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THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission  
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IN THE MATTER OF THE APPLICATION OF )  
U S WEST COMMUNICATIONS, INC. FOR A )  
HEARING TO DETERMINE THE EARNINGS )  
OF THE COMPANY FOR RATEMAKING )  
PURPOSES, TO FIX A JUST AND )  
REASONABLE RATE OF RETURN THEREON )  
AND TO APPROVE RATE SCHEDULES )

DOCKETED BY [Signature]

DOCKET NO. T-01051B-99-0105

AT&T'S RESPONSE TO U S WEST'S MOTION TO COMPEL  
AT&T TO RESPOND TO U S WEST'S DATA REQUESTS

AT&T Communications of the Mountain States, Inc. ("AT&T") hereby responds to U S WEST Communications, Inc.'s ("U S WEST") Motion to Compel AT&T of the Mountain States, Inc. to Respond to Data Requests ("Motion").

AT&T received U S WEST's First Set of Data Requests by facsimile on October 28, 1999. U S WEST and AT&T did confer regarding AT&T's objects to U S WEST's First Set of Data Requests filed by AT&T on November 4, 1999. AT&T counsel did E-mail Mr. Timothy Berg, U S WEST's outside counsel, on January 14, 2000. However, AT&T also informed U S WEST on March 20, 2000, that it had not forgotten the matter but was waiting on a ruling from the Hearing Officer on the Joint Motion to Sever U S WEST's requests for deregulation of data services and creation of competitive zones. See Exhibit 1. There has not been a definitive ruling by the Hearing Officer on the Motion to Sever.

On March 24, 2000, the Hearing Officer indicated that he had concerns that U S WEST has not met all the requirements of R14-2-1108, which he believed U S WEST needed to do. It was also the Hearing Officer's initial reaction that a separate hearing was

not necessary. However, the Hearing Officer has not made a definitive ruling on the Motion to Sever, and U S WEST has not provided the information required by R14-2-1108.

U S WEST justifies all its data requests on its proposal to establish competitive zones and its proposal to deregulate data services. If the Motion to Sever were granted, there is no question that not one of the data asked by U S WEST has any relationship to a determination of U S WEST's revenues, expenses and rate base. AT&T stands by its objections and incorporates its objections herein by reference. *See* Exhibit 2.

U S WEST has failed to satisfy R14-2-1108. The question is whether the issues of the competitive classification of some of U S WEST's service should be addressed in a rate case; and, if so, whether U S WEST should be permitted to serve an incomplete application to justify a hunting expedition into its competitors' business information.<sup>1</sup> If the matter is not bifurcated, AT&T is forced to decide whether it wants to participate in the rate case and accept the possibility that it may have to provide highly sensitive and confidential business information that is unrelated to normal rate case issues. In essence, discovery unrelated to the normal rate case is being used to intimidate carriers in the context of a rate case.

U S WEST's actions make it clear that if they want to participate in the rate case, the competitive carriers will have to provide information that U S WEST knows the competitive carriers do not wish to provide and is unrelated to issues normally raised in the context of a rate case.

U S WEST must file a *prima facie* case under R14-2-1108, even if no other parties were to intervene in the § 1108 proceeding. U S WEST should not be permitted to file a legally deficient filing and use discovery to bootstrap its deficient filing. If U S WEST is

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<sup>1</sup> For example, Data Requests 15-30 seek information regarding AT&T's intraLATA and interLATA services. U S WEST's intraLATA services are already classified as competitive. It cannot legally provide interLATA services. Therefore, all of these requests seek information that is not reasonably calculated to lead to admissible evidence.

permitted to use this tactic, it has no reason to file a legally sufficient case up-front. It need only wait for a party to intervene and bombard the intervenor with discovery. In the future, companies will not intervene in proceedings simply to avoid abusive discovery.

