

AT&T Cross Exh. 1

APR 15 2010 Hbg JK

AT&T Communications of Pennsylvania, LLC, et al, vs. Armstrong Telephone Company – Pennsylvania, et al.

Docket No. C-2009-2098380, et al.

Response of The United Telephone Company of Pennsylvania LLC d/b/a Embarq Pennsylvania
To Sprint Nextel Set I

SUPPLEMENTAL RESPONSE

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Sponsor: Mark Harper PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Sprint-Embarq-17:

Please provide a copy of any price elasticity studies your company performed or requested be performed in the last 5 years that studied the prices for local service within your company's service territory.

Objection:

Embarq PA objects on the grounds that: (a) providing a response would require the making of an extremely unreasonable investigation and study, particularly given the expedited nature of this proceeding; and (b) the question is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code §§5.361(a)(2) and (b). 52 Pa. Code §5.321.

Subject to these objections and without waiver thereof, Embarq PA will provide a relevant response based upon available information.

Response:

Subject to and without waiver of Embarq PA's objections dated July 6, 2009, Embarq PA states it does not have elasticity information responsive to this request.

Supplemental Response: (1/14/10):

Subject to and without waiver of objections, after the Commission's Public Meeting on November 19, 2009 and release of Chairman's Cawley's Statement, CenturyLink began oral discussions (November 25, 2009, December 9, 2009, December 18, 2009 and December 21, 2009) to undertake a limited, simple Pennsylvania-specific study regarding the impact of price increases on CenturyLink's consumers. Copies of the survey, the survey tabs/results, and documents are attached hereto. The documents are not marked confidential.

Benedek, Sue E

From: Grant, Jason
Sent: Wednesday, December 23, 2009 1:18 PM
To: John Bekier; Stahr, Brian K; Benedek, Sue E
Subject: RE: Prj Update

My recommendation would be one banner with demographics:

children: yes/no
age: under 35, 35 - 64, 65+
income: Less than 30K, 30-75K, greater than 75K
gender: male/female
ethnicity: breaks??
marital status: breaks??

And then a banner related to the loyalty analysis:

Satisfaction: top 3 box/bottom 3 box
Recommend: top 3 box/bottom 3 box
Continue: top 3 box/bottom 3 box
Value: top 3 box/bottom 3 box
Loyalty: ...can't remember the output but whatever the loyalty analysis provides in the 4 different groups

And then a banner that analyzes the data they provided (will provide) in the sample. Brian really need your input on what you want to look at for breaks on the revenue here...

Revenue: Under \$35/\$35+
Products: Telephone/Data/TV/Bundle
Any additional data they provided...not sure what was in the sample...

John: I'm thinking we had 3 banners spec'd if not combine the demo banner with the sample data banner maybe?

Brian: I really need your input on these to make sure the output gets you what you want since this is the only deliverable for the study other than the excel spreadsheet that will show the regression analysis

Thanks

Jason Grant
Market Research Manager
centurylink

Mobile: 913 323 6950 Wireless: 913 634 7800; Fax: 913 323 7338 ; jason.grant@centurylink.com
6000 Sprint Parkway, Overland Park, KS 66251
Mailstop: KSOPHP0512-5A602

From: John Bekier [mailto:john.bekier@m-rr.com]
Sent: Wednesday, December 23, 2009 7:32 AM
To: Staihr, Brian K; Grant, Jason; Benedek, Sue E
Subject: Prj Update

Good morning ... wanted to let you know we are up to 592 of 800 completes. All seems to be running fine and we have more than enough sample to complete the project

Let me know your thoughts on a banner plan or if you would prefer we draft one for review

Thanks,
John

M RR

John Bekier
Chief Operating Officer

7101 Guilford Drive, Suite 101
Frederick, MD 21704

office: 240.575.7103
mobile: 301.471.1382
fax: 240.575.7104

e-mail: john.bekier@m-rr.com
website: www.m-rr.com

Benedek, Sue E

From: John Bekier [john.bekier@m-rr.com]
Sent: Tuesday, December 22, 2009 9:06 AM
To: Staihr, Brian K; Benedek, Sue E
Cc: Grant, Jason
Subject: RE: Study Update

It is very doubtful we will need the additional records

Thanks

John Bekier
240.575.7103

From: Staihr, Brian K [mailto:Brian.K.Staihr@CenturyLink.com]
Sent: Tuesday, December 22, 2009 9:03 AM
To: John Bekier; Benedek, Sue E
Cc: Grant, Jason
Subject: RE: Study Update

John ..

That's excellent. 333 of the 800 on the first night is (in my opinion) quite good, especially during the holiday season.

Do you need an additional sample?

Originally we had thought we'd need 20,000. I gave you 10,000 to get going.

Do you need another set of names/numbers?

