

**EXHIBIT A**

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

Complainant,

v.

CENTURYLINK COMMUNICATIONS,  
LLC,

Respondent.

**DOCKET NO. UT-181051**

**SUBPOENA DUCES TECUM FOR  
PRODUCTION OF DOCUMENTS**

**TO: TELECOMMUNICATION SYSTEMS, INC. D/B/A COMTECH TELECOMMUNICATIONS CORP.**

**FROM: CENTURYLINK COMMUNICATIONS, LLC**


Pursuant to the subpoena power granted in RCW 34.05.446 and RCW 80.04.020, and in accordance with WAC 480-07-400(a), you are commanded to produce at the date and place set forth below the documents, electronically stored information, or objects set forth in "Attachment A."

Date: July 30, 2021

Place: 1600 7<sup>th</sup> Avenue Room 1506, Seattle, WA 98191, Attention Adam Sherr.

DATED: July 8, 2021

By: \_\_\_\_\_

  
Adam L. Sherr  
Assistant General Counsel, Lumen  
1600 7<sup>th</sup> Avenue Room 1506  
Seattle, WA 98191  
Telephone: (206) 551-7615 (mobile)  
Adam.sherr@centurylink.com

Charles W. Steese  
Armstrong Teasdale LLP  
4643 South Ulster Street, Ste. 800  
Denver, Colorado 80237  
(720) 200-0677 Ext. 3805  
csteese@atllp.com

*Attorneys for CenturyLink Communications, LLC*

## ATTACHMENT A

### DEFINITIONS

1. “You,” “Your,” “Comtech Telecommunications Corp.,” “Comtech,” or “TeleCommunication Systems, Inc.” means TeleCommunication Systems, Inc. d/b/a Comtech Telecommunications Corp. and its subsidiaries, affiliates, any past or present employees, consultants, agents, representatives, or other persons acting on behalf of Comtech Telecommunications Corp.
2. “Person” includes a natural person and any other legal entity, including but not limited to a firm, association, organization, partnership, business, trust, corporation, or public entity.
3. A reference to any person includes such person’s agents, representatives, and insofar as necessary to preserve the attorney-client privilege, its attorneys.
4. The term “communication” means any and all modes or methods for the transmission or exchange of information between two or more persons or entities, orally or in writing, and includes, without limitation, any conversation or discussion, whether face-to-face or by means of telephone, video, email, text, instant message, facsimile, telegraph, telex, or any other medium, including but not limited to video depositions.
5. The term “document(s)” is used in the broadest possible sense and means: all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including but without limitation to, email and attachments, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, tags, labels, invoices, brochures, periodicals, telegrams, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice communications, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings or printouts, teletypes, telefax, worksheets, and all drafts, alterations, modifications, changes and amendments of any of the

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foregoing); graphic or aural representations of any kind (including, without limitation, photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures, plans, drawings, surveys); and electronic, mechanical, magnetic, optical, or electric records or representations of any kind (including, without limitation, computer files and programs, tapes, cassettes, discs, recordings), including metadata, and including, without limitation, depositions, exhibits to depositions and responses to Requests for Production. The term “document(s)” also includes all ESI.

6. The present tense includes the past and future tenses.
7. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of a request all information or documents that might otherwise be construed to be outside its scope.
8. The words “any” and “all” shall be considered to include each and every.

## **INSTRUCTIONS**

1. These Requests are continuing in nature so as to require the filing of supplemental answers and responses without further request should additional information, or information inconsistent with the information contained in the answers and responses to these Requests, become available to you before trial, or for any other reason that requires supplementation of your answers.
2. If you contend that a particular Request, definition, or instruction is overbroad, unduly burdensome, vague, ambiguous, disproportionate to the needs of the case, or subject to other similar objections, you are instructed to state a clear and precise explanation of the legal and factual justification for raising such an objection. Additionally, if you otherwise respond to the discovery request but do so subject to or without waiving such an

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objection, you are instructed to describe with reasonable specificity the information which may be available but which is not being provided as a result of the objection raised.