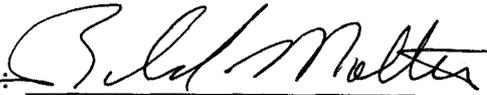
AT&T is willing to argue the merits of every objection. However, the Hearing Officer should issue a definitive ruling on the Motion to Sever. The Hearing Officer must also decide whether U S WEST should have to file a complete § 1108 application before any discovery is permitted related to competitive zones and deregulated services. This will prevent U S WEST from using discovery to intimidate carriers from intervening or withdrawing from proceedings to avoid onerous discovery disputes with U S WEST.

Therefore, AT&T respectfully requests that U S WEST's Motion to Compel be denied.

DATED this 25th day of April, 2000.

Respectfully submitted,

AT&T COMMUNICATIONS OF THE  
MOUNTAIN STATES, INC.

By: 

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Denver, Colorado 80202  
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Senior Attorney

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VIA FACSIMILE AND U S MAIL

March 20, 2000

Timothy Berg  
Fennemore Craig, P.C.  
3003 Central Ave., Suite 2600  
Phoenix, AZ 85012

Re: U S WEST Rate Proceeding, Docket No. T-01051B-99-0105

Dear Tim:

I received your letter dated March 13, 2000, regarding U S WEST Communications, Inc.'s First Set of Data Requests to AT&T Communications of the Mountain States, Inc. I have not forgotten the matter. However, I have been waiting to see how the Hearing Officer rules on the Joint Motion to Sever the competitive classification issues.

Sincerely,

AT&T COMMUNICATIONS OF THE  
MOUNTAIN STATES, INC.

A handwritten signature in cursive script that reads "Rick".

Richard S. Wolters

BEFORE THE ARIZONA CORPORATION COMMISSION

CARL J. KUNASEK  
Chairman  
JAMES M. IRVIN  
Commissioner  
WILLIAM A. MUNDELL  
Commissioner

IN THE MATTER OF THE APPLICATION )  
OF U S WEST COMMUNICATIONS, INC., )  
A COLORADO CORPORATION, FOR A )  
HEARING TO DETERMINE THE )  
EARNINGS OF THE COMPANY, THE )  
FAIR VALUE OF THE COMPANY FOR )  
RATEMAKING PURPOSES, TO FIX A )  
JUST AND REASONABLE RATE OF )  
RETURN THEREON AND TO APPROVE )  
RATE SCHEDULES DESIGNED TO )  
DEVELOP SUCH RETURN )

DOCKET NO. T-01051B-99-0105

AT&T'S OBJECTIONS TO U S  
WEST COMMUNICATIONS, INC.'S  
FIRST SET OF DATA REQUESTS

AT&T Communications of the Mountain States, Inc. ("AT&T") hereby submits the following objections to U S WEST Communications, Inc.'s ("U S WEST") First Set of Data Requests. These data requests were received by AT&T on October 28, 1999.

**GENERAL OBJECTIONS**

**1. Relevance**

AT&T objects to U S WEST's data requests to the extent they are not relevant to U S WEST's application to the Arizona Corporation Commission ("Commission") to adjust rates. In this proceeding, the Commission is charged with determining the value of U S WEST's property and the rate of return to be earned thereon. This proceeding is not about the facilities, services or marketing strategies of intervenors like AT&T. Nor is this proceeding about amending the Commission's rules and procedures for having a service classified as competitive by the Commission. U S WEST is embarking on a fishing expedition to gather information about its competitors that is not relevant to this proceeding.

**a. Number of Customers Served by AT&T**

AT&T objects to U S WEST's data requests to the extent the requests seek information about the number, type, and service history of AT&T customers. This information is not relevant to U S WEST's application for rate relief. Furthermore, this information is proprietary business information, disclosure of which could competitively disadvantage AT&T.

**b. AT&T's Share of the Market, New Services and Service Area**

AT&T objects to U S WEST's data requests to the extent the requests seek information regarding AT&T's share of various local exchange markets, new service offerings, and maps showing customer locations. This information is unrelated to whether U S WEST is currently earning a just and reasonable return on its Arizona operations. Furthermore, what U S WEST seeks -- if it is available at all -- is proprietary business information and should not be subject to disclosure. The information sought by U S WEST regarding "new" services is also irrelevant. That information, however, is publicly available in tariffs filed with the Commission.

