

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

CRC Communications LLC, d/b/a OTELCO,

Complainant,

v.

Massachusetts Electric Company d/b/a National
Grid, and Verizon New England Inc.,

Respondents.

D.T.C. 22-4

OTELCO's FIRST SET OF INFORMATION REQUESTS TO VERIZON

CRC Communications LLC, d/b/a OTELCO, serves this first set of information requests upon Verizon New England Inc.

Definitions and Instructions

1. "Verizon," "you," or "your" refers to Verizon New England Inc., and its subsidiaries, operating companies, affiliates, directors, officers, employees, and agents, unless otherwise indicated.
2. "OTELCO" refers to CRC Communications LLC, d/b/a OTELCO, and its subsidiaries, operating companies, affiliates, directors, officers, employees, and agents, unless otherwise indicated.
3. "Owner," as used in these Information Requests, refers to Verizon.
4. "Owner Poles," as used in these Information Requests, means any poles located in Massachusetts that are owned by Verizon, or jointly owned, or jointly used by Verizon and Massachusetts Electric Company d/b/a National Grid.
5. "Non-compliance" refers to any facilities attached to Owner's poles that do not conform to governing specifications, including but not limited to the National Electrical Safety Code ("NESC"), the Manual of Construction Procedures published by Telcordia Technologies Inc. ("Blue Book"), and/or any other Owner construction standards or specifications.

6. “Third party attacher(s)” refer to any person, corporation, or other entity or its agents or contractors seeking to fasten or affix any attachment to Owner Poles.

7. “Identify” or “identity” when used in connection with (a) a natural person means to state the person’s name, employer, and business address; (b) a corporation or other business entity means to state the name of the entity, “d/b/a” designation if any, address of its principal place of business and principal place of business in Massachusetts; (c) a document means to provide the identities of the author(s) and addressee(s), date, and a description of its contents; and (d) a communication means to provide the identities of the participants, date, and a description of its contents.

8. “Documents” means any written, printed, typed or visually reproduced material of any kind, whether or not privileged, and includes but is not limited to the original and all copies of any and all letters, reports, memoranda, electronic mail or e-mail, files, communications, correspondence, agreements, bills, receipts, studies, analyses, telegrams, telexes, minutes, bulletins, instructions, literature, memoranda of conversations, notes, notebooks, diaries, data sheets, financial statements, work sheets, work papers, recordings, tapes, drawings, graphs, indexes, charts, telephone records, photographs, phonographic records, computer files, other data compilation, or any other written, recorded, transcribed, punched, taped, filed or other graphic matter including any draft of the foregoing items and any copy or reproduction of any of the foregoing items upon which any notation, work, figure, or form is recorded or has been made which does not appear on the original or as to whose existence, either past or present, the responding party has any knowledge or information.

9. “Relating to,” “relates to,” “referring to,” and “refers to” mean, without limitation, relating to, concerning, constituting, mentioning, referring to, describing, summarizing, evidencing, listing, relevant to, demonstrating, tending to prove or disprove, or explain.

10. The connectives “and” and “or” mean “and/or” and are intended to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

11. The use of the singular includes the plural, and vice versa.

12. The use of one gender includes all others, appropriate in the context.

13. If any part of a document is responsive to any request, the whole document is to be produced.

14. Any document that differs in any way from another document, including by means of marginal notes, handwritten notes, underlining, date stamps, received stamps, endorsed or filed stamps, drafts, revisions, modifications and other versions of a final document is a separate and distinct document and must be produced.

15. If you are unable to produce a document in response to any request, so state, and indicate whether the document ever existed, or whether the document once existed but cannot be

located. If any document once was, but is no longer in your possession, custody or control, state the whereabouts of any such document when last in your possession, custody or control, state the date and manner of its disposition and identify its last known custodian. To the extent any documents are lost or destroyed, produce any documents which support your assertion that the document was lost or destroyed, and provide the date thereof.

16. To the extent you claim any document, communication, or information described herein is privileged or otherwise exempt from disclosure, or to the extent that you object to the production of any of the documents, please identify each and every document to which any claim of privilege or objection to production is asserted by identifying the document, communication, or other information and for each such document, communication, or information state the nature and basis for each claim of privilege or exemption, or objection.

17. An objection to any portion of a request does not negate the obligation to respond to all remaining portions.

18. Please provide responses in electronic form unless documents are not available electronically or some other reason makes electronic responses impracticable. In the case of databases, spreadsheets, or calculations done on Excel or other programs, please provide the native computer files.

19. Electronically-stored information should be produced in the organizational categories and formats ordinarily used in your business.

20. These information requests are continuing in nature and, thus, you are under a continuing duty to promptly supplement, correct or revise any response provided when the passage of time or change of circumstances would require a response to be supplemented, corrected or revised.

First Set of Information Requests

OTELCO-VZ-1-1

Please identify the total number of poles that you own in Massachusetts. In responding to this Information Request, please delineate the number of poles that you solely own and jointly own. For poles that are jointly owned, please identify all entities with whom you have joint ownership and/or joint use agreements.

OTELCO-VZ-1-2

Please identify by location and pole number, where available, any Owner Poles in Massachusetts that are not accessible by a bucket truck, lift, or other machinery such that the pole must be climbed if work is necessary on the attached facilities.

OTELCO-VZ-1-3

Please identify, by location and pole number, where available, any Owner Poles that have cables attached in the communications space on both sides of the poles (i.e., where the pole is boxed).

- a) For each pole identified or required to be identified, please state whether such pole is subject to a joint ownership agreement (i.e., jointly owned).
- b) If jointly owned, please identify the joint owner.
- c) For each boxed pole, please explain the basis for allowing boxing.
- d) For each boxed pole, please identify the owner of the facilities that were placed which resulted in the pole being boxed.

