

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

NORTH COUNTY COMMUNICATIONS)	
CORPORATION,)	
)	
Complainant,)	
)	
vs.)	Docket No. 07-0428
)	
VERIZON NORTH INC. and VERIZON)	
SOUTH INC.)	
)	
Respondents.)	
_____)	

NORTH COUNTY’S THIRD SET OF DATA REQUESTS TO VERIZON

North County Communications Corporation (“North County”), by and through its counsel and pursuant to 220 ILCS 5/13-515(d)(3), hereby submits its Third Set of Data Requests to Verizon North Inc. and Verizon South Inc. (collectively, “Verizon”) and requests responses within fourteen (14) days of electronic service, or on or before September 18, 2007.

DEFINITIONS, INSTRUCTIONS & RULES OF CONSTRUCTION

1. The term “Verizon” means Verizon South Inc. and Verizon North Inc., individually and collectively, and their partners, officers, directors, agents, consultants, employees, or any other person or entity acting or purporting to act on Verizon’s behalf.
2. The terms “you” and “your” mean Verizon.
3. The term “North County” means North County Communications Corporation, its partners, officers, directors, agents, consultants, employees, or any other person or entity acting or purporting to act on North County’s behalf.

4. The terms “document” or “documents” include, without limitation, originals masters, and every copy of writings and printed matter of any kind and description, computer-generated records (including but not limited to electronic mail, computer files, disks, tapes and database records), photographs, graphs, charts and drawings, notes and records of any oral communications, and other compilations from which information can be obtained in the possession, custody or control of Verizon, or known to them, wherever located. The term includes physical objects and things such as research and development samples, prototype devices, production samples and the like. Any translation of a document, as well as any copy of any document that contains any marking not appearing on the original document, that is an alteration of the original in any way, or that is discovered at a different location or in the possession or custody of a different person, is to be considered a separate document.

5. The term “communication” means any transmission or exchange of information (in the form of facts, ideas, inquiries or otherwise) orally, by documents, or by any other medium, including, but not limited to, any of the following: conversations, discussions, interviews, meetings, and conferences, whether in person, by telephone, or by some other medium, letters, memoranda, telegrams, and telexes, mailgrams, electronic mail, and transmission of information by computer or word processing system.

6. The term “Answer” means Verizon’s Verified Answer and Affirmative Defenses filed in this proceeding on August 2, 2007.

7. The terms “relate to,” “refer to,” “referring to” and “relating to” shall be construed in their broadest sense to require information or documents that constitute, concern, pertain to, mention, evidence, describe, refer to (directly or indirectly), reflect upon, comment upon, or summarize the subject of the request for documents.

8. The terms “all” or “each” shall be construed as “any and each.”

9. The terms “and” or “or” shall be construed either disjunctively or conjunctively, as necessary to bring within the scope of the discovery request any responses that might otherwise be construed to be outside of its scope.

10. The use of the singular form of any word shall include the plural and vice versa.

11. The following requests shall be deemed to be continuing and, if after answering the requests Verizon acquires additional knowledge or information regarding documents or things responsive to the requests, then Verizon shall produce such documents or provide North County with such additional knowledge or information.

12. When asked to “identify” a person, provide that person’s name, job title, last known business and/or home address, telephone number and e-mail address.

13. All documents requested herein are all those in the custody, possession or control of Verizon or its affiliates, experts, consultants, agents, employees or representatives (including attorneys), or to which Verizon or its affiliates, experts, consultants, agents, employees or representatives (including attorneys) have access.

14. Please furnish all of the information requested for each item in this Second Set of Data Requests. If that is not possible, please indicate what information is not being provided and the reason that it cannot be provided.

15. In the event that any document responsive to the following document requests has been destroyed or otherwise disposed of, that document is to be identified by author, addressee, date, subject matter, number of pages, attachments or appendices, any persons to whom it was distributed, shown or explained, date and manner of destruction or other disposition, the reason for destruction or other disposition, and persons destroying or disposing of the document.

16. In the event that you claim a privilege or any other reason for non-production with respect to any document called for by a request, please provide a detailed log of documents withheld. For each document, the log should specify: (a) the general nature of the document; (b) the name and job title of the document's author; (c) the date that the document was composed or the date appearing on the document; (d) the name and job title of all addressees and others who received a copy of the document; (e) a description of the document's present location; and (f) the basis, privilege or other immunity asserted, upon which the document was withheld.

17. If any part of a document is responsive to any of the following requests, the entire document shall be produced.

18. The response to each data request item should begin on a new page. As part of each response, please identify the data request item to which the response is made by typing it at the top of the page. In addition, provide the name, job title and phone number of the Verizon witness who will be able to answer cross-examination questions concerning the response to each data request item.

