

GENERAL OBJECTIONS

Staff incorporates the following general objections into each and every data request response below:

1. Staff objects to these data requests to the extent that they improperly seek and/or call for the disclosure of: (a) Staff counsel's legal analysis, legal conclusions, and/or mental impressions; (b) documents and/or information protected by the attorney-client privilege and/or any other applicable privilege; and/or (c) protected work product.
2. Staff objects to any data request, instruction, or anything else purporting to require more of Staff than is required by the applicable rules and orders of the Commission.
3. Staff objects generally to any data request to the extent that: (a) the information requested is known to CenturyLink Communications, LLC (CenturyLink or Company) or its counsel; (b) the request requires disclosure of information, documents, writings, records, or publications in the public domain; and/or (c) the information requested is equally available to CenturyLink or its counsel from sources other than Staff.
4. Staff objects to these data requests to the extent that they are overly broad, unduly burdensome, and calling for information that is irrelevant or not proportional to the needs of the case.
5. These responses are provided on the basis of the best information currently available to Staff after a diligent effort to gather such information within its possession, custody or control. Staff reserves the right to amend its responses as new information is gathered. Staff is in the process of issuing, reviewing, and analyzing the ongoing investigation and discovery in this matter.

CENTURYLINK DATA REQUEST NO. 21:

Identify and describe all of Mr. Akl's experience manufacturing, designing, deploying, configuring or maintaining DTN, DTN-X or comparable Dense Wavelength Division Multiplex (DWDM) networks.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this request to the extent it seeks the confidential, copyrighted, and/or privileged information of third parties.

Without waving the above objections, Staff responds as follows:

Dr. Akl's experience is in his CV (Akl, Exh. RA-2).

CENTURYLINK DATA REQUEST NO. 22:

Identify and describe all of Mr. Akl's litigation or consulting engagements involving DTN, DTN-X or Dense Wavelength Division Multiplex (DWDM) networks. For all such litigation or consulting engagements, produce copies of all of Mr. Akl's written testimonies, deposition transcripts and expert reports.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to the extent that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to this request to the extent it seeks the confidential, copyrighted, and/or privileged information of third parties. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl's testimony.

Without waving the above objections, Staff responds as follows:

Dr. Akl's experience is in his CV (Akl, Exh. RA-2). Copies of all of Dr. Akl's written testimonies, deposition transcripts, and expert reports are either available publicly from the Courts or filed under seal and confidential.

CENTURYLINK DATA REQUEST NO. 23:

Identify and describe all of Mr. Akl's experience with the design, deployment, implementation or maintenance of SS7 networks.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this request to the extent it seeks the confidential, copyrighted, and/or privileged information of third parties.

Without waving the above objections, Staff responds as follows:

Dr. Akl's experience is in his CV (Akl, Exh. RA-2).

CENTURYLINK DATA REQUEST NO. 24:

At page 7 of Exhibit RA-2 (Mr. Akl's CV), Mr. Akl identifies (as L37) *United States ex rel Todd Heath vs. Wisconsin Bell*. Please summarize the subject matter of the litigation and Mr. Akl's role in the litigation, including but not limited to the subjects on which Mr. Akl consulted. Please produce a copy of all written reports, affidavits, declarations or transcripts from that litigation.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to the extent that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to this request to the extent it seeks the confidential, copyrighted, and/or privileged information of third parties. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl's testimony.

Without waving the above objections, Staff responds as follows:

Dr. Akl's CV summarized the subject matter and role (Akl, Exh. RA-2). Copies of all of all written reports, affidavits, declarations or transcripts from that litigation are either available publicly from the Courts or filed under seal and confidential.

CENTURYLINK DATA REQUEST NO. 25:

Provide all course materials from CSCE 5933 (p40 of CV) and 3320 (p41 of CV).

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this request to the extent it seeks the confidential, copyrighted, and/or privileged information of third parties. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl's testimony.

Without waving the above objections, Staff responds as follows:

Dr. Akl does not have course materials for CSCE 5933. CSCE 3320 does not exist.

CENTURYLINK DATA REQUEST NO. 26:

Does Mr. Akl agree with CLC witness Steven Turner that it is appropriate and reasonable for companies to operate sophisticated equipment according to the factory settings and supplier guidelines? If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information.

Without waving the above objections, Staff responds as follows:

Dr. Akl's opinions are in his testimony.

CENTURYLINK DATA REQUEST NO. 27:

Does Mr. Akl agree that a manufacturer of sophisticated equipment is in the best position to determine the proper configuration of the equipment it designs, develops and manufactures? If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl's testimony.

