

**WUTC Docket No. UT-063038**  
**NTI Response to Qwest's First Data Requests**  
**September 11, 2006**

**Data Request No. 4:**

If NTI provides modem functionality (*e.g.*, answering the ISP call on behalf of the ISP and performing the ongoing TDS/IP and IP/TDM conversion) for ISP customers that provide ISP service to Washington customers, identify the specific geographical location of the equipment that provides such modem functionality for ISP customers, and describe each specific element or component of the modem functionality provided to ISPs by NTI.

**Response:**

NTI objects to this request on the grounds that it is vague and ambiguous in failing to define "modem functionality" or "element or component of the modem functionality," that it improperly seeks interpretation of data, rather than the data itself, and that it is not reasonably calculated to lead to the discovery of admissible evidence. Subject to, and without waiver of, those objections, NTI offers modem functionality to its customers which NTI provisions with equipment located at NTI's switch.

Prepared by: Andrew Metcalfe; Counsel (objections)  
Date: September 11, 2006

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**Data Request No. 5:**

Is NTI an interexchange carrier that provides intra- or interLATA interexchange services for Washington end user customers. If so, please identify if NTI provides such services to Washington customers, and identify each entity that provides such services.

**Response:**

NTI is registered to provide interexchange services throughout Washington and provides such services to some of its customers.

Prepared by: Andrew Metcalfe  
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**Data Request No. 6:**

Excluding calls to ISPs, does NTI provide a service or services to Washington end users that allows such end users (whether Qwest end users or end users of NTI) to originate calls to a number associated with the same LCA as the NPA/NXX as the calling party (*i.e.*, to a telephone number that does not require 1+ dialing and that appears to the calling party to be a local call to a local telephone number), but where the called party is actually located in a LCA (as defined by the WUTC) different from the LCA with which the number called is associate? If so, please:

- a. identify each such service (and provide the tariff, price list, and web page where such service is described);
- b. provide a narrative description of the elements of each such service;
- c. identify which party (the calling party, the called party, or some other party) pays NTI for such service;
- d. describe how such service is priced to the party that pays for the service (flat-rate, usage sensitive, or some other manner);
- e. identify whether NTI bills Qwest reciprocal compensation for such traffic and at what rate; and
- f. whether NTI pays Qwest any intrastate or interstate access charges for the origination, transport, or termination of such traffic. If so, identify all specific access charge elements paid by NTI to other companies with regard to such service.

**Response:**

NTI objects to this request on the grounds that it is vague and ambiguous in failing to define "elements" of service and that Qwest is improperly requesting NTI to undertake Qwest's research of NTI's product offerings. Subject to, and without waiver of, these objections, NTI does not provide local exchange service to Qwest's local exchange customers. NTI provides local exchange service to its own customers, who pay for this service, and will assign them telephone numbers in the local calling area that they choose. The description, rates, terms, and conditions of NTI's local exchange services are included in NTI's price list on file with the Commission. Calls between Qwest local exchange customers and NTI local exchange customers who have telephone numbers

rated to the same local calling area are subject to reciprocal compensation at the rates approved by the Commission up to a 3:1 ratio of terminating to originating traffic. Traffic in excess of that ratio is considered to be ISP-bound traffic and is subject to the rates established by the FCC in its *ISP Remand Order*. Neither Qwest nor NTI pays each other access charges for such traffic.

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**NTI Response to Qwest's First Requests for Admission**  
**September 11, 2006**

**Request for Admission No. 1:**

Admit that in Washington NTI obtains local telephone numbers from NANPA that it provides to its ISP customers.

**Response:**

Deny. NTI obtains telephone numbers from NANPA that are rated to particular local calling areas.

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**Request for Admission No. 2:**

Admit that in Washington NTI provides local telephone numbers to its ISP customers, and that such ISP customers provide to their end user customers to obtain access to the Internet through their ISP.

**Response:**

Deny. NTI provides telephone numbers to its ISP customers that are rated to a particular local calling area, and NTI understands that those ISPs make those telephone numbers available to the ISP's customers to access the Internet through a dial-up connection to the ISP.

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**Request for Admission No. 3:**

Admit that in Washington NTI provides a service to ISPs that includes local telephone numbers obtained by NTI from NANPA.

**Response:**

Deny. NTI provides service to ISPs that includes the assignment of telephone numbers that NTI has obtained from NANPA that are rated to a particular local calling area.

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**Request for Admission No. 4:**

Admit that in Washington NTI provides a service to ISPs that includes transport of ISP traffic to the location of the ISP equipment (whether owned by the ISP or provided by NTI that answers the ISP call.

**Response:**

Deny. NTI provides service to all customers, including ISPs, that includes transport of traffic from an NTI demarcation point with another carrier or customer to the NTI demarcation point with the customer who obtains that service.

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**Request for Admission No. 5:**

Admit that in Washington NTI provides a service to ISPs that includes authentication that the calling party is a valid customer of the specific ISP customer.

**Response:**

Admit.

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**Request for Admission No. 6:**

Admit that in Washington NTI provides a service to ISPs that includes the initial modem functionality (*i.e.*, whereby NTI provides the equipment that answers the call on behalf of the ISP and that provides the TDS-IP conversion function throughout the course of the of the ISP call).

**Response:**

Admit.

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**Request for Admission No. 7:**

Admit that in Washington NTI bills Qwest for termination of all ISP calls at \$.0007 per minute without regard to the physical location of the calling party and the physical location of the equipment that answers the call on behalf of the ISP and that provides the TDS-IP conversion function throughout the course of the of the ISP call.

**Response:**

Deny. The statement is true only with respect to calls in which the telephone numbers of the calling and called parties are rated to the same local calling area.

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**Request for Admission No. 8:**

Admit that in Washington NTI obtains local telephone numbers from NANPA that it provides to its non-ISP customers.

**Response:**

Deny. NTI obtains telephone numbers from NANPA that are rated to a particular local calling area that NTI provides to its non-ISP customers.

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**Request for Admission No. 9:**

Admit that in Washington NTI provides on occasion local telephone numbers to non-ISP customers even though such non-ISP customers are not physically located in the same LCA with which the telephone numbers are associated.

**Response:**

Deny. NTI provides telephone numbers to non-ISP customers that may be rated to a different local calling area than the local calling area in which the customer or its telecommunications equipment is physically located.

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**Request for Admission No. 10:**

Admit that in Washington NTI on occasion provides local telephone numbers to non-ISP customers, even though such non-ISP customers are not physically located in the same LCA with which the telephone numbers are associated, and that such non-ISP customers of NTI provide those telephone numbers to customers located in the LCA associated with the numbers in order to allow them to call the customer of NTI on a toll-free basis.

**Response:**

Deny. NTI provides telephone numbers to non-ISP customers that may be rated to a different local calling area than the local calling area in which the customer or its telecommunications equipment is physically located, and such non-ISP customers may provide those telephone numbers to other parties with telephone numbers rated as local to the same local calling area in order to allow those parties to call the NTI customer without incurring toll charges.

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**Request for Admission No. 11:**

Admit that in Washington some portion of the reciprocal compensation bills that NTI renders to Qwest represent traffic that originates in one LCA and terminates with non-ISP customers of NTI that are physically located in a LCA different than the LCA of the calling party.

**Response:**

Deny. Some portion of the traffic for which NTI bills Qwest may be originated from and terminated to telephone numbers that are rated to the same local calling area but the Qwest customer and/or the NTI customer or their telecommunications equipment is not physically located in the same local calling area.

Prepared by: Andrew Metcalfe  
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