International Communications Corporation (“Sprint”)
Prentice-Hall Corp. System, 1401 Shoreline Drive, Suite 2, Boise, ID 83702

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). Sprint shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to PMT concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by Sprint cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

Mary S. Hobson (ISB #2142)
Stoel Rives LLP
101 South Capitol Boulevard – Suite 1900
Boise, ID 83702
Telephone: (208) 389-9000
Facsimile: (208) 389-9040
mshobson@stoel.com

Adam L. Sherr (WSBA #25291)
Qwest
1600 7th Avenue - Room 3206
Seattle, WA 98191
Telephone: (206) 398-2507
Facsimile: (206) 343-4040
adam.sherr@qwest.com

This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (Sprint)**

DISCOVERY REQUESTS

1. Please identify all switches owned or controlled by Sprint that are being used in Idaho to provide service to customers served by facilities at or above the DS-1 level. For each switch that you identify, please identify the type (e.g., 5ESS and 4ESS) and describe the "footprint" of the switch, meaning the geographic area that the switch is capable of reaching. Separately, please provide the same information for customers served by DS-0 loop facilities.

2. For each switch that you identify in response to Request No. 1, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks installed; and (4) the number of trunks currently in use. In addition, for each switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please state whether the information in the LERG is current and accurate for the switches that Sprint owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that Sprint owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

4. Please provide the average total revenue per line that Sprint received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical

features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please provide the average total revenue per line that Sprint has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please explain how Sprint defines its **business customer** segments and provide any documents that reflect this definition or the criteria Sprint uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that Sprint incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs

associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Sprint's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Sprint's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. Please provide the average total cost per line that Sprint incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Sprint's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with Sprint's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

9. To the extent not provided in response to Request Nos. 7 and 8, please identify the types or categories of customer acquisition costs Sprint incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 7 and 8, please provide the per line costs Sprint

incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

10. Please identify the monthly churn rate Sprint has experienced for local exchange customers in each month in which it has provided local exchange service in the Idaho market. In answering this request, you should calculate the churn rate based upon the number of lines lost each year divided by the average number of lines in service that year. In calculating churn, do not include customers who move but stay with the company. Please produce all documents that refer or relate to the information you provide in response to this request.

11. In connection with Sprint's churn rates in Idaho for the most recent 24 months that are available for local exchange customers, of the total customers that have left Sprint, please identify the percentage that have left within one month of signing up for service, within two months of signing up for service, within three months of signing up for service, and within six months of signing up for service. Please produce all documents that refer or relate to the information you provide in response to this request.

12. Please identify each rate plan that Sprint offers to local exchange customers in Idaho. In addition, please identify the percentage of Sprint's total local exchange customers in Idaho that subscribe to each plan that you identify. Please produce all documents that reflect, refer or relate to the information you provide in response to this request.

13. For rate plans identified in Response No. 12 that include a per minute of use component, please provide the average long-distance per minute usage in Idaho of Sprint's local exchange customers who subscribe to such plans for the most recent 24 months available. Please produce all documents that reflect, refer, or relate to the information you provide in response to this request.

ATTACHMENT B
to Subpoena Duces Tecum (Sprint)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that Sprint received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that Sprint has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how Sprint defines its **business customer** segments and provide any documents that reflect this definition or the criteria Sprint uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that Sprint incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Sprint's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Sprint's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that Sprint incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Sprint's switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with Sprint's own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

6. Please produce all documents that reflect, refer or relate to the monthly churn rate Sprint has experienced for local exchange customers in each month in which it has provided local exchange service in the Idaho market.

7. Please produce all documents that reflect, refer or relate to the percentage of local exchange customers within the most recent 24 months that have left Sprint within one month of signing up for service, within two months of signing up for service, within three months of signing up for service, and within six months of signing up for service.

8. Please produce all documents that reflect, refer or relate to each rate plan that Sprint offers to local exchange customers in Idaho. In addition, please provide all documents used to identify the percentage of Sprint's total local exchange customers in Idaho that subscribe to each plan.

9. Please produce all documents for the most recent 24 months available that reflect, refer or relate to rate plans the average long-distance per minute usage in Idaho of Sprint's local exchange customers who subscribe to plans that include a per minute of use component.