**c. Discounts, Price Changes and Promotional Offerings by AT&T**

AT&T objects to U S WEST's data requests seeking information on AT&T discounts, price changes and promotional offerings. These requests seek information that is irrelevant to this proceeding. Furthermore, if US WEST believes this information is relevant, virtually all of it is available in publicly filed tariffs at the Commission.

**d. IntraLATA Service Provided by AT&T**

AT&T objects to U S WEST's requests for information concerning AT&T's intraLATA long distance services. The minutes of intraLATA service (by month), the

technical means of providing intraLATA service, and any marketing strategies employed by AT&T are proprietary. U S WEST is an active competitor in this market. Because the intraLATA long distance market is competitive, the information sought by U S WEST is highly sensitive and proprietary in nature. This information is not relevant to the subjects to be addressed by the Commission in this proceeding, namely the value of U S WEST's property and the rate of return U S WEST is receiving on its investment.

**e. AT&T's Interstate Services**

AT&T objects to U S WEST's data requests to the extent the requests seek information about AT&T's service offerings, rates, marketing strategies or market research in the long distance market. The interstate long distance market is highly competitive and, consequently, the information sought by U S WEST is proprietary. Information concerning AT&T interstate long distance services is not relevant to the Commission's task of determining the earnings of U S WEST and the fair value of U S WEST's investments for ratemaking purposes.

**2. Overly Broad and Unduly Burdensome Requests**

AT&T object to data requests that would require AT&T to gather data not kept in the ordinary course of business or other information that may or may not be available. Information on market share, reports by wire center, and historical information on price changes and promotional offerings are examples of information sought by U S WEST that would be unduly burdensome to gather and produce.

**3. Publicly Available Information**

AT&T objects to producing publicly available information, the collection of which would not be unduly burdensome or complicated for U S WEST.

**4. Proprietary Information**

AT&T objects to U S WEST's requests to the extent they require disclosure of trade secret, proprietary, or other commercially protected information for which no necessity or relevance has been shown. When confidential information is sought, the burden is on the party seeking discovery to establish that the information is sufficiently relevant and necessary to their case to outweigh the harm disclosure would cause. See United States v. R. Enterprises, Inc. et al., 498 U.S. 292, 306 (1991). Information regarding AT&T's interstate long distance services, its market share, and service offerings have no relevance here. Disclosing proprietary business information would cause AT&T to suffer immediate and irreparable harm. The information is not relevant to U S WEST's application to adjust its rates.

**5. Trial Preparation, Attorney-Client Privilege, Work Product**

AT&T objects to all of the data requests to the extent they ask for material covered by the work product doctrine or the attorney-client privilege. To the extent the materials or documents requested were prepared in anticipation of litigation, AT&T should not be required to disclose such materials unless U S WEST can demonstrate that it "has a substantial need of the materials or documents and that U S WEST is unable without undue hardship to obtain the materials by other means." Rule 26(d)(3), Ariz. R.

Civ. P. Additionally, AT&T should not be required to disclose "the mental impressions, conclusions, opinions, or legal theories of an attorney or other representative of a party concerning the litigation." Id.

**SPECIFIC OBJECTIONS**

**Data Request No. 1:** Please indicate, by wire center, the number of residence main lines served each month from June of 1997 to the most current month for which such data is available. If this information is not available by U S WEST wire center, please provide the information by community.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 2:** Please indicate, by wire center, the number of residence additional lines served each month since June of 1997 to the most current month for which such data is available. If this information is not available by U S WEST wire center, please provide the information by community.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 3:** Please indicate the number of residence customers served each month from June of 1997 to the most current month for which such data is available.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 4:** Please indicate, by wire center, the number of business lines served each month from June of 1997 to the most current month for which such data is available. If this information is not available by U S WEST wire center, please provide the information by community.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 5:** Please indicate the number of business customers served each month from June 1997 to the most current month for which such data is available.

*Response:* Please see General Objections 1, 2, 4 and 5.