Brian

Brian K. Staihr, Ph.D.
Regulatory Economist
CenturyLink
913-345-7566
816-674-8015
briaq.k.staihr@centurylink.com

From: John Bekier [mailto:john.bekier@m-rr.com]
Sent: Tuesday, December 22, 2009 7:49 AM
To: Staihr, Brian K; Benedek, Sue E
Cc: Grant, Jason
Subject: Study Update

Good morning ...study launched last night as planned

We picked up 333 of the 800 completes last night so we are making decent progress ... we will dial again tonight and t'mrw and then resume on Monday Dec 28 (if need be)

Let me know what breaks, etc you would like to see on the banner ... if you would like us to draft a banner, just let me know

Thanks
John

M RR

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Chief Operating Officer

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Frederick, MD 21704

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mobile: 301.471.1382
fax: 240.575.7104

e-mail: john.bekier@mrr.com
website: www.mrr.com

Benedek, Sue E

From: John Bekier [john.bekier@m-rr.com]
Sent: Tuesday, December 29, 2009 11:48 AM
To: Grant, Jason; Staihr, Brian K; Benedek, Sue E
Subject: PA Study Tabs
Attachments: CTL009P09TB.PDF

Hello,

hope you all are having a wonderful holiday season

Here are the tabs for the PA study - we just in total ... thought it was important to get something in your hands while we wait for confirmation on additional breaks to include on the banners. Once you get the know, I can be more run pretty quickly

In the meantime, let me know if you have any questions

Thanks

John Bekier
240.575.7163

From: Grant, Jason [mailto:Jason.Grant@CenturyLink.com]
Sent: Wednesday, December 23, 2009 1:18 PM
To: John Bekier; Staihr, Brian K; Benedek, Sue E
Subject: RE: Prj Update

My recommendation would be one banner with demographic

criteria: gender, age, age: under 35, 35 - 64, 65+
income: Less than \$30K, 30-75K, greater than 75K
gender: male/female
ethnicity: breaks??
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and then a banner related to the loyalty analysis

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Value: top 3 box/bottom 3 box
Loyalty - can't remember the output but whatever the loyalty analysis showed is in the 4 different groups

And then a banner that analyzes the data they've given us and breaks it into the sample of what they're interested in on what you want to look at for breaks on these variables

Revenue: Under \$35 \$35+
Products: Telephone/Dialer/Machine
Any additional data they've provided to see what was in the analysis

John, I'm thinking we had 3 banners sound that could be the same banner with the sample data rather than the

[Faint, mostly illegible text, possibly a header or separator]

Thanks

Jason Grant
Market Research Manager
CenturyLink

Phone: 913 323 6950 913 634 7800 913 323 7338 jason.grant@centurylink.com
6000 Sprint Parkway, Overland Park, KS 66251
Mailstop: KSOPHP0512-5A602

From: John Bekier [mailto:john.bekier@m-rr.com]
Sent: Wednesday, December 23, 2009 7:32 AM
To: Stahr, Brian K; Grant, Jason; Benedek, Sue E
Subject: Prj Update

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e-mail: john.bekier@m-rr.com
website: www.m-rr.com

Benedek, Sue E

From: John Bekier [john.bekier@m-rr.com]
Sent: Tuesday, December 22, 2009 8:49 AM
To: Staihr, Brian K; Benedek, Sue E
Cc: Grant, Jason
Subject: Study Update

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We picked up 333 of the 800 completes last night so we are making decent progress ... we will dial again tonight and t'mrw and then resume on Monday Dec 28 (if need be)

Let me know what breaks, etc you would like to see on the banner ... if you would like us to draft a banner, just let me know

Thanks
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M RR

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Chief Operating Officer

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mobile: 301.471.1382
fax: 240.575.7104

e-mail: john.bekier@m-rr.com
website: www.m-rr.com

Benedek, Sue E

From: John Bekier [john.bekier@m-rr.com]
Sent: Monday, December 21, 2009 12:17 PM
To: Staihr, Brian K; Grant, Jason; Benedek, Sue E
Subject: Per your request
Attachments: CTL009P09QR.doc

Per your request, attached is the PA Survey

We will begin interviewing this evening

Thanks
John

M RR

John Bekier
Chief Operating Officer

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office: 240.575.7103
mobile: 301.471.1382
fax: 240.575.7104

e-mail: john.bekier@m-rr.com
website: www.m-rr.com

Benedek, Sue E

From: John Bekier [john.bekier@m-rr.com]
Sent: Wednesday, December 16, 2009 12:43 PM
To: Benedek, Sue E
Cc: Grant, Jason; Staihr, Brian K
Subject: Per your request
Attachments: CTL001P10QR.doc

Hi Sue,

Per your request, I am attaching the following

Let me know if you have questions or require anything else

Best,
John

M RR

John Bekier
Chief Operating Officer

7101 Guilford Drive, Suite 101
Frederick, MD 21704

office: 240.575.7103
mobile: 301.471.1382
fax: 240.575.7104

e-mail: john.bekier@m-rr.com
website: www.m-rr.com

AT&T cross exh 3
APR 15 2010 H6g JK

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Application of The United :
Telephone Company of Pennsylvania :
LLC d/b/a Embarq Pennsylvania and : Docket No. A-2008-2076038
Embarq Communications, Inc. for all :
Approvals Required Under the :
Pennsylvania Public Utility Code for the :
Indirect Transfer of Control to :
CenturyTel, Inc. :

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

MAIN BRIEF OF
JOINT APPLICANTS AND CENTURYTEL, INC.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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/b/a Embarq Pennsylvania
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Phone: (717) 245-6346
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sharp@blankrome.com
Counsel for CenturyTel, Inc.