19. Documents provided as part of a response should be attached to the sheet containing the response or e-mailed with the response. Each page of all documents provided in response to any data request item should be clearly marked with the data request item number, unless stapled together, in which case only the first page need be marked.

20. Electronic responses rather than paper responses are preferred. If data is provided in response to a particular request, such data should be provided in an electronic format that allows data manipulation (i.e., spreadsheet, database, not .pdf). If a portion of a response needs to be provided in paper, please provide the entire response in paper as well as providing electronically the portion that is able to be provided electronically.

21. Please provide Verizon's responses to this Third Set of Data Requests on or before September 18, 2007. To the extent Verizon intends to object to any requests and not provide a response, Verizon should provide those objections to North County no later than September 18, 2007.

22. Copies of Verizon's responses shall be delivered to the North County counsel of record shown below:

Joseph G. Dicks
Dicks & Workman, APC
700 B Street, Suite 2720
San Diego, California 92101
619.685.6800 (tel)
619.557.2735 (fax)
jdicks@dicks-workmanlaw.com (email)

With an electronic copy to: Dale Dixon
dale@daledixonlaw.com (email)

DATA REQUESTS

REQUEST NO. 111:

Please admit or deny that Verizon will not pay NCC directly to access NCC's LIDB/CNAM information directly from NCC.

REQUEST NO. 112:

Please list all reasons why Verizon declined to enter into the direct LIDB/CNAM agreement proposed by NCC (as referenced in ¶¶19, 20 of NCC's Complaint).

REQUEST NO. 113:

Please admit or deny that Verizon is not querying and/or dipping LIDB/CNAM information stored in databases owned and operated by Accudata Technologies. If your answer is a denial, please state the date on which Verizon began querying and/or dipping Accudata

Technologies' databases.

REQUEST NO. 114:

Please admit or deny that Verizon refuses to query and/or dip LIDB/CNAM data hosted directly by non-Verizon telecommunications carriers. If your response is anything other than an unqualified admission, please provide all facts and documents supporting your response.

REQUEST NO. 115:

Will Verizon refuse to query and/or dip NCC's LIDB/CNAM data if NCC stores that data with Accudata Technologies?

REQUEST NO. 116:

What information appears on a Verizon customer's Caller ID display device, where the customer subscribes to Caller ID Name and Number service, if the LIDB/CNAM information to be transmitted to that customer's Caller ID display device is stored with Accudata Technologies?

REQUEST NO. 117:

With regard to Verizon's response to NCC DR-3, please admit or deny that the LIDB/CNAM storage agreement proposed by Verizon to NCC does not provide for compensation to NCC for queries and/or dips of NCC's LIDB/CNAM information. If your response is anything other than an unqualified admission, please provide all facts and documents supporting your response.

REQUEST NO. 118:

Please admit or deny that Verizon will not query and/or dip NCC's LIDB/CNAM data unless NCC stores such data with Verizon or a third party with whom Verizon has an existing agreement for LIDB/CNAM querying/dipping. If your response is anything other than an unqualified admission, please provide all facts and documents that support your response.

REQUEST NO. 119:

With regard to Verizon's response to NCC DR-4, please state whether Verizon's proposed "direct CNAM/LIDB storage agreement" has been offered to any other telecommunications carriers?

REQUEST NO. 120:

If the answer to DR-119 is "yes," please state when and to whom Verizon offered the agreement? In addition, please list any and all carriers that entered into the agreement.

REQUEST NO. 121:

With regard to Verizon's response to NCC DR-10, please identify with specificity the names of the Verizon affiliates that store their LIDB/CNAM data with a third-party aggregator.

REQUEST NO. 122:

For each affiliate identified in response to NCC DR-121 above, please admit or deny that the affiliate's LIDB/CNAM data is being transferred to database(s) controlled and owned by Verizon as those third-party aggregator contracts and agreements expire. If your response is anything other than an unqualified admission, please provide all facts and documents supporting your response.

REQUEST NO. 123:

Please define "Verizon's operator system" as that phrase is used by Verizon in its response to NCC DR-17.

REQUEST NO. 124:

With regard to Verizon's response to NCC DR-17, please state whether the total number of collect calls provided in the answer is limited to live-operator services or whether that number also includes automated operator service collect calls.

REQUEST NO. 125:

With regard to Verizon's response to NCC DR-18, please state whether the total number of third-party billed calls provided in the answer is limited to live-operator services or whether that number also includes automated operator service third-party billed calls.

REQUEST NO. 126:

With regard to Verizon's response to NCC DR-22, please define Verizon's use of the term "negotiated" as it refers to CNAM query rates and agreements.

REQUEST NO. 127:

With regard to Verizon's response to NCC DR-22, please identify with specificity what terms of the CNAM query agreements are "negotiated."

REQUEST NO. 128:

With regard to Verizon's response to NCC DR-23, please identify and provide copies of all Verizon LIDB storage contracts (under which a telecommunications carrier purchases LIDB storage services from Verizon) entered into since 2002.