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**Data Request No. 6:** For the residence and business lines identified in the responses to Questions 1, 2, and 4, indicate the number of lines served by: private facilities, dedicated facilities purchased from U S WEST, dedicated facilities purchased from other companies, Internet telephony, resold U S WEST service, and unbundled network loops purchased from U S WEST. Please provide this information, by U S WEST wire center, for residence and business lines separately, by month, from June of 1997 to the most current month for which such data is available. If this information is not available by U S WEST wire center, please provide the information by community.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 7:** For the residence and business lines identified in the responses to Questions 1, 2, and 4, indicate how many lines U S WEST previously provided. Please provide this information, by U S WEST wire center, for residence and business lines separately, by month, from June of 1997 to the most current month for which such data is available. If this information is not available by U S WEST wire center, please provide the information by community.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 8:** Please provide maps showing AT&T's service territory in Arizona, indicating LATA and exchange boundaries.

*Response:* Please see General Objections 1 and 3.

**Data Request No. 9:** Please provide a copy of AT&T's 1998 annual report.

*Response:* Please see General Objections 1 and 4.

**Data Request No. 10:** Please provide maps showing AT&T's current telecommunications network in Arizona, including fiber and copper facilities, and switches. Please provide three separate maps, one for the Phoenix MSA, one for the Tucson MSA, and one for the rest of the state.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 11:** Please provide one copy each of the 1997 and 1998 annual reports on operations filed with the Arizona Corporation Commission in April of each year pursuant to A.A.C. R14-2-1115(F).

*Response:* Please see General Objections 1 and 3.

**Data Request No. 12:** Please provide an estimate of AT&T's current share of the business local exchange market in Arizona, as well as AT&T's share of this market in January of 1997 and January of 1998. If you are unable to provide market share estimates, please report the total number of lines provisioned by AT&T in this category during the timeframes indicated.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 13:** Please provide an estimate of AT&T's current share of the residence local exchange market in Arizona, as well as AT&T's share of this market in January of 1997 and January of 1998. If market share estimates are not available, please report the total number of lines provisioned by AT&T in this category for the timeframes indicated.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 14:** Please provide an estimate of AT&T's current share of the directory assistance market in Arizona, as well as AT&T's share of this market in January of 1997 and January of 1998. If market share estimates are not available, please report the total number of calls received by AT&T in this category for the timeframes indicated.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 15:** Please provide an estimate of AT&T's current share of the intraLATA long distance market in Arizona, as well as AT&T's share of this market in January of 1997 and January of 1998. If market share estimates are not available, please report the total number of minutes of use handled by AT&T in this category for the timeframes indicated.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 16:** Identify every "new" service AT&T has introduced in the past three years. For each service, provide:

- a. The date on which tariffs were filed introducing the service; (If tariffs were not filed, please explain why they were not.)
- b. The effective dates of tariffs covering the service;
- c. A description of the service;
- d. The rate for the service at the time it was initially introduced;
- e. The current rate for the service; and
- f. The number of residence customers and the number of business customers currently subscribing to the service. (If the number of customers is not available, please provide the number of lines.)

*Response:* Please see General Objections 1, 2, 3, 4 and 5.

**Data Request No. 17:** Identify every price change AT&T has introduced in the past three years. For each service affected by a price change provide:

- a. The date on which tariffs were filed introducing the price change; (If tariffs were not filed, please explain why they were not.)
- b. The effective dates of tariffs covering the price change;
- c. The date on which customers were notified of the price change;
- d. The means by which customers were notified of the price change;
- e. A description of the service incurring the price change;
- f. The rate in effect before the price change took effect;
- g. The rate in effect after the price change took effect;
- h. The number of residence customers and the number of business customers impacted by the price change. (If the number of customers is not available please indicate the number of lines.)

*Response:* Please see General Objections 1, 2, 3, 4 and 5.