Dated: March 13, 2009

company to operate in an emerging competitive environment. The benefits of having a stronger competitor that is capable of flexibly responding to market conditions are apparent. Dr. Roycroft is consistently highlighting the market uncertainties. We agree. That is the motive for this stronger telecommunications provider, and that is the clear benefit to consumers which should not be eliminated with a condition such as the one proposed by Dr. Roycroft.¹⁹⁴

As addressed below, the Commission should reject each and every condition proposed by Dr. Roycroft as unnecessary for a public benefit of the proposed transaction, and unreasonable and burdensome. Each condition shall be addressed individually below.

a. Rate Caps

OCA witness Dr. Roycroft proposes that the Commission should continue the cap on Embarq PA's RI rate at the existing \$18.00 per month level *until the end of 2012*.¹⁹⁵ Dr. Roycroft estimates that this particular aspect of his proposed condition will cost an estimated \$10 million.¹⁹⁶ Dr. Roycroft further recommends that Embarq PA should *not* be allowed to bank any basic residential rate increases during this period and should *not* be allowed to draw from the Pennsylvania state universal service fund (USF) to recover increases in the RI rates above the \$18.00 per month level.¹⁹⁷ Finally, Dr. Roycroft's rate freeze condition also would *not* allow Embarq PA to raise any other non-competitive service rates by amounts that are greater than the rate of inflation.¹⁹⁸

As discussed above, the transaction provides substantial affirmative benefits and conditions on the transaction are unnecessary and improper. Moreover, the proposed \$18.00 per month cap (inclusive of the associated restrictions proposed by Dr. Roycroft) is unreasonable and

¹⁹⁴ EQ St. 2.1 (Bailey Rebuttal) at p. 60, lines 10-20.

¹⁹⁵ OCA St. 1 (Roycroft Direct) at p. 35, lines 16-20.

¹⁹⁶ *Id.* at p. 36, n. 75.

¹⁹⁷ *Id.* at p. 315, lines 18-20.

¹⁹⁸ *Id.* at lines 20-23.

burdensome. The \$18.00 per month cap was established *in 2003* as a result of the Commission's adoption of settlement agreement involving Pennsylvania's rural ILECs.¹⁹⁹ OCA has failed to provide any justification for continuing the existing cap for another three years – i.e., for a total of over nine years. This is a particularly unnecessary and burdensome condition given that the Commission is addressing rate caps in its on-going USF investigation, as addressed below.

Moreover, as the Pennsylvania Supreme Court noted in the Verizon/MCI merger regarding price concessions sought in that proceeding, the recent and revolutionary changes affecting the telecommunications industry” do not require rate conditions.²⁰⁰ Dr. Roycroft in his own testimony emphasized market uncertainties affecting the telecommunications industry.²⁰¹ As Mr. Bailey testified: “CenturyTel and Embarq are combining to have increased financial flexibility in operating during a turbulent competitive and economic period. The benefits are clear and affirmative.”²⁰² Simply put, OCA witness Dr. Roycroft's rate cap condition is an onerous, improper condition belonging to a bygone era.²⁰³

Finally, the Commission's on-going USF investigation may impact rate caps, banked revenues, and the interrelationship of the state USF. Dr. Roycroft has failed to explain the necessity and reasonableness of this proposed condition in light of the Commission's on-going

¹⁹⁹ *Access Charge Investigation per Global Order of September 30, 1999 et al.*, Docket Nos. M-00021596 et al., Order (July 15, 2003).

²⁰⁰ *Popowsky*, 937 A.2d at 1058-59 (A rate cap was unnecessary in the context of a telecommunications combination, namely: “the recent and revolutionary changes affecting the telecommunications industry – including new market structure; rapid technological advances affecting business planning; intense intermodal competition; and altered business incentives, such as the resultant and continuing incentive for vast capital investments in infrastructure, research, and development.”).

²⁰¹ EQ St. 2.1 (Bailey Rebuttal) at p. 60 (describing Mr. Roycroft's testimony).

²⁰² *Id.*

²⁰³ Embarq PA's rates for noncompetitive services are subject to Commission review in Embarq PA's annual price cap filings. Commission oversight and review, therefore, is provided by statute and the established annual price cap filing process in the event that Embarq PA sought to increase rates for noncompetitive services. Additional, restrictive measures in the form of “conditions” to ensure the Embarq PA's rates for noncompetitive services remain just and reasonable are unnecessary and unreasonable.

investigation. The Commission should not balkanize Embarq PA and its regulatory options through the proposed condition given the Commission's on-going investigation.

b. Broadband Deployment

Through the period ending December 31, 2012, Dr. Roycroft also recommends that that Embarq PA be required to invest an *additional* \$34 million to accelerate deployment of broadband services with the objective of achieving as close to 100% deployment as quickly as possible.²⁰⁴ Dr. Roycroft also recommends filing of quarterly reports with the Commission identifying the impact of expending the additional \$34 million above its baseline expenditures. Dr. Roycroft's additional reporting requirement would require that Embarq PA report the projected new date when 100% availability will be achieved.²⁰⁵

Dr. Roycroft's proposal to condition the transaction to require acceleration of Embarq PA's existing, statutorily-imposed deployment of broadband remains legally suspect and burdensome. Embarq PA's modified amended alternative regulation plan cannot be amended, as Dr. Roycroft has proposed, without Embarq PA's consent.²⁰⁶ The Pennsylvania Public Utility Code, therefore, expressly prohibits Dr. Roycroft's proposed condition. In no other merger transaction to date has this Commission seen fit to impose such a costly, legally infirm, and unreasonable condition.