ATTACHMENT 4

Mary S. Hobson (ISB #2142)
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Qwest
1600 7th Avenue - Room 3206
Seattle, WA 98191
Telephone: (206) 398-2507
Facsimile: (206) 343-4040
adam.sherr@qwest.com

Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF CTC TELECOM**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: CTC Telecom, Inc. ("CTC")
Richard Wiggins, 130 Superior Street, Cambridge, ID 83610

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). CTC shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to CTC concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by CTC cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

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Qwest
1600 7th Avenue - Room 3206
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Facsimile: (206) 343-4040
adam.sherr@qwest.com

This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (CTC Telecom)**

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that CTC owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that CTC owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by CTC that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that CTC received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

all documents that reflect, refer or relate to the information provided in your response to this request.

4. Please provide the average total revenue per line that CTC has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how CTC defines its **business customer** segments and provide any documents that reflect this definition or the criteria CTC uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that CTC incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to CTC's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a

breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using CTC's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that CTC incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to CTC's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with CTC's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs CTC incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs CTC incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (CTC Telecom)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that CTC received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that CTC has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how CTC defines its **business customer** segments and provide any documents that reflect this definition or the criteria CTC uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that CTC incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to CTC's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using CTC's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that CTC incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to CTC switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with CTC own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ

depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

ATTACHMENT 5

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Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF ELECTRIC
LIGHTWAVE**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: Electric Lightwave, LLC (“ELI”)
CT Corporation system, 300 North 6th Street, Boise, ID 83702
YOU ARE COMMANDED to designate and produce one or more officers, directors,
employees, or other persons to appear and testify at the taking of a deposition at the office of
Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003
at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). ELI shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to ELI concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by ELI cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

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Telephone: (206) 398-2507
Facsimile: (206) 343-4040
adam.sherr@qwest.com

This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest has filed a motion with the Idaho Public Utilities Commission requesting that the Commission

enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

ATTACHMENT A
to Subpoena Duces Tecum (Electric Lightwave)

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that ELI owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that ELI owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by ELI that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that ELI received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

all documents that reflect, refer or relate to the information provided in your response to this request.

4. Please provide the average total revenue per line that ELI has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how ELI defines its **business customer** segments and provide any documents that reflect this definition or the criteria ELI uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that ELI incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to ELI's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a

breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using ELI's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that ELI incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to ELI's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with ELI's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs ELI incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs ELI incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (Electric Lightwave)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that ELI received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that ELI has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how ELI defines its **business customer** segments and provide any documents that reflect this definition or the criteria ELI uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that ELI incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to ELI's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using ELI's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that ELI incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to ELI switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with ELI own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the

type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

ATTACHMENT 6

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adam.sherr@qwest.com

Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF FRETTEL
COMMUNICATIONS**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: Fretel Communications, LLC (“Fretel”)
CT Corporation System, 300 North 6th Street, Boise, ID 83702

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). Fretel shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to Fretel concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by Fretel cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

Mary S. Hobson (ISB #2142)
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Qwest
1600 7th Avenue - Room 3206
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Telephone: (206) 398-2507
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adam.sherr@qwest.com

This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

ATTACHMENT A
to Subpoena Duces Tecum (Fretel Communications)

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that Fretel owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that Fretel owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by Fretel that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that Fretel received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

all documents that reflect, refer or relate to the information provided in your response to this request.

4. Please provide the average total revenue per line that Fretel has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how Fretel defines its **business customer** segments and provide any documents that reflect this definition or the criteria Fretel uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that Fretel incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Fretel's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a

breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Fretel's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that Fretel incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Fretel's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with Fretel's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs Fretel incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs Fretel incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (Fretel Communications)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that Fretel received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that Fretel has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how Fretel defines its **business customer** segments and provide any documents that reflect this definition or the criteria Fretel uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that Fretel incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Fretel's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Fretel's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that Fretel incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Fretel switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with Fretel own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ

depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

ATTACHMENT 7

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Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF ICG TELECOM**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: ICG Telecom Group, Inc. (“ICG”)
Corporation Service Company, 1401 Shoreline Drive, Suite 2, Boise, ID 83702
YOU ARE COMMANDED to designate and produce one or more officers, directors,
employees, or other persons to appear and testify at the taking of a deposition at the office of
Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003
at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). ICG shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to ICG concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by ICG cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