**Data Request No. 18:** Identify every promotional offering or discount AT&T has introduced in the past three years. For each promotion or discount, provide:

- a. The date on which tariffs were filed introducing the promotion/discount; (If tariffs were not filed, please explain why they were not.)
- b. The effective dates of tariffs covering the promotion/discount;
- c. The date on which customers were notified of the promotion/discount; (If not all Arizona customers were notified, explain why not.)
- d. The means by which customers were notified of the promotion/discount;
- e. A description of the service associated with the promotion/discount;
- f. The terms associated with receiving the promotion/discount, e.g., eligibility, duration, etc.;
- g. The rate in effect before the promotion/discount took effect;
- h. The rate in effect after the promotion/discount took effect;
- i. The number of residence customers and the number of business customers impacted by the promotion/discount. (If the number of customers is not available please indicate the number of lines.)

*Response:* Please see General Objections 1, 2, 4 and 5.

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**Data Request No. 19:** Does AT&T currently offer reduced rates, discounts, or incentives to customers who subscribe to more than one of the services AT&T offers? If so, please describe the reduction or incentive, as well as the terms associated with receiving the reduced rates, discounts, or incentives.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 20:** Please provide copies of all advertising conducted by AT&T, from 1997 to the present, through any means, including but not limited to print, media, and the Internet, available for viewing by customers in Arizona, relating to the company and/or the services AT&T offers residence and business customers. Please indicate the date on which the advertisement appeared, the location of the advertisement, the target market, the dollar amount spent on the advertising, and any research measuring or describing the effectiveness of the advertisement.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 21:** Identify each retail service currently offered by AT&T in Phoenix and Tucson that AT&T does not make available in other parts of Arizona. For each such service, please provide the following additional information:

- (a) A brief description of the service;
- (b) The current rates and charges for each service (stated separately for Phoenix and Tucson if prices/charges vary between the cities);
- (c) If prices for a given service vary by geographical location either within cities or between cities, describe the variations and explain the reasons for the variations.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 22:** Identify each retail service offered by AT&T at rates other than those appearing in the tariffs on file with the Arizona Corporation Commission. For each service, please:

- (a) Describe briefly the service, rates and charges;
- (b) Explain why the rates differ from the tariffed rates;
- (c) If the rates vary by customer, please identify the U S WEST wire centers in which the customers are located. If this information is not available by U S WEST wire center, please provide the information by community.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 23:** Provide the number of intraLATA long distance minutes, by month, provided by AT&T for the years 1996, 1997, 1998, and the most recent data available for 1999.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 24:** Identify the technical means of providing the intraLATA long distance minutes referenced in 23 above, e.g., switched access, private dedicated facilities, Internet telephony, wireless.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 25:** Does AT&T offer free long distance service to wireless customers? If so, indicate how many originating and terminating intraLATA minutes were transmitted by wireless facilities, by month, for the years 1997, 1998, and the most recent data available for 1999.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 26:** Does AT&T utilize Internet protocol ("IP") telephony in Arizona, including trials? If so, please identify:

(a) The purpose for which IP telephony is used, i.e., what services are provisioned via IP Telephony;

(b) The rates charged to customers for services provided via IP Telephony;  
and

(c) If the rates vary from rates charged when alternative means of transporting traffic are used, describe the variance.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 27:** Please indicate separately for residence and business customers the lowest interstate long distance rate AT&T currently offers, and describe the terms associated with receiving these rates. Please indicate separately for residence and business customers the lowest interstate long distance rate AT&T has charged in the past three years.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 28:** Please indicate separately for residence and business customers the lowest intraLATA long distance rate AT&T currently offers, and describe the terms associated with receiving these rates. Please indicate separately for residence and business customers the lowest intraLATA long distance rate AT&T has charged in the past three years.

*Response:* Please see General Objections 1, 4 and 5.