Moreover, Embarq PA is in full compliance with the requirements of Pennsylvania's alternative regulation statute, Act 183 of 2004, as well as with the conditions agreed to in the stipulation approved by the Commission in Embarq's separation from Sprint Nextel.²⁰⁷ There has been no demonstration that Embarq PA has failed to meet its regulatory or statutory

²⁰⁴ OCA St. 1 (Roycroft Direct) at p. 37.

²⁰⁵ *Id.* at p. 38.

²⁰⁶ 66 Pa. C.S. § 3013(b).

²⁰⁷ EQ St. 1.1 (Bonsick Rebuttal) at p. 8, lines 1-5.

FUSF NECA DATA 2008

AT+T Cross Exh 3

	A	B	C	D	E	F	G	H
1	CC_NAME	SANAME	YEAR	SACPL	NACPL	Annual Support Pay	Monthly Support Pay	CAT_13_LOOPS
2	FairPoint Communications, Inc.	BENTLEYVILLE TEL CO	2008	441.93	382.97	2733.75	28.48	2777
3	Frontier Communications Corporation	FRONTIER-BREEZEWOOD	2008	345.02	382.97	0	0	3989
4	D&E Communications, Inc.	BUFFALO VALLEY TEL	2008	331.6	382.97	0	0	19459
5	Frontier Communications Corporation	FRONTIER-CANTON	2008	294.29	382.97	0	0	3931
6		CITIZENS - KECKSBURG	2008	408.98	382.97	0	0	4361
7	Frontier Communications Corporation	COMMONWEALTH TEL CO	2008	331.6	382.97	0	0	281214
8	D&E Communications, Inc.	THE CONESTOGA TEL	2008	331.6	382.97	0	0	51226
9	D&E Communications, Inc.	DENVER & EPHRATA	2008	331.6	382.97	0	0	53069
10	Frontier Communications Corporation	FRONTIER-PA	2008	186.75	382.97	0	0	24752
11	Verizon Communications Inc.	VERIZON NORTH-PA	2008	301.79	357.07	0	0	464130
12	Verizon Communications Inc.	VERIZON N-PA(CONTEL)	2008	251.01	382.97	0	0	54119
13		HICKORY TEL CO	2008	467.57	382.97	23845.72	248.39	1351
14		IRONTON TEL CO	2008	395.2	382.97	0	0	5009
15	Windstream Corporation	WINDSTREAM PA	2008	302.55	382.97	0	0	203846
16		LACKAWAXEN TELECOM	2008	258.62	382.97	0	0	3731
17	Frontier Communications Corporation	FRONTIER-LAKEWOOD	2008	281.11	382.97	0	0	1433
18		LAUREL HIGHLAND TEL	2008	441.36	382.97	3449.03	35.93	5618
19	Telephone And Data Systems, Inc.	MAHANAY & MAHANTANGO	2008	395.3	382.97	0	0	3827
20	FairPoint Communications, Inc.	MARIANNA - SCENERY	2008	504.4	382.97	97611.55	1016.79	2347
21	Armstrong Holdings	ARMSTRONG TEL CO-PA	2008	881.91	382.97	492461.23	5129.8	1550
22		NORTH-EASTERN PA TEL	2008	465.79	382.97	191307.24	1992.78	11599
23		NORTH PENN TEL CO	2008	624.01	382.97	651165.4	6782.97	5239
24	Consolidated Communications, Inc.	CONSOLIDATED COMM-PA	2008	331.6	382.97	0	0	60184
25	Frontier Communications Corporation	FRONTIER-OSWAYO RIVR	2008	234.67	382.97	0	0	2157
26	Armstrong Holdings	ARMSTRONG TEL NORTH	2008	540.48	382.97	31480.29	327.92	484
27		PALMERTON TEL CO	2008	443.57	382.97	22025.67	229.43	10742
28		PENNSYLVANIA TEL CO	2008	467.24	382.97	23869.78	248.64	1369
29	Pymatuning Holding Company, Inc.	PYMATUNING IND TEL	2008	451.23	382.97	15886.5	165.48	2260
30	Verizon Communications Inc.	VERIZON N-PA(QUAKER)	2008	233.6	382.97	0	0	45867
31		SOUTH CANAAN TEL CO	2008	467.15	382.97	47735.79	497.25	2747
32	Telephone And Data Systems, Inc.	SUGAR VALLEY TEL CO	2008	471.55	382.97	21694.52	225.98	1072
33	Embarq Corporation	THE UTC OF PA	2008	316.52	382.97	0	0	311750
34		VENUS TEL CORP	2008	467.86	382.97	23814.96	248.07	1335
35		YUKON - WALTZ TEL CO	2008	476.66	382.97	19907.29	207.37	845
36		WEST SIDE TEL CO-PA	2008	666.3	382.97	6240.38	65	40
37	Verizon Communications Inc.	VERIZON PENNSYLVANIA	2008	305.38	357.07	0	0	4459242

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Docket No. C-2009-2098380, et al.**

**Response of The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink
To Discovery Propounded by Sprint Nextel – Set II**

Response Sponsor: Jeff Lindsey and Christy Londerholm

Sprint-CTL 2-1:

What is CenturyLink's cost of providing basic local service? Please describe how the cost of service was determined and provide all documents, worksheets, papers, etc. used to determine the cost of service.