Mary S. Hobson (ISB #2142)
Stoel Rives LLP
101 South Capitol Boulevard – Suite 1900
Boise, ID 83702
Telephone: (208) 389-9000
Facsimile: (208) 389-9040
mshobson@stoel.com

Adam L. Sherr (WSBA #25291)
Qwest
1600 7th Avenue - Room 3206
Seattle, WA 98191
Telephone: (206) 398-2507
Facsimile: (206) 343-4040
adam.sherr@qwest.com

This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest has filed a motion with the Idaho Public Utilities Commission requesting that the Commission

enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (ICG Telecom)**

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that ICG owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that ICG owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by ICG that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that ICG received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

all documents that reflect, refer or relate to the information provided in your response to this request.

4. Please provide the average total revenue per line that ICG has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how ICG defines its **business customer** segments and provide any documents that reflect this definition or the criteria ICG uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that ICG incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to ICG's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a

breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using ICG's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that ICG incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to ICG's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with ICG's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs ICG incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs ICG incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (ICG Telecom)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that ICG received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that ICG has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how ICG defines its **business customer** segments and provide any documents that reflect this definition or the criteria ICG uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that ICG incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to ICG's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using ICG's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that ICG incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to ICG switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with ICG own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the

type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

ATTACHMENT 8

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Facsimile: (206) 343-4040
adam.sherr@qwest.com

Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF LEVEL 3
COMMUNICATIONS**

To: Level 3 Communications LLC (“Level 3”)
CT Corporation System, 300 North 6th Street, Boise, ID 83701
YOU ARE COMMANDED to designate and produce one or more officers, directors,
employees, or other persons to appear and testify at the taking of a deposition at the office of
Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003
at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). Level 3 shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to Level 3 concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by Level 3 cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

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This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (Level 3 Communications)**

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that Level 3 owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that Level 3 owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by Level 3 that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that Level 3 received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

all documents that reflect, refer or relate to the information provided in your response to this request.

4. Please provide the average total revenue per line that Level 3 has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how Level 3 defines its **business customer** segments and provide any documents that reflect this definition or the criteria Level 3 uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that Level 3 incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Level 3's switches; maintenance, operations, and other administrative activities; and capital costs. If available,

please provide a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Level 3's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that Level 3 incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Level 3's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with Level 3's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs Level 3 incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs Level 3 incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (Level 3 Communications)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that Level 3 received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that Level 3 has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how Level 3 defines its **business customer** segments and provide any documents that reflect this definition or the criteria Level 3 uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that Level 3 incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Level 3's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Level 3's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that Level 3 incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Level 3 switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with Level 3 own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ

depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

ATTACHMENT 9

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Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF McLEOD**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: McLeodUSA Telecommunications Services, Inc. (“McLeod”)
CT Corporation System, 300 North 6th Street, Boise, ID 83701

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). McLeod shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to McLeod concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by McLeod cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

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This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (McLeod)**

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that McLeod owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that McLeod owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by McLeod that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that McLeod received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

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4. Please provide the average total revenue per line that McLeod has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how McLeod defines its **business customer** segments and provide any documents that reflect this definition or the criteria McLeod uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that McLeod incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to McLeod's switches; maintenance, operations, and other administrative activities; and capital costs. If available,

please provide a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using McLeod's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that McLeod incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to McLeod's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with McLeod's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs McLeod incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs McLeod incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (McLeod)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that McLeod received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that McLeod has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how McLeod defines its **business customer** segments and provide any documents that reflect this definition or the criteria McLeod uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that McLeod incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to McLeod's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using McLeod's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that McLeod incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to McLeod switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with McLeod own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ

depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

ATTACHMENT 10

Mary S. Hobson (ISB #2142)
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Adam L. Sherr (WSBA #25291)
Qwest
1600 7th Avenue - Room 3206
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Telephone: (206) 398-2507
Facsimile: (206) 343-4040
adam.sherr@qwest.com

Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF RURAL
NETWORK SERVICES**

To: Rural Network Services, Inc. ("Rural")
Lane Williams, 2203 Keithly Creek Road, Midvale, ID 83645

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). Rural shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to Rural concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by Rural cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

Mary S. Hobson (ISB #2142)
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Boise, ID 83702
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Adam L. Sherr (WSBA #25291)
Qwest
1600 7th Avenue - Room 3206
Seattle, WA 98191
Telephone: (206) 398-2507
Facsimile: (206) 343-4040
adam.sherr@qwest.com

This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest

has filed a motion with the Idaho Public Utilities Commission requesting that the Commission enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (Rural)**

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that Rural owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that Rural owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by Rural that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that Rural received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

all documents that reflect, refer or relate to the information provided in your response to this request.