Without waving the above objections, Staff responds as follows:

Dr. Akl's opinions are in his testimony.

CENTURYLINK DATA REQUEST NO. 28:

Mr. Akl and Mr. Webber assert that the “primary and avoidable cause” of the December 2018 outage was CLC’s failure to disable the IGCC. Admit or deny the following. For each subpart that Staff fails to admit, fully explain your answer and identify and produce all documents that support your answer.

- a. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two via **transport circuits on Comtech’s own network.**
- b. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two via **transport circuits on an AT&T network.**
- c. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two via **transport circuits on another of CenturyLink/Lumen’s stand-alone optical networks.**
- d. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two [REDACTED]
[REDACTED]. (see Exhibit SH-12C, pp. 8/92 – 10/92)

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff’s possession, custody, or control; (b) already in the Company’s possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents

Shaded Information is Confidential Per Protective Order in Docket UT-1810581

on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl's and Witness Webber's testimonies.

Without waving the above objections, Staff responds as follows:

The opinions of Dr. Akl and Witness Webber relevant to this case are supplied in their respective testimonies.

CENTURYLINK DATA REQUEST NO. 29:

Is Staff (including Mr. Akl) aware of any FCC or industry guidance dating prior to the December 2018 outage that specifically suggested the need to lock an unused IGCC or comparable communications channel? If your answer is other than no, identify and produce all such standards/guidance.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information.

Without waving the above objections, Staff responds as follows:

See Witness Webber's December 15, 2021 prefiled Testimony (Exh. JDW-1CT) at page 32, lines 1-18. As Witness Webber explained, the FCC cited to two specific CSRIC best practices as industry guidance when it faulted CenturyLink for "[l]eaving the [IGCC] channel enabled [which] created a vulnerability in the network." *See also*, Webber, Exh. JDW-4 at 15 n. 40 (citing CSRIC Best Practices 11-6-5170 and 11-8-8000) and Webber, Exh. JDW 15 (citing CSRIC Best Practices 9-6-5170 and 9-8-8000).

CENTURYLINK DATA REQUEST NO. 30:

At page 18 (lines 14-20) of his Cross-Answer Testimony, Mr. Akl references “industry standards at the time” as supporting his assertion that it was unreasonable and inappropriate for CLC to reply on software-based packet filters to protect against replication of malformed packets. Beyond the three highlighted sentences on page 76 of Exhibit RA-3 (regarding unused ports causing hacking risks for storage area networking (SAN)), specifically identify and produce (if written) all such “industry standards” that Mr. Akl believes support this assertion.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff’s possession, custody, or control; (b) already in the Company’s possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders.

Without waving the above objections, Staff responds as follows:

Dr. Akl’s opinions are in his testimony. *See also*, Staff Response to CLC DR 29.

CENTURYLINK DATA REQUEST NO. 31:

Does Mr. Akl believe it was “human negligence” by Comtech [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] ? (see Exhibit SH-12C, pp. 8/92 – 10/92). If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl’s testimony.

Without waving the above objections, Staff responds as follows:

Dr. Akl’s opinions are in his testimony.

CENTURYLINK DATA REQUEST NO. 32:

Does Mr. Akl believe it was “human negligence” by Comtech [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] ? (see Exhibit SH-12C, pp. 8/92 – 10/92). If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl’s testimony.

Without waving the above objections, Staff responds as follows:

Dr. Akl’s opinions are in his testimony.

CENTURYLINK DATA REQUEST NO. 33:

Provide Mr. Akl's entire file regarding any aspect of Docket UT-181051, including but not limited to workpapers, emails and engagement letter.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to the extent that this request is duplicative of CLC DRs 10 and 11 to Staff. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine.

Without waving the above objections, Staff responds as follows:

Please see attached materials responsive to this request. *See also*, Staff Response to CLC DR 11.

CENTURYLINK DATA REQUEST NO. 34:

At pages 2-3 of her Cross-Answer Testimony, Ms. Hawkins-Jones discusses four CenturyLink-served PSAPs (ValleyCom, NORCOM, South Sound 911-Puyallup, Colville

- a. Identify, describe and produce all information and documents demonstrating that any 911 calls destined for any of these four PSAPs failed to complete as a result of the Infinera outage.
- b. Identify, describe and produce all documents demonstrating that any of these four PSAPs experienced an inability to forward calls to CenturyLink-served PSAPs during the Infinera outage.
- c. Who was the PIC'd long distance provider for each of the PSAPs listed above?
- d. If CLC was the PIC'd long distance provider for the PSAPs listed above, does Commission Staff believe that the Commission has jurisdiction to penalize CLC for long distance calls that failed to complete? If your answer is other than no, fully explain and support your response.
- e. Exhibit JHJ-18 states that "[s]ome 911 texts did not go through." Please fully describe Staff's understanding of what "911 texts" are being referred to, how many failed to go through, from whom the texts were sent and to whom the texts were directed.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Witness Hawkins-Jones' testimony.