Objection:

To the extent the question requests undertaking a cost study of basic local exchange service and a description of how the cost of service was determined, CenturyLink objects on the ground that doing so would require the making of an unreasonable investigation and an onerous special study which cannot be reasonably conducted. The question in this regard would cause unreasonable investigation as well as annoyance, burden, and expense. 52 Pa. Code §§5.361(a) and (b). Moreover, to the extent the question seeks cost information about services other than intrastate switched access services, CenturyLink objects on the ground that the information is not relevant and not reasonably calculated to lead to the discovery of admissible evidence 52 Pa. Code §5.321. Finally, CenturyLink objects on the basis that the information is not relevant to any Commission-identified issue in this proceeding and not likely to lead to admissible evidence. Indeed, Sprint now opens the door to the re-litigation of issues (in this instance cost matters) at issue in the PA USF proceeding Docket No. I-00040105.

Response:

Subject to and without waiver of CenturyLink's general or specific objections, CenturyLink has not endeavored to undertake cost studies in this proceeding for either basic local service or switched access service. The Office of Consumer Advocate (OCA) in the PA USF proceeding at Docket No. I-00040105 had provided cost study testimony. Specifically, as Sprint is aware, OCA witness Dr. Loube presented cost study results showing that CenturyLink's overall average monthly cost per line at the exchange level was approximately \$42, but costs for each exchange and costs within an exchange can greatly vary and can be significantly times higher than that OCA-provided average.

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**AT&T Communications of Pennsylvania, LLC, et al, vs. Armstrong Telephone
Company – Pennsylvania, et al.
Docket No. C-2009-2098380, et al.**

**Response of The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink
To Discovery Propounded by Sprint Nextel -- Set II**

Response Sponsor: Jeff Lindsey/Christy Londerholm

Sprint-CTL 2-2:

What is CenturyLink's cost of providing switched access service? Please describe how the cost of service was determined and provide all documents, worksheets, papers, etc. used to determine the cost of service.

Objection:

To the extent the question requests undertaking a cost study of switched access service and a description of how the cost of service was determined, CenturyLink objects on the ground that doing so would require the making of an unreasonable investigation and an onerous special study which cannot be reasonably conducted. 52 Pa. Code §§5.361(a) and (b). Moreover, to the extent the question seeks cost information about services other than intrastate switched access services, CenturyLink objects on the ground that the information is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code §5.321.

Response:

Subject to and without waiver of CenturyLink's general or specific objections, *See*, response to Sprint-CTL 2-1.

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SPRINT
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2

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Pennsylvania

Wireless Facts

Subscribers:	9,615,349
Population:	12,440,536
Percentage of Wireless Consumers:	77%
Wireless-Only Households:	11.0%

Industry in Pennsylvania

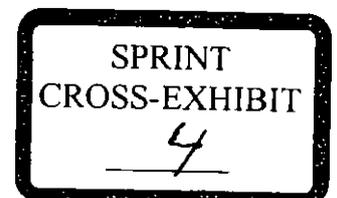
Service Providers:	9 (in urban areas)
Wireless Employees in the State:	4,915
Average Annual Wireless Payroll:	\$304,799,000
Average Annual Wireless Employee Wage:	\$62,010