4. Please provide the average total revenue per line that Rural has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how Rural defines its **business customer** segments and provide any documents that reflect this definition or the criteria Rural uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that Rural incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Rural's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a

breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Rural's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that Rural incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Rural's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with Rural's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs Rural incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs Rural incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (Rural)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that Rural received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that Rural has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

3. Please produce all documents that reflect, refer or relate to how Rural defines its **business customer** segments and provide any documents that reflect this definition or the criteria Rural uses to segment or classify business customers into distinct customer groups.

4. Please produce all documents that reflect, refer or relate to the average total cost per line that Rural incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to Rural's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using Rural's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

5. Please produce all documents that reflect, refer or relate to the average total cost per line that Rural incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to Rural switches; maintenance, operations, and other administrative activities; and capital costs. Please provide all documents that reflect, refer to relate to separate averages for service provided through UNE-P, UNE-L, and with Rural own facilities. If available, please provide all documents showing a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ

depending on the type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.

ATTACHMENT 11

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Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF IPUC RESPONSE TO
FCC ORDER ON REVIEW OF SECTION 251
UNBUNDLING OBLIGATIONS OF
INCUMBENT LOCAL EXCHANGE
CARRIERS (CC DOCKET NO. 01-338)**

Case No. GNR-T-03-23

**SUBPOENA DUCES TECUM TO 30(b)(6)
REPRESENTATIVE OF XO IDAHO**

**NINE-MONTH REVIEW OF ECONOMIC
AND OPERATIONAL IMPAIRMENT
REGARDING ACCESS TO SPECIFIC UNES**

To: XO Idaho, Inc. ("XO")

Corporation Service Company, 1401 Shoreline Drive, Suite 2, Boise, ID 83702

YOU ARE COMMANDED to designate and produce one or more officers, directors, employees, or other persons to appear and testify at the taking of a deposition at the office of Stoel Rives LLP, 101 South Capitol Boulevard, Suite 1900, Boise, Idaho on December 18, 2003 at 9:00 a.m. in the above entitled matter pending before the Idaho Public Utilities Commission.

The deposition shall be taken before a licensed court reporter and will be conducted in accordance with the IPUC Rules of Procedure, *IDAPA 31.01.01.000 et. seq.*, and the Idaho Rules of Civil Procedure.

This deposition is being taken pursuant to IRCP 30(b)(6). XO shall designate the person or persons with sufficient knowledge to testify to all matters known or reasonably available to XO concerning the specific questions set forth in the document attached as Attachment A and entitled "Discovery Requests." You are further commanded to produce all documents listed on Attachment B to this subpoena. If the person or persons designated by XO cannot fully respond orally at the deposition, in addition to those documents listed on Attachment B, you are further commanded to produce at the deposition the underlying documentation and other data in your possession that will allow Qwest to compile the information requested in Attachment A.

ALTERNATIVE PROCEDURE: In the alternative to producing a witness for the deposition described above, you may comply with the subpoena by providing Qwest Corporation a verified response to the discovery requests set forth in Attachment A and providing copies of the documents listed on Attachment B. In the event you respond to this subpoena by providing verified responses to the discovery requests, the responses shall be provided on or before December 15, 2003 to counsel for Qwest as follows:

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This subpoena is issued pursuant to Idaho Code §§ 61-602; 61-605; 62-615 and IPUC Rules of Procedure, 222, 224 and 226, *IDAPA 31.01.01.222; 224; 226*. Please note that Qwest has filed a motion with the Idaho Public Utilities Commission requesting that the Commission

enter a Protective Order in this matter governing the disclosure of proprietary and/or confidential material or information. Thus, to the extent any of the responses, documents or underlying data are claimed by you to be confidential, they can be provided to Qwest as confidential information pursuant to the Protective Order, upon issuance.

DATED this 20th day of November, 2003.