Without waving the above objections, Staff responds as follows:

a. Please refer to Staff's previous testimony for all information and documents related to the four PSAPs (Hawkins-Jones, Exh. JHJ-1CT at 19:1 – 20:11; Hawkins-Jones, Exh. JHJ-15; Hawkins-Jones, Exh. JHJ-16; Hawkins-Jones, Exh. JHJ-17CT at 2:7 – 3:18; Hawkins-Jones, Exh. JHJ-18) b. Please refer to Staff's previous testimony for all information and documents related to the four PSAPs (Hawkins-Jones, Exh. JHJ-1CT at 19:1 – 20:11; Hawkins-Jones, Exh. JHJ-15; Hawkins-Jones, Exh. JHJ-16; Hawkins-Jones, Exh. JHJ-17CT at 2:7 – 3:18; Hawkins-Jones, Exh. JHJ-18); c. Staff stands on its objections; d. Staff stands on its objections; e. The quoted text identified by the Company was directly pulled from the response provided by Valley Com PSAP. Staff did not ask the PSAP for more information related to its issue of 911 texts not being able to "go through." See Hawkins-Jones, Exh. JHJ-18.

CENTURYLINK DATA REQUEST NO. 35:

At page 7 of her Cross-Answer Testimony, Ms. Hawkins-Jones discusses factor 7 (likelihood of recurrence) of the Commission's enforcement criteria.

- a. Fully explain Staff's position that there is a likelihood of recurrence by CLC notwithstanding the fact that CenturyLink is no longer a 911 service provider in Washington.
- b. Fully explain Staff's position that there is a likelihood of recurrence by CLC notwithstanding the fact that the IGCC on Lumen's Infinera networks is now closed based on the actions taken by Infinera and CenturyLink following the December 2018 outage.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine.

Without waving the above objections, Staff responds as follows:

- a. Staff response to factor 7 in Witness Hawkins-Jones's cross testimony was intended to dispute the rationale provided by CLC's witness, Stacy Hartman. For Staff's position, please refer to Staff's investigative report and the Commission's enforcement policy (Hawkins-Jones, Exh. JHJ-3C at 25; *In the Matter of the Enforcement Policy of the Washington Utilities and Transportation Commission*, Docket A-120061, Policy Statement (Jan. 7, 2013));
- b. For Staff's position on likelihood of recurrence, please refer to Staff's previous testimony, Staff's investigative report and the Commission's enforcement policy (Hawkins-Jones, Exh. JHJ-1CT at 16:19-22; Hawkins-Jones, Exh. JHJ-3C at 25; *In the Matter of the Enforcement Policy of the Washington Utilities and Transportation Commission*, Docket A-120061, Policy Statement (Jan. 7, 2013)).

CENTURYLINK DATA REQUEST NO. 36:

Does Mr. Webber believe that Comtech was and is ultimately responsible for managing its networks in a prudent manner? If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Witness Webber's testimonies.

Without waving the above objections, Staff responds as follows:

All network managers, including CenturyLink and Comtech, are responsible for managing their networks in a prudent manner. Witness Webber's opinions regarding the issues addressed in the proceeding are presented in his testimonies.

CENTURYLINK DATA REQUEST NO. 37:

If the Commission Staff had initiated a complaint relating to the December 2018 outage against Comtech on the basis of its failure to obtain sufficient diversity for its SS7 links, would Mr. Webber support an argument by Comtech that is not legally responsible for failed 911 calls because its sole SS7 link vendor experienced an outage on its transport network? If your answer is other than no, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Witness Webber's testimonies.

CENTURYLINK DATA REQUEST NO. 38:

Does Mr. Webber agree that network diversity for SS7 links, in addition to geographic diversity, is likely to provide greater assurance that an outage will not impair the delivery of 911 calls? If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Witness Webber's testimonies.