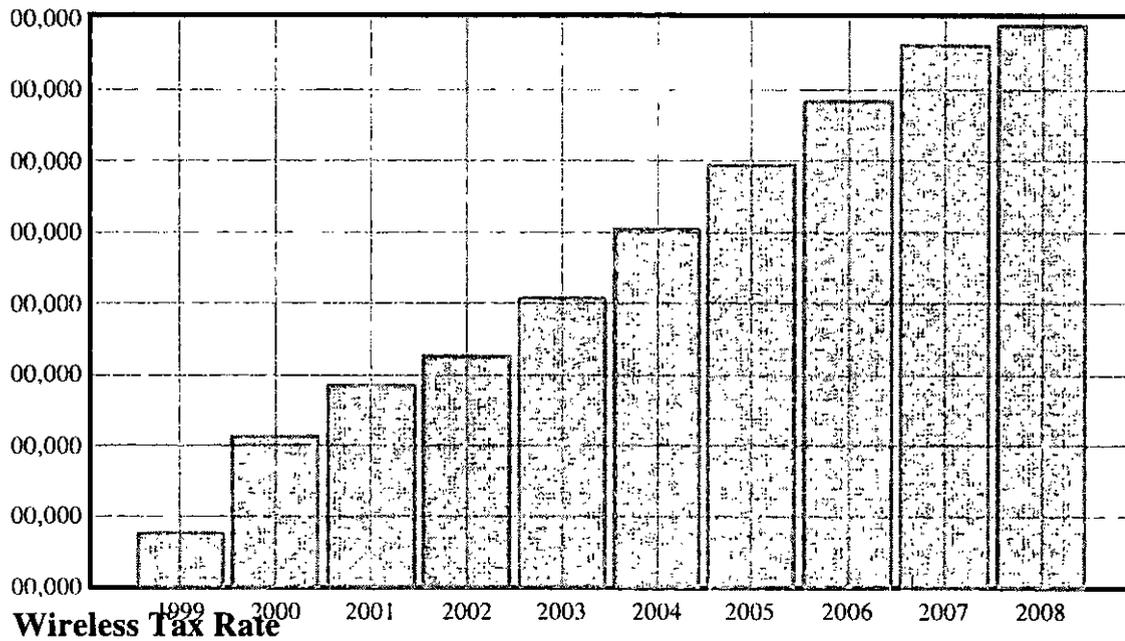
Wireless Subscriber Growth

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State-Local Rate

13.50%

Federal Rate

4.19%

Combined Monthly Tax Rate

17.69%

Rank Nationally

8th

Breakdown

- State Sales Tax (Access, Interstate and Intrastate) **6.00%**
- State Gross Receipts Tax (Access, Interstate and Intrastate) **5.00%**
- Local Sales Tax (Philadelphia, 1%, and Harrisburg, 0%) **0.50%**
- Statewide Wireless 9-1-1 (\$1 per month - effective 4/1/04) **2.00%**

Federal Wireless Issues

- Keeping The Internet Tax-Free
- Wireless Amber Alerts™
- Adding Wireless Facilities
- Consumer Code
- Support One National Policy For Wireless
- Wireless 9-1-1 Services
- Safe Driving
- Cell Tax Fairness Act Of 2009
- Internet Regulation or Network Neutrality
- Listed Property

Helpful State Legislative Links

- State Homepage link: www.state.pa.us
- Legislature link: www.legis.state.pa.us
- Governor's link: www.governor.state.pa.us

All Information Compiled from the Following Sources:

- Dr. Robert Roche, CTIA-The Wireless Association's Vice President for Research, Washington, D.C., <http://www.ctia.org>.
- Scott Mackey, Partner and Economist, Kimbell Sherman Ellis, LLP, Montpelier, VT, <http://www.ksefocus.com/why-kse/people/scott-mackey>, from Tax Analysts, Special Report, State Tax Notes, February, 2008, "Excessive Taxes and Fees on Wireless Service: Recent Trends," by Scott Mackey.
- Federal Communications Commission, FCC's Industry Analysis and Technology Division, Wireline Competition Bureau, July 2009, "Local Telephone Competition: Status as of June 30, 2008," http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-292193A1.pdf.
- Data on employment and wages by state are available from the U.S. Bureau of Labor Statistics (BLS) Census of Employment and Wages (CEW) at <http://data.bls.gov/PDO/outside.jsp?survey=en>. The wireless industry data is retrievable through NAICS 5172 - Wireless Telecommunications Carriers.
- The data on state population and household income is available via drop down menu from the Fact Sheets available from the U.S. Census Fact Finder page, at <http://factfinder.census.gov/home/saff/main.html?lang=en>.
- **Write your lawmakers**
Protect your wireless interests
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[Holiday Greetings From MyWireless.org](#)
- Dec
08
[MyWireless.org Consumer Advisory -...](#)

Twitter Updates Follow us on Twitter

- On Road, Off Phone- CTIA really has it right. Just walked downtown DC & folks need to pay better attention, be safer. www.onroadoffphone.com [4 days ago](#)
- Great recycling number there from CTIA-The Wireless Assoc. Recent MW.org poll showed 60%

of consumers have recycled an old device/accessory! [6 days ago](#)

Consumers Speak



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**AT&T Communications of Pennsylvania, LLC, et al, vs. Armstrong Telephone
Company – Pennsylvania, et al.
Docket No. C-2009-2098380, et al.**

**Response of The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink
To Discovery Propounded by Sprint Nextel -- Set II**

Response Sponsor: David Bonsick

Sprint-CTL 2-8:

Please provide the 2009 Biannual [sic] Network Modernization Plan Report as filed by your Company.

Objection:

First, CenturyLink's 2009 report is not relevant and is not likely to lead to admissible evidence. 52 Pa. Code §5.321. Moreover, an RLEC's compliance and reporting with network modernization plans is not an identified issue in this proceeding and not likely to lead to admissible evidence. Second, CenturyLink's 2009 report contains both public information and confidential information. The confidential information is competitively sensitive – e.g., competitive network deployment information by exchange. See, Sprint/Blue Ridge proceeding. Sprint is clearly on a fishing expedition.

Response:

Subject to and without waiver of CenturyLink's general or specific objections, see attached redacted CenturyLink 2009 Biennial Network Modernization Plan Report.

