

Data Request No. 1. Identify all specific services offered by Eschelon to ISP that serve end user customers in Washington. Provide a narrative description of each such service.

OBJECTION: ATI objects to this request on the basis that it is vague, ambiguous overly broad and seeks information that is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, ATI provides the following response:

RESPONSE: ATI has no ISP-specific products. All ATI products are available to ISPs, although ATI does not actively market its services to wholesale providers such as ISPs. Eschelon has no ISP-specific products and has a policy against selling Internet T-1s to wholesale ISPs. A description of all ATI services is on the Eschelon website at www.eschelon.com/voice/index.aspx.

Responsible Person: Mary Korthour

Data Request No. 2. Does Eschelon provide a service or services in Washington for ISPs (e.g., AOL, Earthlink, MSN, or other smaller local or regional ISPs serving Washington customers) whereby Eschelon provides *any* of the following service components related to dial-up Internet access: (1) local telephone numbers for your ISP customers to provide to their end users for access to the Internet; (2) transport from the local calling area ("LCA") (as defined by the WUTC) of the ISP end user customer to the point of points of interconnection ("POIs") of Eschelon in Washington; (3) authentication of the calling party on behalf of your ISP customer; or (4) the provision of the initial modem functionality on behalf of the ISP customer(s) whereby the protocol conversion between the analog, time division multiplexing ("TDM") signals sent by the ISP end user are converted to Internet Protocol ("IP") (and vice versa) in order to allow the ISP's end user access to and the ability to communicate with the Internet.

If Eschelon provides any such components:

- a. Identify each component of each such service offered by Eschelon to ISPs that provide service to Washington customers.
- b. Identify all components of the service or services that provide telecommunications functionalities to ISPs. For each such component, identify the terms and conditions, including price, under which such services are offered or provided in Washington.
- c. Identify by web page address and name of service all web pages of your company's website that describe such services offered by you.

OBJECTION: ATI objects to this request on the basis that it is vague, ambiguous overly broad and seeks information that is not reasonably calculated to lead to the discovery of admissible evidence. Specifically, the request uses the terms "service," "services" and "service components" without providing a definition. Without waiving its objections, ATI provides the following response:

RESPONSE: ATI provides the same services to ISPs that it provides to its other customers, including such "components" as assigning local numbers and providing transport as well as all other services, and their components if ordered. Such services would potentially include all components of all services provided by ATI. Eschelon has

no special or unique ISP services and does not provide modem functionality. There are no particular or special components associated with ISP number assignment and Eschelon has no terms or conditions or web page specific to ISP number assignment. Eschelon assigns numbers to any ISP that gets service from Eschelon in the same manner as it assigns numbers to non-ISP customers. Eschelon's website describing such ATI services can be found at: <http://www.eschelon.com/voice/index.aspx>

Responsible Person: Mary Korthour

Data Request No. 3. If Eschelon obtains local telephone numbers from NANPA in Washington that are provided to ISPs, identify all specific NPA/NXXs obtained by Eschelon where some or all of the numbers related to that specific NPA/NXX are provided to ISPs.

OBJECTION: ATI objects to this request on the basis that it is vague, ambiguous overly broad and seeks information that is not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, the request is unduly burdensome and overly broad because it does not specify a time period and it assumes that ATI knows which of its customers are ISPs. Without waiving its objections, ATI provides the following response:

RESPONSE: ATI has obtained the phone numbers on the attached Confidential table from NANPA, in Washington. The NPA-NXX are the first six digits. It is possible that some telephone numbers related to these NPA-NXX are presently provided to ISPs. ATI has not done a study to determine which numbers are provided to ISPs.

[Confidential table redacted]

Responsible Person: David Frame

REQUESTS FOR ADMISSION

Request for Admission No. 1. Admit that in Washington Eschelon obtains local telephone numbers from NANPA that it provides to its ISP customers.

RESPONSE: Eschelon admits that it obtains local telephone numbers from NANPA and that it provides such numbers to its customers, including any customers that are ISPs.

Request for Admission No. 2. Admit that in Washington Eschelon 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: ATI assumes that some of its customers in Washington are ISP customers. To the extent that ATI provides local telephone numbers to its ISP customers we would expect that those ISPs will use the numbers provided to them by ATI.

Request for Admission No. 3. Admit that in Washington Eschelon provides a service to ISPs that includes local telephone numbers obtained by Eschelon from NANPA.

RESPONSE: To the extent that any of ATI's customers in Washington are ISPs, services provided to them would include local telephone numbers obtained by ATI from NANPA, as would services to any other ATI customer.

Request for Admission No. 4. Admit that in Washington Eschelon 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 Eschelon that answers the ISP call.

RESPONSE: Eschelon admits that it provides services that may be used by ISPs in the manner described in Request for Admission No. 4, but asserts that it does not actively market services to ISP customers and that it does not have services that are unique to ISPs.

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Request for Admission No. 7. Admit that in Washington Eschelon 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: ATI denies that it bills Qwest \$0.0007 per minute or that Qwest pays Eschelon \$0.0007 per minute for any type of traffic.

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Request for Admission No. 8. Admit that in Washington Eschelon obtains local telephone numbers from NANPA that it provides to its non-ISP customers.

RESPONSE: Admitted.

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Request for Admission No. 9. Admit that in Washington Eschelon 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: Admitted.

Request for Admission No. 10. Admit that in Washington Eschelon 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 Eschelon provide those telephone numbers to customers located in the LCA associated with the numbers in order to allow them to call the customer of Eschelon on a toll-free basis.

RESPONSE: Admitted.

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Request for Admission No. 11. Admit that in Washington some portion of the reciprocal compensation bills that Eschelon renders to Qwest represent traffic that originates in one LCA and terminates with non-ISP customers of Eschelon that are physically located in a LCA different than the LCA of the calling party.

RESPONSE: Admitted.