IDAHO PUBLIC UTILITIES COMMISSION

By: Jean D. Jewell
Its: Secretary

**ATTACHMENT A
to Subpoena Duces Tecum (XO Idaho)**

DISCOVERY REQUESTS

1. Please state whether the information in the LERG is current and accurate for the switches that XO owns, operates, controls, maintains in Idaho, or from which you lease dial tone or trunking functionality/capacity. If any of the information is not accurate, please identify the inaccurate information and provide corrected information, including any additions, deletions or changes. As part of your review of the information in the LERG, please state whether the CLLI code is accurate for each switch that XO owns, operates, controls, maintains, or from which you lease dial tone or trunking functionality/capacity. In addition, please state whether the LERG definition of the function of each switch (i.e., tandem, end office, etc.) is accurate.

2. For each switch owned or controlled by XO that is being used in Idaho to provide service to customers, please provide the capacity of the switch, with "capacity" defined as: (1) the number of lines installed; (2) the number of lines currently in use; (3) the number of trunks currently installed; and (4) the number of trunks currently in use. In addition, for each such switch that you identify, please provide the generic (feature package) loaded in the switch.

3. Please provide the average total revenue per line that XO received from its **residential customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. Please produce

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4. Please provide the average total revenue per line that XO has received from its **business customers** within Idaho in 2001 and 2002. The average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide both the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide the total revenues and the breakdown of revenues by type of business customer. Please provide the information by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

5. Please explain how XO defines its **business customer** segments and provide any documents that reflect this definition or the criteria XO uses to segment or classify business customers into distinct customer groups. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

6. Please provide the average total cost per line that XO incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to XO's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide a

breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using XO's own facilities. In addition, please provide any available breakdowns of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

7. Please provide the average total cost per line that XO incurred in 2001 and 2002 for lines used to serve **business customers** within Idaho. These costs should include costs associated with switching; loops; collocation; transport; hot cuts; OSS; signaling; customer acquisitions; backhauling traffic to XO's switches; maintenance, operations, and other administrative activities; and capital costs. In addition to a total average cost, please provide separate averages for service provided through UNE-P, UNE-L, and with XO's own facilities. Please provide a breakdown of each cost component that is part of the average total cost per line, identifying the type and amount of each cost. If costs differ depending on the type of business customer (small vs. large), please provide the total cost and the breakdown of costs by type of business customer. Please produce all documents that reflect, refer or relate to the information provided in your response to this request.

8. To the extent not provided in response to Request Nos. 6 and 7, please identify the types or categories of customer acquisition costs XO incurred in Idaho in 2001 and 2002 to attract new customers, set up their accounts, and establish service to them. In addition, to the extent not provided in response to Request Nos. 5 and 6, please provide the per line costs XO incurred in 2001 and 2002 for both **business and residential customers** for each of the types or categories of customer acquisition costs.

ATTACHMENT B
to Subpoena Duces Tecum (XO Idaho)

1. Please produce all documents that reflect, refer or relate to the average total revenue per line that XO received from its **residential customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to residential customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please produce all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total.

2. Please produce all documents that reflect, refer or relate to the average total revenue per line that XO has received from its **business customers** within Idaho in 2001 and 2002. For purposes of this document request, the average revenue per line should include revenues associated with the basic retail price charged to business customers, vertical features, universal service payments, interstate access charges, intrastate access charges, subscriber line charges, toll, long distance, local number portability, and line revenues derived from any other sources. Please provide all documents that provide the total average revenue per line and a breakdown of the amount of revenue for each category of revenue that comprises the total. If revenues differ depending on the type of business customer (small vs. large), please provide all documents that provide the total revenues and the breakdown of revenues by type of business customer and by POTS, DS0, DS1, DS3, OC-3, OC-12, OC-48, and any other relevant categories.

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4. Please produce all documents that reflect, refer or relate to the average total cost per line that XO incurred in 2001 and 2002 for lines used to serve **residential customers** within Idaho. For purposes of this document request, costs should include costs associated with switching; loops; collocation; transport; hot cuts; operational support systems ("OSS"); signaling; customer acquisitions; backhauling traffic to XO's switches; maintenance, operations, and other administrative activities; and capital costs. If available, please provide documents showing a breakdown of this information for the following categories: (1) service provided by UNE-P, (2) service provided by UNE-L, and (3) service provided using XO's own facilities. In addition, please provide all documents containing any available breakdowns of each cost component that is part of the average total cost per line.

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type of business customer (small vs. large), please provide documents showing the total cost and the breakdown of costs by type of business customer.