REQUEST NO. 129:

Please identify all telecommunications carriers that purchase LIDB/CNAM data directly from Verizon but from whom Verizon does not purchase such carriers' LIDB/CNAM data directly.

REQUEST NO. 130:

Please state all facts upon which Verizon bases its affirmative defense #1 set forth in Verizon's Answer at page 14.

REQUEST NO. 131:

Please identify all persons and/or witnesses who Verizon believes support Verizon's

affirmative defense #1 set forth in Verizon's Answer at page 14.

REQUEST NO. 132:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #1 set forth in Verizon's Answer at page 14.

REQUEST NO. 133:

Please state all facts upon which Verizon bases its affirmative defense #2 set forth in Verizon's Answer at page 14.

REQUEST NO. 134:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #2 set forth in Verizon's Answer at page 14.

REQUEST NO. 135:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #2 set forth in Verizon's Answer at page 14.

REQUEST NO. 136:

Please state all facts upon which Verizon bases its affirmative defense #3 set forth in Verizon's Answer at page 14.

REQUEST NO. 137:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #3 set forth in Verizon's Answer at page 14.

REQUEST NO. 138:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #3 set forth in Verizon's Answer at page 14.

REQUEST NO. 139:

Please state all facts upon which Verizon bases its affirmative defense #4 set forth in Verizon's Answer at page 14.

REQUEST NO. 140:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #4 set forth in Verizon's Answer at page 14.

REQUEST NO. 141:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #4 set forth in Verizon's Answer at page 14.

REQUEST NO. 142:

Please state all facts upon which Verizon bases its affirmative defense #5 set forth in Verizon's Answer at page 14.

REQUEST NO. 143:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #5 set forth in Verizon's Answer at page 14.

REQUEST NO. 144:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #5 set forth in Verizon's Answer at page 14.

REQUEST NO. 145:

Please state all facts upon which Verizon bases its affirmative defense #6 set forth in Verizon's Answer at page 15.

REQUEST NO. 146:

Please identify all persons and/or witnesses who Verizon believes support Verizon's

affirmative defense #6 set forth in Verizon's Answer at page 15.

REQUEST NO. 147:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #6 set forth in Verizon's Answer at page 15.

REQUEST NO. 148:

Please state all facts upon which Verizon bases its affirmative defense #7 set forth in Verizon's Answer at page 15.

REQUEST NO. 149:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #7 set forth in Verizon's Answer at page 15.

REQUEST NO. 150:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #7 set forth in Verizon's Answer at page 15.

REQUEST NO. 151:

Please state all facts upon which Verizon bases its affirmative defense #8 set forth in Verizon's Answer at page 15.

REQUEST NO. 152:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #8 set forth in Verizon's Answer at page 15.

REQUEST NO. 153:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #8 set forth in Verizon's Answer at page 15.

REQUEST NO. 154:

Please state all facts upon which Verizon bases its affirmative defense #9 set forth in Verizon's Answer at page 15.

REQUEST NO. 155:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #9 set forth in Verizon's Answer at page 15.

REQUEST NO. 156:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #9 set forth in Verizon's Answer at page 15.

REQUEST NO. 157:

Please state all facts upon which Verizon bases its affirmative defense #10 set forth in Verizon's Answer at page 15.

REQUEST NO. 158:

Please identify all persons and/or witnesses who Verizon believes support Verizon's affirmative defense #10 set forth in Verizon's Answer at page 15.

REQUEST NO. 159:

Please identify and produce all documents and communications that Verizon believes support Verizon's affirmative defense #10 set forth in Verizon's Answer at page 15.

REQUEST NO. 160:

With regard to Verizon's response to NCC DR-36, please define the phrase "technical limitations" as used by Verizon.

REQUEST NO. 161:

With regard to Verizon's response to NCC DR-36, please admit or deny that Verizon

deems its refusal to obtain LIDB/CNAM data directly from a telecommunications carrier to be a “technical limitation” (as Verizon uses the phrase in response to NCC DR-36) that prevents Verizon from forwarding the carrier’s end user’s name and number information.

REQUEST NO. 162:

With regard to Verizon’s response to NCC DR-36, please state what message appears on a Verizon end user’s Caller ID display device when Verizon does not query or dip an originating telecommunications carrier’s LIDB/CNAM information.

REQUEST NO. 163:

Please identify any Verizon tariffs that refer to terms, conditions and rates for accessing calling party name and/or CNAM information from Verizon.

REQUEST NO. 164:

Section 3.2 of the Verizon LIDB and CNAM Database Validation Contract refers to the use of existing D-Links for LIDB and CNAM queries/dips. Please admit or deny that the exact same facilities that NCC will use to query/dip directly Verizon’s LIDB/CNAM data can be used by Verizon to query/dip NCC’s data. If your response is anything other than an unqualified admission, please provide all the facts and documents supporting your response.

