

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Complaint of Choice One Communications of Massachusetts, Inc., Conversent Communications of Massachusetts, LLC, CTC Communications Corp. and Lightship Telecom, LLC (collectively "One Communications") concerning alleged unlawful charges imposed by Verizon New England Inc., d/b/a Verizon Massachusetts for Access Toll Connecting Trunk Ports and E911/911 Dedicated End Office Trunk Ports.	D.T.C. 08-3
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**COMCAST PHONE OF MASSACHUSETTS, INC.
RESPONSES TO VERIZON'S
FIRST SET OF INFORMATION REQUESTS**

In accordance with 220 C.M.R. § 1.06(6)(c), Intervener Comcast Phone of Massachusetts, Inc. ("Comcast") submits the following objections and responses to Verizon's First Set of Information Requests ("IRs"):

GENERAL OBJECTIONS

1. Comcast objects to the extent that any IR would compel Comcast to create information or documents that do not currently exist, are not maintained by Comcast in the ordinary course of business, or are not within the knowledge, possession, or control of Comcast. To the extent that Comcast does not have the requested information, either at all or at the level of detail requested, Comcast will so state in its response.

2. Comcast objects to the extent that any IR seeks information subject to the attorney-client privilege, attorney work-product exemption, or other applicable privileges or immunities from disclosure, as contrary to the laws and rules governing privilege and exemption. The inadvertent disclosure of any privileged or otherwise protected information shall not be deemed or construed to constitute a waiver of Comcast's right to

assert any applicable privilege or protection with respect to any such information or any other information or matter and shall not preclude or waive Comcast's right to retract such disclosure.

3. Comcast objects to each IR to the extent that it requests information that is publicly or readily available.

4. Comcast objects to the extent that any IR may request "all" or "any" information as overly broad and unduly burdensome. Comcast will engage in a diligent search for responsive documents and/or information and provide a reasonably complete response within the timeframe provided for discovery, and Comcast will supplement its responses as appropriate.

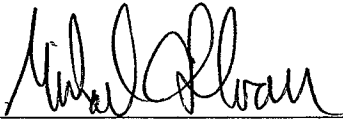
5. Comcast objects to each IR to the extent that it is vague or unclear. Comcast will answer each question to the best of its understanding.

6. By responding to a particular IR, Comcast does not thereby concede or acknowledge the relevancy, materiality, or admissibility of such response with respect to any proceedings in this action or any other action. Comcast responds to these IRs without waiver of, or prejudice to, any and all objections relating to the relevancy, materiality, admissibility, or use of any such answers at trial or in any other proceeding in this action or any other action.

7. By submitting these responses, Comcast does not in any way adopt the definition of words and phrases as set forth or used in Verizon's IRs.

8. Nothing in Comcast's responses to any IR should be construed as an admission regarding the admissibility or relevance of any fact or document or of the truth or accuracy of any characterization of any kind contained in the IR.

**COMCAST PHONE OF
MASSACHUSETTS, INC.**

By: _____

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VZ – Comcast 1-1:

With reference to the Prefiled Testimony of Gary J. Ball, please provide all evidence that supports the assertion beginning on page 3, line 22, and ending on page 4, line 3, that "Verizon is already receiving revenue for the rate element [access toll connecting trunk port] that it is attempting to bill from MPB CLECs through its charges to IXC's, and thus would be double recovering if it were allowed to charge both the IXC and MPB CLECs for the same function."

Response:

Comcast adopts as its own and incorporates by reference One Communications' response to VZ-OneComm-1-2.

VZ-Comcast-1-2:

With reference to page 18, lines 3 - 12 of the Prefiled Testimony of Gary J. Ball, please identify any specific provisions of the Tel Act of 1996, FCC orders or rules and the parties' interconnection agreements that you contend permit the Comcast companies to lease ATC trunks as unbundled network elements "for purposes of providing exchange access services otherwise known as switched access services to IXCs."

Response:

Comcast adopts as its own and incorporates by reference One Communications' response to VZ-OneComm-1-3.

VZ-Comcast-1-3:

Please describe all intrastate access charges, including all rate elements, that Comcast assesses IXCs in Massachusetts. For each such rate element, state the specific rates Comcast charges in Massachusetts.

Response:

See Comcast Phone of Massachusetts, Inc. Massachusetts Tariff No 2. Schedule of Rates, Charges and Regulations Governing Access Services. A copy can be found at:
<http://www.comcast.com/corporate/about/phonetermsofservice/circuit-switched/statetariffs/massachusetts.html>

VZ-Comcast-1-4:

For each of the ATC trunk groups for which Verizon has billed Comcast for dedicated tandem trunk port charges, please describe the physical configuration of the trunk group providing service between Verizon's tandem switch and Comcast's switch, including whether the arrangement includes a mid-span meet and whether Comcast's facility is collocated at Verizon's tandem. For each such arrangement, please also provide the interconnection point or facility as described in the Prefiled Testimony of Gary J. Ball on page 17, lines 15 through 22, and state the source of that information.

Response:

With one exception (where the parties have established a mid-span meet-point arrangement), Comcast leases interconnection facilities from third parties, all of which are interconnected with Verizon at the Verizon tandem.

VZ-Comcast-1-5:

With reference to page 3, lines 8 - 18, of the Direct Testimony of Robert Munoz and to Section 4.4.3 of the parties ICA, please indicate when Comcast "replaced" its ATC trunk special access circuits "used to route toll traffic to and from Comcast subscribers carried by IXC's" with "midspan fiber meets constructed pursuant to section 4.4 of the ICA."

Response:

Since the filing of Mr. Munoz' testimony, Comcast has learned that with respect to the circuits at-issue in this proceeding, only one (in Springfield) involves a mid-span fiber meet arrangement as provided by section 4.4 of the ICA. Moreover, that facility was not converted from a special access circuit. It was a midspan arrangement from inception. Comcast will correct this error in Mr. Munoz' reply testimony.

VZ-Comcast-1-6:

With reference to page 3, lines 8 - 18, of the Direct Testimony of Robert Munoz and to Section 4.4.4 of the parties ICA, please provide a copy of the "Implementation Provisions" "agreed to by the Parties in writing" in which the parties agreed to replace Comcast's existing ATC trunk special access circuits "used to route toll traffic to and from Comcast subscribers carried by IXC's" with a mid-span fiber meet.

Response:

See Response to VZ-Comcast-1-5.

VZ-Comcast-1-7:

With reference to page 4, lines 7 – 10, of the Direct Testimony of Robert Munoz, please provide the workpapers that support the calculations of the disputed amounts.

Response

Comcast adopts and incorporates by reference its response to the Department's IR Comcast-1-3.