Without waving the above objections, Staff responds as follows:

Witness Webber Webber's findings and opinions on the diversity of TSYs' SS7 links are provided in his testimonies. *See* Witness Webber's December 15, 2021 prefiled Direct Testimony (Webber, Exh. JDW-1CT at 38:1 - 43:27) and August 31, 2022 Cross-Answering Testimony (Webber, Exh. JDW-33CT at 5:20 - 15:10).

CENTURYLINK DATA REQUEST NO. 39:

At page 7 of his Cross Answer Testimony, Mr. Webber testifies that “[t]hese four specific circuits had the intent and effect of creating geographic redundancy and diversity in the signaling paths of the TSYS ESInet II system.” On page 8 of his Cross Answer Testimony, Mr. Webber testifies that “[i]t does not appear that the circuits shared a single physical point of failure, which is a key criterion cited by the [FCC] for route diversity for public safety purposes...”

Please refer to CLC’s response to Staff data request 57C, in which CLC indicates that multiple of Comtech’s SS7 links “mux up to an OC 192 with the SCID Code of NTCM12.” Aware of CLC’s response to Staff data request 57C, on what basis does Mr. Webber conclude that the Comtech SS7 links were physically diverse and lacked a single physical point of failure”? Identify all facts and produce all documents supporting your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff’s possession, custody, or control; (b) already in the Company’s possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to this request to the extent that it is beyond the scope of Witness Webber’s testimonies.

Without waving the above objections, Staff responds as follows:

Witness Webber’s findings and opinions on the diversity of TSYS’ SS7 links are provided in his testimonies. *See* Witness Webber’s December 15, 2021 prefiled Direct Testimony (Webber, Exh. JDW-1CT at 38:1 - 43:27) and August 31, 2022 Cross-Answering Testimony (Webber, Exh. JDW-33CT at 5:20 - 15:10).

CENTURYLINK DATA REQUEST NO. 40:

At page 9 (lines 10-16) of his Cross Answer Testimony, Mr. Webber refers to Comtech's alleged desire for ESInet1 and ESInet2 to be interconnected via SIGTRAN IP instead of TDM/SS7. Mr. Webber states "[h]ad CenturyLink agreed to implement the initial proposal, as requested by TSYS [Comtech], it is highly unlikely that 911 services in Washington would have been impacted by the December 2018 outage on the CenturyLink's Green network."

Does Mr. Webber likewise believe that, if Comtech had accepted TNS' August 2018 proposal to replace two of the CenturyLink TDM SS7 links with TNS' SIGTRAN IPX Connectivity, that is highly unlikely that 911 services in Washington would have been impacted by the December 2018 outage on the CenturyLink's Green network."

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Witness Webber's testimonies.

CENTURYLINK DATA REQUEST NO. 41:

Does Mr. Webber believe it was “human error and negligence” by Comtech [REDACTED]
[REDACTED]
[REDACTED]? (see Exhibit SH-12C, pp. 8/92 – 10/92). If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Witness Webber’s testimonies.

Without waving the above objections, Staff responds as follows:

Witness Webber’s opinions are in his testimonies.

CENTURYLINK DATA REQUEST NO. 42:

Does Mr. Webber believe it was “human error and negligence” by Comtech [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] ? (see Exhibit SH-12C, pp. 8/92 – 10/92). If your answer is other than yes, fully explain your response.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine. Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Witness Webber’s testimonies.

Without waving the above objections, Staff responds as follows:

Witness Webber’s opinions are in his testimonies.

CENTURYLINK DATA REQUEST NO. 43:

Refer to Table 3 of Exhibit JDW-1CT (beginning at page 55). For each of the calls Mr. Webber identifies as Failed, identify the error code associated with each such call. Refer to Mr. Klein's Response Testimony (Exhibit CDK-1CT), pages 11-12 for an identification and description of potential error codes.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff's possession, custody, or control; (b) already in the Company's possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to this request to the extent that it is beyond the scope of Witness Webber's testimonies.

Without waving the above objections, Staff responds as follows:

See Witness Webber's August 31, 2022 Cross-Answering Testimony (Webber, Exh. JDW-33CT at 38:16 – 39:25) for Witness Webber's rebuttal of Witness Klein's testimony concerning failed calls to CenturyLink-served PSAPs during the December 2018 outage. See also, Witness Webber's workpapers provided on December 22, 2021.

CENTURYLINK DATA REQUEST NO. 44:

Provide Mr. Webber's entire file regarding any aspect of Docket UT-181051, including but not limited to workpapers, emails, and engagement letter.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to the extent that this request is duplicative of CLC DRs 10 and 11. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine.