OTELCO-VZ-1-4

Please identify, by location and pole number, where available, any Owner Poles that have extension arms or brackets attached.

- a) For each pole identified or required to be identified, please indicate whether such poles are subject to a joint ownership agreement (i.e., jointly owned).
- b) If jointly owned, please identify the joint owner.
- c) For each pole with brackets or extension arms attached, please explain the basis for allowing brackets or extension arms.
- d) For each pole with brackets or extension arms attached, please identify the owner of the facilities attached to an extension arm.

OTELCO-VZ-1-5

Please identify, by location and pole number, where available, any Owner Poles where Verizon is not the lowest attacher on the pole. For each pole identified or required to be identified, explain the basis for allowing another party to attach facilities below Verizon.

OTELCO-VZ-1-6

Please produce all documents constituting or containing training materials, instructions, and/or work practices related to:

- a) When opposite side construction, a/k/a boxing, is allowed on an Owner Pole;
- b) When extension arms may be used on an Owner Pole;
- c) Climbing around longitudinal communications lines;
- d) Ordering of attachments in the communications space; and
- e) Replacing poles with and without boxed cables present.

OTELCO-VZ-1-7

Please identify and describe the nature of any pole climbing accidents on Owner Poles in Massachusetts in the last ten (10) years.

OTELCO-VZ-1-8

Has Owner ever used or allowed third party attachers to use opposite side construction, a/k/a boxing, on its poles? Please explain the criteria pursuant to which Owner has used or allowed boxing.

OTELCO-VZ-1-9

Has Owner ever disallowed third parties attachers to use opposite side construction, a/k/a boxing, on its poles? Please explain the criteria pursuant to which Owner has disallowed boxing.

OTELCO-VZ-1-10

Has Owner ever used or allowed third parties to use brackets or extension arms on its poles?
Please explain the criteria pursuant to which Owner has used or allowed third parties to use brackets or extension arms.

OTELCO-VZ-1-11

Has Owner ever disallowed third party attachers to use brackets or extension arms on its poles? Please explain the criteria pursuant to which Owner has disallowed the use of brackets or extension arms.

OTELCO-VZ-1-12

Has Owner ever allowed any telecommunications operator to attach below Owner's facilities? Please explain the criteria pursuant to which Owner has allowed any telecommunications operator to attach below Owner's facilities.

OTELCO-VZ-1-13

Has Owner ever disallowed any telecommunications operator to attach below Owner's facilities? Please explain the criteria pursuant to which Owner has disallowed any telecommunications operator to attach below Owner's facilities.

OTELCO-VZ-1-14

Please produce any documents, including agreements, emails, or letters, between Owner and any other pole user, including but not limited to any other telecommunications operator, in which:

- a) Opposite side construction, a/k/a boxing, is referred to or discussed;
- b) The use of brackets and/or extension arms is referred to or discussed; and/or
- c) The attachment of facilities below Verizon is referred to or discussed.

OTELCO-VZ-1-15

Please identify and produce all documents relating to any Owner policy/policies pertaining to the use of opposite side construction, a/k/a boxing. To the extent such policy/policies exist, has Owner changed its policy/policies with regard to opposite side construction, a/k/a boxing, in the last 15 years? If so, please explain the basis for as well as facts and other criteria considered in making such change.

OTELCO-VZ-1-16

Please identify and produce all documents relating to any Owner policy/policies pertaining to the use of brackets and/or extension arms. To the extent such policy/policies exist, has Owner changed its policy/policies with regard to brackets and/or extension arms in the last 15 years? If so, please explain the basis for as well as facts and other criteria considered in making such change.

OTELCO-VZ-1-17

Please produce any documents pertaining to:

- a. Poles that are not accessible by a bucket truck, lift or other machinery such that the pole must be climbed if work is necessary on the attached facilities;
- b. Poles that currently employ opposite side construction (a/k/a are boxed);
- c. Poles that currently have extension arms/brackets attached; and
- d. Poles with communications lines attached below Verizon.

OTELCO-VZ-1-18

Please produce all documents relating to any analysis or study conducted or adopted by Owner and concerning the safety of time and space saving construction techniques such as opposite side construction, a/k/a boxing, and/or extension arms.

OTELCO-VZ-1-19

Please describe the process Owner uses for assessing cost responsibility for correcting pre-existing non-compliance during the attachment process. Please produce all documents relating to such process.

OTELCO-VZ-1-20

Please identify and produce any documents pertaining to Owner's process of inspecting poles for non-compliance with governing specifications, including but not limited to the NESC, the Blue Book, and any additional Owner construction and/or safety specifications.

OTELCO-VZ-1-21

Please describe all criteria and/or information considered by Owner, and each of the steps that Owner takes, in determining whether a pole requires replacement:

- a) In the ordinary course of Owner's operations; and
- b) During the pole attachment process.

OTELCO-VZ-1-22

Please identify the number of poles Owner replaced in Massachusetts each year for the last five years:

- a) In the ordinary course of Owner's operations; and
- b) During the pole attachment process.

For poles identified in (b), please identify those poles for which Owner received reimbursement from a third party attacher.

OTELCO-VZ-1-23

Please describe any inspection, review, or assessment that Owner conducts of poles owned by Verizon, and poles jointly owned and/or jointly used by Verizon and Massachusetts Electric Company d/b/a National Grid (1) in the ordinary course; and (2) at the time a new communications facility is attached. Does Owner charge third party attachers for such inspection, review, or assessment? If so, please describe the basis for such charges.