

**EXHIBIT D**

**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: TRANSACTION NETWORK SERVICES, INC.**

**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: \_\_\_\_\_



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*Attorneys for CenturyLink Communications, LLC*

## ATTACHMENT A

### DEFINITIONS

1. “You,” “Your,” “Transaction Network Services, Inc.,” or “TNS” means Transaction Network Services, Inc. and its subsidiaries, affiliates, any past or present employees, consultants, agents, representatives, or other persons acting on behalf of Transaction Network Services, Inc.
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 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,

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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 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.

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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 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 any investigation of an outage on a 911 network that impacted calling to TeleCommunication Systems, Inc. d/b/a Comtech Telecommunications Corporation (“Comtech”) PSAPs that occurred in the State of Washington on or about December 27, 2018.
2. Produce all documents related to communications with Comtech, including internal discussions about such communications with Comtech, concerning the outage identified in Request No. 1.

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3. Produce all documents related to any changes in network design that You took or considered taking as a result of the outage identified in Request No. 1.
4. Produce documents sufficient to identify the specific circuits and circuit IDs that You leased from CenturyLink as of December 27, 2018 to support to support's Comtech's SS7 capability in whole or in part in the state of Washington.
5. Produce all documents related to communications with Comtech, including internal discussions about such communications with Comtech, concerning its 911 network, including but not limited to, Comtech's 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.
6. Produce all documents related to Your efforts to ensure the network transmitting calls and/or signaling messages to Comtech's PSAPs was supported by:
  - 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.
7. Produce all documents related to any audits or other evaluations between January 1, 2016 and December 31, 2019 of the network transmitting calls and/or signaling messages to Comtech's PSAPs (and if the audit was of a larger network, but included the network transmitting calls and/or signaling messages to Comtech's PSAPs, produce those as well).

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8. Produce all documents related to any audits or other evaluations between January 1, 2016 and December 31, 2019 of the network transmitting calls and/or signaling messages to Comtech's PSAPs (and if the audit was of a larger network, but included the network transmitting calls and/or signaling messages to Comtech's PSAPs, produce those as well) to ensure compliance with industry standards and/or expectations for carriers providing 911 service.