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**Data Request No. 29:** Please provide copies of any market research conducted by AT&T within the past three years concerning the local and/or long distance market in Arizona, including but not limited to customer satisfaction surveys and results.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 30:** Does AT&T offer services to Arizona consumers that are tariffed/price listed in the federal jurisdiction but not in the state jurisdiction, the state being Arizona? If so, for each service please provide:

- (a) A description of the service;
- (b) The price, terms and conditions associated with the service;
- (c) The date the service was first introduced; and
- (d) The number of residence and business customers (listed separately) currently subscribing to the service.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 31:** Does AT&T utilize fixed wireless facilities in Arizona, including trials? If so, please identify:

- (a) The purpose for which fixed wireless is used, i.e., what services are provisioned via fixed wireless;
- (b) The rates charged to customers for services provided via fixed wireless; and
- (c) If the rates vary from rates charged when alternative means of transporting traffic are used, describe the variance.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 32:** Will AT&T provide residential local service to any customer in Arizona? If not, please explain why not.

*Response:* Please see General Objections 1, 4 and 5.

**Data Request No. 33:** Will AT&T provide residential local service to an Arizona customer who does not purchase other products from AT&T?

*Response:* Please see General Objections 1, 4 and 5.

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**Data Request No. 34:** What percent of AT&T's existing customers purchase basic local exchange service and one other service? Basic local exchange and two other services? Please provide separate figures for residence and business customers.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 35:** What is the average revenue generated per line for lines currently in service in Arizona, excluding Phoenix and Tucson? What percent of that revenue is attributable to local service? To intraLATA long distance service? To interLATA long distance service? Please provide separate figures for residence and business lines.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 36:** What is the average revenue generated per line for lines in service in Phoenix? What percent of that revenue is attributable to local service? To intraLATA long distance service? To interLATA long distance service? Please provide separate figures for residence and business lines.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 37:** What is the average revenue generated per line for lines in service in Tucson? What percent of that revenue is attributable to local service? To intraLATA long distance service? To interLATA long distance service? Please provide separate figures for residence and business lines.

*Response:* Please see General Objections 1, 2, 4 and 5.

**Data Request No. 38:** What regulatory flexibility does AT&T currently have to change prices for services or to introduce new services within Arizona? If notice of such actions is given to the Arizona Corporation Commission, what form does that notice take? How much advance notice is the Commission given of such a change?

*Response:* Please see General Objections 1, 3 and 5.

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DATED this 4<sup>th</sup> day of November, 1999.

AT&T COMMUNICATIONS OF  
THE MOUNTAIN STATES, INC.

By:   
OSBORN MALEDON, P.A.  
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ORIGINAL copy hand-delivered this 4<sup>th</sup> day of November 1999 to:

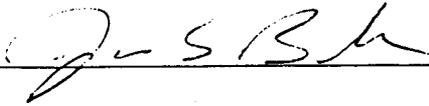
Timothy Berg  
Theresa Dwyer  
FENNEMORE CRAIG, P.C.  
3003 North Central Ave., #2600  
Phoenix, AZ 85012  
Attorneys for U S WEST Communications, Inc.

ORIGINAL copy of the foregoing mailed this 4<sup>th</sup> day of November to:

Thomas Dethlefs  
U S WEST, INC.  
1801 California Street  
Suite 5100  
Denver, CO 80202

and

Maureen Scott  
Constance J. Fitzsimmons  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

  
\_\_\_\_\_

## CERTIFICATE OF SERVICE

I hereby certify that the original and 10 copies of AT&T's Response to U S WEST's Motion to Compel AT&T to Respond to U S WEST's Data Requests regarding Docket No. T-01051B-99-0105, were sent via overnight delivery this 25th day of April, 2000, to:

Arizona Corporation Commission  
Docket Control - Utilities Division  
1200 West Washington Street  
Phoenix, AZ 85007

and a true and correct copy was sent via Facsimile and United States Mail, postage prepaid, this 25th day of April, 2000, to:

Timothy Berg  
Theresa Dwyer  
Fennemore Craig, P.C.  
3003 North Central, Suite 2600  
Phoenix, AZ 85012  
**FAX: (602) 916-5621**

and a true and correct copy was sent via United States Mail, postage prepaid, this 25th day of April, 2000, to:

Carl J. Kunasek, Chairman  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Jerry Porter  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

James M. Irvin, Commissioner  
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