3. If you object to the production of any Document called for in the Requests herein, for each such Document state the following: (1) the reason(s) for the objection and any facts supporting the objection; and (2) a description of each Document including, without limitation, the date, sender, recipient(s), all persons to whom copies have been furnished, job titles of each of the persons, the subject matter of the Document, the number of pages of the Document, the number(s) of the request to which such Document is responsive, and the identity of the person in whose custody the Document is presently located.
4. If any Document is withheld under claim of privilege or work product, make the claim in accordance with Washington Rules of Civil Procedure 26(b)(6), furnishing a list identifying each Document for which the privilege or work product is claimed together with the following information for each such Document: date, sender, recipient(s), persons to whom copies were furnished, subject matter of the Document, the bases on which the privileges or work product is claimed, and whether any matter that is not privileged or is not work product is discussed or mentioned in the Document.
5. An objection that a particular Request, definition, or instruction is vague or ambiguous is not a basis for refusing to respond. You are instructed to set forth the allegedly vague or ambiguous language and the interpretation of that language that you have adopted in responding to that Request.
6. If any Document requested was but is no longer in your possession or subject to your control, or is no longer in existence: (1) state whether it is missing or lost; (2) state

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whether it has been destroyed; (3) state whether it has been transferred voluntarily or involuntarily to others and state the identity of the persons to whom it has been transferred; (4) state whether it has otherwise been disposed of, or in each instance explain the circumstances surrounding such disposition, state the date or approximate date thereof and the identity of the persons with knowledge of such circumstances; and (5) identify the Documents that are missing, lost, destroyed, transferred, or otherwise disposed of, by author, date, subject matter, addressee(s), and the number of pages.

7. If you do not clearly understand, or have any questions about, these definitions, instructions, or requests, contact the undersigned counsel promptly for clarification.

### **DOCUMENTS REQUESTED**

1. Produce all documents related to Your investigation of the outage that occurred on the 911 network in the State of Washington on or about December 27, 2018.
2. Produce all documents related to communications with or communications regarding the Federal Communications Commission (or its Staff) about the outage identified in Request No. 1.
3. Produce all documents related to any allegations of contractual or Service Level Agreement (SLA) violations as a result of the outage identified in Request No. 1.
4. Produce all documents related to Your efforts, if any, between January 1, 2017 and December 31, 2019, to ensure that the network You used to provide 911 service within the State of Washington was designated with:
  - a. SS7 Link diversity;
  - b. Physical diversity of the SS7 links;
  - c. Geographic diversity of SS7 links;

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- d. Carrier diversity for SS7 links; and/or
  - e. Diversity of network monitoring links.
- 5. Produce all documents related to any audits or other evaluations You performed or had performed of Your 911 network, including but not limited to SS7 links, in the State of Washington (or if not specific to the State of Washington including the State of Washington) between January 1, 2016 and December 31, 2019.
- 6. Produce all documents related to any audits or other evaluations You performed or had performed of Your 911 network, including but not limited to SS7 links, in the State of Washington (or if not specific to the State of Washington including the State of Washington), to ensure compliance with industry standards and/or expectations for carriers providing 911 service and/or contractual obligations.
- 7. Produce all documents related to communications with or communications regarding Transaction Network Services (“TNS”) regarding Your expectations for:
  - a. SS7 Link diversity;
  - b. Physical diversity of the SS7 links;
  - c. Geographic diversity of SS7 links;
  - d. Carrier diversity for SS7 links; and/or
  - e. Diversity of network monitoring links.
- 8. Produce all documents related to communications with or communications regarding TNS about the outage identified in Request No. 1.
- 9. Produce all documents related to any corrective or other action You took as a result of the outage identified in Request No. 1.

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10. Produce all documents related to communications with or communications regarding any concerns raised about Your 911 network architecture in a South Dakota lawsuit captioned State of South Dakota Department of Public Safety on Behalf of South Dakota 9-1-1 Coordination Board v. Nexgen Communications, Telecommunications Systems Inc., and Comtech Telecommunications Corp, 32 CIV 19-000169.