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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

DATA REQUEST NUMBERS 1 – 30

Requested of Company Representative: James R. Hargrave

Company: Verizon North Inc. and Verizon South Inc. ("Verizon")

Docket No.: 02-0147

Date Submitted: 03/08/02

Date Response: 03/22/02

**INTERROGATORY NO. 2:**

Please define the term "retail enterprise facility" as you intended it in your communications with NCC.

**RESPONSE:**

The term retail/enterprise facility was used to describe a preexisting enterprise services multiplexer at a given location, which was installed to provide the average amount of telecommunications services to end-user subscribers within a building.

OFFICIAL FILE

ILL. C. C. DOCKET NO. 02-0147

NCC Group Exhibit No. 5

Provided by: James R. Hargrave  
Job Title: Director – Regulatory & Government Affairs  
Telephone: (309) 663-3124

Witness \_\_\_\_\_

Date 4/13/03 Reporter CB

ILLINOIS COMMERCE COMMISSION  
DATA REQUEST

**Request for Admission of Fact Nos. 1.01 through 1.18**

Utility Company: Verizon North and Verizon South

Regarding: Docket No. 02-0147

Date Submitted: April 18, 2003

Response Request Date: May 30, 2003

**Request for Admission VN/VS 1.06**

During December of 2001, Dianne McKernan was authorized to act on behalf of Verizon North, Inc. as the account manager for North County Communications Corporation.

**RESPONSE:**

Objection. This request calls for a legal conclusion. Without waiving this objection, Verizon Illinois admits that Ms. McKernan was authorized to act on behalf of Verizon North Inc. as an Account Manager.

STATE OF ILLINOIS

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DATA REQUEST RESPONSES RESULTING  
FROM THE MOTION TO COMPEL

Requested of Company Representative: James R. Hargrave

Company: Verizon North Inc. and Verizon South Inc. ("Verizon")

Docket No.: 02-0147

Date Submitted: 04/20/02

Date Response: 05/20/02

**INTERROGATORY NO .4:**

Do you contend that you were under no duty to deal in good faith with NCC and the Illinois Commerce Commission until you had an approved interconnection agreement between you and NCC?

**RESPONSE:**

It is Verizon's practice to work with CLECs at all times in good faith irrespective of the existence of an Illinois Commerce Commission approved interconnection agreement; and Verizon acted in good faith at all times during the course of its dealings with NCC in Illinois.

However, the concept of "duty" is a legal relationship that arises only from applicable legal statutes and case law rulings. Verizon's answer is not and should not be construed as an interpretation of or position based on the relevant laws. The relevant laws, which include, but are not necessarily limited to, the Federal Telecommunications Act of 1996, the Illinois Public Utilities Act, the State and Federal regulatory commissions' rulings thereunder and interpretations thereof, and the relevant case law, speak for themselves. Verizon reserves the right to advance arguments in regard to Verizon's legal duties arising from the relevant laws, if any, at all times during the course of this proceeding.

Provided by: James R. Hargrave  
Job Title: Director – Regulatory & Government Affairs  
Telephone: (309) 663-3124

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Date Submitted: 04/20/02

Date Response: 05/20/02

INTERROGATORY NO. 6:

Please identify the person responsible for your factual/non-legal response to Interrogatory No. 4.

**RESPONSE:**

Don Albert  
600 East Main Street  
Richmond, Virginia

Provided by: James R. Hargrave  
Job Title: Director – Regulatory & Government Affairs  
Telephone: (309) 663-3124

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**INTERROGATORY NO. 7:**

Do you contend that the provisions of section 13-514 of the Illinois Public Utilities Act only apply to parties who have had an interconnection agreement approved by the Illinois Commerce Commission?

**RESPONSE:**

Verizon incorporates its answer to Interrogatory No. 4 in its entirety as though set forth fully in response to Interrogatory No. 7.

Provided by: James R. Hargrave  
Job Title: Director – Regulatory & Government Affairs  
Telephone: (309) 663-3124

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Date Submitted: 04/20/02

Date Response: 05/20/02

INTERROGATORY NO. 9:

Please identify the person responsible for your factual/non-legal response to Interrogatory No. 7.

**RESPONSE:**

Don Albert  
600 East Main Street  
Richmond, Virginia

Provided by: James R. Hargrave  
Job Title: Director – Regulatory & Government Affairs  
Telephone: (309) 663-3124