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Embarq Corporation
240 N. Third St., Suite 201
Harrisburg, PA 17101
EMBARQ.com

Attachment to Sprint-CTL 2-8

March 12, 2009

VIA HAND DELIVERY

Mr. James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

Re: Petition Of The United Telephone Company of Pennsylvania LLC
For Approval Under Chapter 30 Of The Public Utility Code Of An
Alternative Regulation And Network Modernization Plan,
Docket No. P-00981410
Biennial Network Modernization Plan (NMP) Report

Dear Secretary McNulty,

Attached is the Biennial Network Modernization Plan Report submitted by The United Telephone Company of Pennsylvania LLC d/b/a Embarq Pennsylvania ("Embarq Pennsylvania") as required by Embarq Pennsylvania's Amended Alternative Regulation Plan.

Portions of this Report are considered Proprietary to Embarq Pennsylvania. Specifically, Attachments 3, 4 and 5 are considered Proprietary by Embarq Pennsylvania. Consistent with Embarq Pennsylvania's Petition for Protective Order filed with the Pennsylvania Public Utility Commission March 12, 2009, proprietary and public versions of the attached report are enclosed.

Embarq Pennsylvania is pleased to provide the attached report detailing the progress made in the deployment of our broadband network. The Parties noted below have been provided copies of the attached report subject to execution of a proprietary agreement.

David F. Bonsick
DIRECTOR GOVERNMENT AFFAIRS
PENNSYLVANIA AND NEW JERSEY
Voice: (717) 236-1385
Fax: (717) 236-1389

James J. McNulty, Secretary
March 12, 2009
Page 2 of 2

If there are any questions regarding this information, please contact Nancy A. Clay at
(717) 245-6448.

Sincerely,



David Bonsick

cc: Robert Wilson (Proprietary and Non-Proprietary Copy)
Jani Tuzinski (Proprietary and Non-Proprietary Copy)
Office of Trial Staff (Proprietary and Non-Proprietary Copy)
Office of Small Business Advocate (Proprietary and Non-Proprietary Copy)
Office of Consumer Advocate (Proprietary and Non-Proprietary Copy)
Russell R. Gutshall, Embarq Pennsylvania
Nancy A. Clay, Embarq Pennsylvania

**Biennial NMP Implementation Update Report – 2008
for
The United Telephone Company of Pennsylvania LLC
d/b/a Embarq Pennsylvania**

-- PUBLIC VERSION --

[file: Cover Sheet and Section Title Sheets for Rural Communication Carriers
and Verizon North – 2008.doc]

Revision of December 10, 2008

Contents

- 1 – The Executive Summary and Discussion
- 2 – NMP Key Plan Components Status Sheet
- 3 – DSL Deployment Sheets
- 4 – Broadband Deployment Status Sheets
- 5 – Depreciation and Network Modernization Investment Status
- 6 – The 13 Guidelines Status and Compliance

Required Item #3

DSL Status

-- Public Version --

[file: 3 - DSL Status - 2008.xls]

~~PROPRIETARY INFORMATION~~

Attachment 3

THE UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC
d/b/a EMBARQ PENNSYLVANIA
2008 BIENNIAL NMP REPORT

DSL AVAILABILITY STATUS - Sheet #2

Page 3 of 6

DSL Service -- Exchange Availability	
Exchanges	
Exchange DSL Availability (Sheet 1, Column f) (a)	Number of Y/P/N Exchanges (count from Sheet 1, Column f) (b)
100% (=Y)	
Partial (=P)	
None (=N)	
Total	92

~~EMBARQ PENNSYLVANIA PROPRIETARY~~

THE UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC
d/b/a EMBARQ PENNSYLVANIA
2008 BIENNIAL NMP REPORT

DSL STATUS - CUSTOMERS IN SERVICE (SALES)

DSL Service -- In Service by Speed Option			
Speed Options <Up/Down>	Residence In Service	Business In Service	Total In Service
128Kb/256Kb			
128Kb/512Kb			
384Kb/768Kb			
384Kb/1,544Mb			
512Kb/3.0Mb			
640Kb/5.0Mb			
640Kb/10.0Mb			
640Kb/640Kb			
Total	64,641	7,129	71,770

DSL Service -- DSL to Resellers or Wholesalers			
	Reseller	Wholesaler	Total
	Sales	Sales	Sales
Total	72	7,115	7,187

DSL Service -- Total DSL Sales		
	Total of all DSL Above	
Total	78,957	

THE UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC
d/b/a EMBARQ PENNSYLVANIA
2008 BIENNIAL NMP REPORT