REQUEST NO. 165:

With regard to Verizon’s response to NCC DR-36, in which Verizon states that ““Out of area” or “Unavailable” messages are from calls made outside specially equipped areas and calls made through an operator,” please admit or deny that there are cases “Out of area,” “Unavailable,” or a similar phrase appears but the originating calls are neither outside specially equipped areas nor calls made through an operator. If your response is anything other than an unqualified admission, please provide all the facts and documents supporting your response.

REQUEST NO. 166:

With regard to Verizon's response to NCC DR-36, in which Verizon states that "'Out of area" or "Unavailable" messages are from calls made outside specially equipped areas and calls made through an operator," please admit or deny that there are cases where Verizon elects not to query/dip the CNAM data of the originating phone company.

REQUEST NO. 167:

With regard to Verizon's wholesale solutions web site, which addresses LIDB services at <http://www22.verizon.com/wholesale/solutions/solution/LIDB.html>, and which states that "[t]he LIDB also provides Calling Name Delivery (CNAM)," please explain why a separate CNAM agreement (in addition to a LIDB agreement) is necessary to obtain Verizon's CNAM information.

REQUEST NO. 168:

Please admit or deny that Verizon's wholesale solutions web site, which addresses LIDB services at <http://www22.verizon.com/wholesale/solutions/solution/LIDB.html>, states that "[w]ith information on 30 million lines served by Verizon and other carriers, the Verizon LIDB offers the data you need to support revenue-generating Alternate Billing Services (ABS)."

REQUEST NO. 169:

Please admit or deny that collect calls and third-party billed calls qualify as "Alternate Billing Services" as that term is used at <http://www22.verizon.com/wholesale/solutions/solution/LIDB.html>. If your response is anything other than an unqualified admission, please provide all the facts and documents supporting your response.

REQUEST NO. 170:

In light of Verizon's wholesale solutions web site, which addresses LIDB services at <http://www22.verizon.com/wholesale/solutions/solution/LIDB.html> and states that "[t]he LIDB also provides Calling Name Delivery (CNAM)," please admit or deny that CNAM data is a subset of the LIDB database. If your response is anything other than an unqualified admission, please provide all the facts and documents supporting your response.

REQUEST NO. 171:

In light of Verizon's wholesale solutions web site, which addresses LIDB services at <http://www22.verizon.com/wholesale/solutions/solution/LIDB.html> and states that "[t]he LIDB also provides Calling Name Delivery (CNAM)," please explain in detail why Verizon's federally-tariffed LIDB rates do not apply to CNAM services.

REQUEST NO. 172:

What information appears on a Verizon customer's Caller ID display device, where the customer subscribes to Caller ID Name and Number service, if the LIDB/CNAM information to be transmitted to that customer's Caller ID display device is stored by a database provider with whom Verizon does not have a contract to access and obtain LIDB/CNAM data?

REQUEST NO. 173:

Please admit or deny that Verizon will not compensate NCC for accessing NCC's LIDB/CNAM data directly from NCC. If your response is anything other than an unqualified admission, please provide all facts and documents that support your response.

REQUEST NO. 174:

With regard to Verizon's response to NCC DR-19, please explain in detail why the number of Caller ID Name "look ups" performed or obtained by Verizon in Illinois in 2006 is

not available and what level of specificity (e.g., nationwide, company-wide, etc.) Verizon can produce the number of Caller ID Name “look ups” for a given period of time.

REQUEST NO. 175:

With regard to Verizon’s response to NCC DR-20, please state whether Verizon can identify the particular Verizon-affiliated company that performs or obtains a specific Calling Name query.

REQUEST NO. 176:

Please produce all documents relating to Verizon’s marketing (for the past 3 years) to its end users of Calling Name delivery service, as that service is available either alone or in conjunction with Caller ID service.

Dated: September 4, 2007



R. Dale Dixon, Jr.
THE LAW OFFICES OF DALE DIXON
Joseph G. Dicks
DICKS & WORKMAN
Attorneys for Complainant North County
Communications Corporation

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**DECLARATION OF SERVICE
STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

I, Alfonso Rivera, declare as follows:

I am employed with Dicks & Workman, APC, whose address is 750 "B" Street, Suite 2720, San Diego, California 92101. I am readily familiar with the business practices of this office for collection and processing of correspondence for mailing with the United States Postal Service; I am over the age of eighteen (18) and I am not a party to this action.

On September 4, 2007, I caused to be served the following:

North County's Third Set of Data Requests to Verizon

on the interested parties on the attached Service List in this action by:

by sending a copy via electronic mail.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Diego, California, on Tuesday, September 4, 2007.



Alfonso Rivera

SERVICE LIST

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