DTC 13-6
Competitive Carriers' Supplemental Responses
to Verizon MA's First Set of Information Requests

Supplemental Response Dated: April 28, 2014

REQUEST NO. VZ-I 1-1: Please identify, by title, effective date and the names of all parties, each agreement that each Intervenor has entered into with a service provider other than an affiliate concerning, providing for or governing the exchange in IP format of voice traffic going from you to the other party as well as voice traffic coming from the other party to you.

OBJECTION: The Competitive Carriers specifically object to this request on the ground that it is immaterial, irrelevant, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. The request is not germane to the legal question whether the Verizon/Comcast agreements submitted to the Department must be filed for review under § 252. In particular, and without limiting the generality of the foregoing, evidence of agreements between the Competitive Carriers and non-ILECs (including non-ILEC affiliates of ILECs) is not pertinent to the legal issue before the Department.

The Competitive Carriers further object to the request to the extent it calls for a response by non-party affiliates of any of the Competitive Carriers.

The Competitive Carriers further object to providing any information that is confidential, proprietary, or a trade secret.

RESPONSE: Subject to and without waiving these objections, each of the Competitive Carriers states that it has not entered any agreement "concerning, providing for, or governing the exchange in IP format of voice traffic" with an incumbent local exchange carrier (ILEC).

SUPPL. RESPONSE In addition to the foregoing original response, and subject to the objections above, the Competitive Carriers provide "the number of agreements per-type of provider including, but not limited to ILECs, Competitive LECs, interexchange carriers ('IXCs'), non-ILEC affiliates of ILECs, and affiliates of the Intervenor, that each Intervenor has entered into concerning, providing for, or governing the exchange in IP format of voice traffic," as provided by the Hearing Officer's April 17, 2014, Ruling on Verizon's March 28, 2014, Motion to Compel. The information below reflects instances which could be identified after a reasonably diligent search in the time allowed by the Hearing Officer and unless otherwise specified, reflects agreements by the intervening entity only and not affiliates or subsidiaries of the intervening entity.

For CTC Communications Corp. d/b/a EarthLink Business; Lightship Telecom LLC d/b/a EarthLink Business; Choice One Communications of Massachusetts, Inc. d/b/a EarthLink Business; Conversent Communications of Massachusetts, Inc. d/b/a EarthLink Business; EarthLink Business, LLC (formerly New Edge Network, Inc. d/b/a EarthLink Business):

See attached Highly Confidential reponse.

For Cbeyond Communications, LLC:

See attached Highly Confidential reponse.

For tw data services llc:

tw data services llc's parent company, tw telecom holdings inc., has entered into the following agreements "concerning, providing for, or governing the exchange in IP format of voice traffic" on behalf of tw data services llc:

2 agreements with IXC affiliates of ILECs

4 agreements with IXCs

2 agreements with CLECs

1 agreement with a 911 service provider

For Level 3 Communications, LLC:

See attached Highly Confidential response.

For PAETEC Communications, Inc.:

See attached Highly Confidential response.

OBJECTION BY: Gregory M. Kennan, Counsel for Respondents

Supplemental Response Dated: April 28, 2014

REQUEST NO. VZ-I 1-2 Please produce all agreements identified in response to VZ-I 1-1, including all attachments, exhibits and schedules.

OBJECTION: The Competitive Carriers incorporate by reference their objections to VZ-I 1-1 above.

RESPONSE: The Competitive Carriers incorporate by reference their response to VZ-I 1-1 above.

SUPPL. RESPONSE The Competitive Carriers incorporate by reference their original response and supplemental response to VZ-I 1-1 above.

In addition to the foregoing original response, and subject to and without waiving the objections above, the Competitive Carriers will produce relevant portions of agreements identified in Response to VZ-I 1-1 that could be located after a reasonably diligent search in the time allowed by the Hearing Officer.

The Competitive Carriers will produce the requested contracts in redacted form, designated Highly Sensitive Confidential Information Confidential, and subject to the objections above and the following conditions. To the extent called for in the various contracts, the Competitive Carriers will notify the contracting parties of their intent to produce the agreements and will produce the documents if and when pertinent confidentiality provisions and requirements in the various contracts are met.

OBJECTION BY: Gregory M. Kennan, Counsel for Respondents