Without waving the above objections, Staff responds as follows:

Please see attached materials responsive to this request. See also, Staff responses to CLC DR 10 and 11 to Staff. With this production of documents, Staff's response to CLC DRs 10 and 11 is complete.

GENERAL OBJECTIONS

Staff incorporates the following general objections into each and every data request response below:

1. Staff objects to these data requests to the extent that they improperly seek and/or call for the disclosure of: (a) Staff counsel's legal analysis, legal conclusions, and/or mental impressions; (b) documents and/or information protected by the attorney-client privilege and/or any other applicable privilege; and/or (c) protected work product.
2. Staff objects to any data request, instruction, or anything else purporting to require more of Staff than is required by the applicable rules and orders of the Commission.
3. Staff objects generally to any data request to the extent that: (a) the information requested is known to CenturyLink Communications, LLC (CenturyLink or Company) or its counsel; (b) the request requires disclosure of information, documents, writings, records, or publications in the public domain; and/or (c) the information requested is equally available to CenturyLink or its counsel from sources other than Staff.
4. Staff objects to these data requests to the extent that they are overly broad, unduly burdensome, and calling for information that is irrelevant or not proportional to the needs of the case.
5. These responses are provided on the basis of the best information currently available to Staff after a diligent effort to gather such information within its possession, custody or control. Staff reserves the right to amend its responses as new information is gathered. Staff is in the process of issuing, reviewing, and analyzing the ongoing investigation and discovery in this matter.

CENTURYLINK DATA REQUEST NO. 28:

Mr. Akl and Mr. Webber assert that the “primary and avoidable cause” of the December 2018 outage was CLC’s failure to disable the IGCC. Admit or deny the following. For each subpart that Staff fails to admit, fully explain your answer and identify and produce all documents that support your answer.

- a. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two via **transport circuits on Comtech’s own network.**
- b. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two via **transport circuits on an AT&T network.**
- c. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two via **transport circuits on another of CenturyLink/Lumen’s stand-alone optical networks.**
- d. Few, if any, of the 911 calls intended for Comtech PSAPs on December 27-28, 2018 would have failed notwithstanding the Infinera green network event IF Comtech had deployed two of its four SS7 links (supporting the inter-tandem trunk connecting ESInet1 and ESInet2) via CLC’s Infinera green network and the other two [REDACTED]
[REDACTED]. (see Exhibit SH-12C, pp. 8/92 – 10/92)

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects on the basis that the material sought by the request is: (a) not in Staff’s possession, custody, or control; (b) already in the Company’s possession, custody, or control; (c) publicly available; and/or (d) obtainable from some other source that is more convenient, less burdensome, or less expensive. Staff further objects to this request to the extent it requests more than is required by the Commission’s rules and orders. Staff further objects that this request would improperly require the creation of new data and/or documents

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on the part of Staff. *See* WAC 480-07-400(1)(c)(iii). Staff further objects to the data request to the extent that the Company is asserting/assuming the existence of facts. Staff further objects to this request to the extent it seeks speculative and/or hypothetical information. Staff further objects to this request to the extent that it is beyond the scope of Dr. Akl's and Witness Webber's testimonies.

Without waving the above objections, Staff responds as follows:

The opinions of Dr. Akl and Witness Webber relevant to this case are supplied in their respective testimonies.

SUPPLEMENTAL RESPONSE

Without waiving the above objections, Staff supplements its response as follows:

Staff denies each of the requests for admission numbered 28.a, 28.b, 28.c, and 28.d. The alleged facts Staff are asked to admit are speculative and counterfactual. *See* Cross Answering Testimony of James Webber, 6:1-15:10; Response Testimony of Steven E. Turner, 25 n. 17.

CENTURYLINK DATA REQUEST NO. 33:

Provide Mr. Akl's entire file regarding any aspect of Docket UT-181051, including but not limited to workpapers, emails and engagement letter.

RESPONSE:

Staff objects to this request as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and/or not proportionate to the needs of the case. Staff further objects to the extent that this request is duplicative of CLC DRs 10 and 11 to Staff. Staff further objects to this request to the extent it requests more than is required by the Commission's rules and orders. Staff further objects to this data request to the extent that the information it seeks is protected by attorney client privilege and/or the work product doctrine.

Without waving the above objections, Staff responds as follows:

Please see attached materials responsive to this request. *See also*, Staff Response to CLC DR 11.

SUPPLEMENTAL RESPONSE

Without waiving the above objections, Staff supplements its response as follows:

Please see attached materials responsive to this request, numbered 002033-002340. A privilege log is included.