DSL UNITS IN SERVICE

Data Speed Exchange	128kbps up 256kbps down		128kbps up 512kbps down		384kbps up 768kbps down		512kbps up 1.544mbps down		640kbps up 3.0mbps down		768kbps up 5.0mbps down		896kbps up 10.0mbps down		640kbps up 640kbps down		Total ADSL Customers			
	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	TOTAL	
Allensville																				
Bedford																				
Bedford Valley																				
Beech Creek																				
Belleville																				
Biglerville																				
Blacktown																				
Blain																				
Blue Ridge Summit																				
Bruin																				
Butler																				
Carlisle																				
Chambersburg																				
Charlesville																				
Chicora																				
Claysburg																				
Cleanville																				
Columbia																				
Connoquenessing																				
Dry Run																				
Duncannon																				
East Waterford																				
Eau Claire																				
Elizabethtown																				
Emlenton																				
Evans City																				
Everett																				
Fairfield																				
Fayetteville																				
Fishertown																				
Foxburg																				
Gettysburg																				
Greencastle																				
Hanover																				
Harrisville																				
Hopewell																				
Howard																				
Hyndman																				
Ickesburg																				
Littlestown																				
Liverpool																				
Loysburg																				
Loysville																				
Marietta																				
Marion																				
Markelsburg																				
Martinsburg																				
Marysville																				
Mcalisterville																				
McConnellsburg																				
McConnellstown																				
Mercersburg																				
Meridian																				
Mifflintown																				
Mill Hall																				
Millerstown																				
Mount Joy																				

THE UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC
d/b/a EMBARQ PENNSYLVANIA
2008 BIENNIAL NMP REPORT

DSL UNITS IN SERVICE

Data Speed Exchange	128kbps up 256kbps down		128kbps up 512kbps down		384kbps up 768kbps down		512kbps up 1.544mbps down		640kbps up 3.0mbps down		768kbps up 5.0mbps down		896kbps up 10.0mbps down		640kbps up 840kbps down		Total ADSL Customers			
	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	RES	BUS	TOTAL	
Mounville																				
Mt. Holly Springs																				
New Bloomfield																				
New Oxford																				
Newburg																				
Newport																				
Newville																				
Nixon																				
North Washington																				
Orbisonia																				
Osterburg																				
Parker																				
Petrolia																				
Plain Grove																				
Port Royal																				
Portersville																				
Prospect																				
Reedsville																				
Richfield																				
Roaring Springs																				
Schellsburg																				
Shade Gap																				
Shippensburg																				
Slippery Rock																				
Saint Thomas																				
Thompsontown																				
Three Springs																				
Volant																				
Waynesboro																				
West Sunbury																				
Williamsburg																				
York Springs																				
Zion																				
Grand Total																		84,641	7,129	71,770
% of Total																		90.07%	9.93%	100.00%
Total by Data Speed																			71,770	
% of Total																			100.00%	

§ 63.58. Installation of service.

(a) Ninety-five percent of a public utility's primary service order installation shall be completed within 5 working days of receipt of an application unless a later date is requested by the applicant or when construction is required.

(b) Ninety percent of a public utility's nonprimary service orders shall be completed no later than 20 days of receipt of an application unless a later date is requested by the applicant. If the utility company is unable to fill a nonprimary service order within the requisite time, the utility shall so inform the applicant and provide the applicant with the date nonprimary service will be available.

(c) Ninety percent of a public utility's commitments to applicants as to date of installation of service orders shall be met, except for applicant-caused delays, adverse weather conditions and other supervening causes beyond the utility company's control.

Authority

The provisions of this § 63.58 issued under the Public Utility Code, 66 Pa.C.S. § § 501, 504, 1501, 1504 and 2901.

Source

The provisions of this § 63.58 adopted January 29, 1988, effective July 30, 1988, 18 Pa.B. 466.

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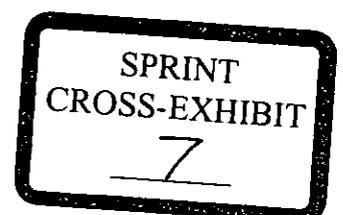
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Revised Surrebuttal Exhibit RL-2S

State	SAC	Study Area Name	Annual Total Support Amounts
AL	255181	SO CENTRAL BELL-AL	\$ 9,390,384
AR	405211	SOUTHWESTERN BELL-AR	\$ 76,980
CA	545170	PACIFIC BELL	\$ 7,794,216
CT	135200	SOUTHERN NEW ENGLAND	\$ -
FL	215191	SOUTHERN BELL-FL	\$ 10,260,036
GA	225192	SOUTHERN BELL-GA	\$ 16,551,264
IL	345070	ILLINOIS BELL TEL CO	\$ -
IN	325080	INDIANA BELL TEL CO	\$ -
KS	415214	SOUTHWESTERN BELL-KS	\$ 496,296
KY	265182	SO CENTRAL BELL-KY	\$ 5,573,076
LA	275183	SO CENTRAL BELL-LA	\$ 8,392,332
MO	425213	SOUTHWESTERN BELL-MO	\$ -
MS	285184	SO CENTRAL BELL-MS	\$ 12,783,492
NC	235193	SOUTHERN BELL-NC	\$ 4,297,332
NV	555173	NEVADA BELL	\$ 3,537,792
OH	305150	OHIO BELL TEL CO	\$ -
OK	435215	SOUTHWESTERN BELL-OK	\$ 675,528
SC	245194	SOUTHERN BELL-SC	\$ 4,090,752
TN	295185	SO. CENTRAL BELL -TN	\$ 6,708,888
TX	445216	SOUTHWESTERN BELL-TX	\$ -
WI	335220	WISCONSIN BELL	\$ -
		Total	\$ 90,628,368

source: USAC FCC Filing, HC 12 -Interstate Access Support, Projected by State by Study Area - 1Q2009

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