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September 7, 2012

**VIA ELECTRONIC AND U.S. MAIL**

Mark W. Smith, Esq.  
Miller & Martin, PLLC  
832 Georgia Avenue, Suite 1000  
Chattanooga, TN 37402

**Re: Docket No. 12-00060**

Application of Bristol Essential Services for Expanding Certificate of Public  
Convenience and Necessity to Provide Competing Telecommunications Services  
Statewide

Dear Mr. Smith:

In accordance with the Procedural Schedule in the docket referenced above, please find attached the First Set of Interrogatories and Request for Production of Documents submitted by the Tennessee Cable Telecommunications Association.

If you have any questions, please do not hesitate to contact me.

Sincerely,

FARRIS MATHEWS BOBANGO PLC

A handwritten signature in black ink, appearing to read "Charles B. Welch, Jr.", written in a cursive style.

Charles B. Welch, Jr.

cc: Sharla Dillon, Docket Manager  
Sue Benedek, Esq.  
All Parties on the attached Certificate of Service

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE: )  
Application of Bristol Tennessee Essential )  
Services To Expand Its Certificate of )  
Its Certificate of Convenience and )  
Necessity to Provide Competing )  
Telecommunications Services Statewide )  
)  
) **Docket No. 12-00060**  
)  
)

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**TENNESSEE CABLE TELECOMMUNICATIONS ASSOCIATION'S  
FIRST SET OF DATA REQUESTS TO  
BRISTOL TENNESSEE ESSENTIAL SERVICES**

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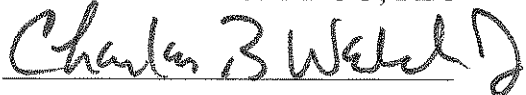
**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served via electronic mail and U.S. Mail upon the following on the 7<sup>th</sup> day September 2012:

Sue Benedek  
CenturyLink  
240 North Third Street, Suite 300  
Harrisburg, PA 17101

Mark W. Smith  
Miller & Martin, PLLC  
832 Georgia Avenue, Suite 1000  
Chattanooga, Tennessee 37402  
[msmith@millermartin.com](mailto:msmith@millermartin.com)  
*Attorney for Bristol Tennessee Essential  
Services*

**FARRIS MATHEWS BOBANGO, PLC**

By: 

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
<b>Application of Bristol Tennessee Essential</b>	)	
<b>Services To Expand Its Certificate of</b>	)	
<b>Its Certificate of Convenience and</b>	)	
<b>Necessity to Provide Competing</b>	)	
<b>Telecommunications Services Statewide</b>	)	
	)	
	)	<b>Docket No. 12-00060</b>
	)	
	)	

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**TENNESSEE CABLE TELECOMMUNICATIONS ASSOCIATION'S  
FIRST SET OF DATA REQUESTS TO  
BRISTOL TENNESSEE ESSENTIAL SERVICES**

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Pursuant to Authority Rule 1220-1-2-.11, the Tennessee Cable Telecommunications Association ("TCTA"), hereby propounds the following discovery requests to Bristol Tennessee Essential Services ("BTES") to be answered in a manner consistent with the Rules of the Tennessee Regulatory Authority.

**I. DEFINITIONS AND INSTRUCTIONS**

1. For the purposes of these data requests, the following definitions shall apply:

"Documents" is used in the broadest sense and includes all tangible things that record information. "Documents" includes both the original and any copy or draft, and all copies which contain any notation not on the original. Examples of "Documents" include, but are not limited to, handwritten, typed or printed papers, handwritten notations, office notes, calendar entries, diaries, notes of telephone conversations, photographs, reports, receipts, invoices, memoranda, correspondence, notes, ledger entries, work papers and computer printouts, cards, tapes, disks, and other means of electronically or magnetically maintained information.

“Identify” means (1) when used with reference to a natural person, give the person’s full name, business or residence address, business or residence telephone number, occupation and employer; (2) when used with reference to an entity, give the entity’s full name, address and telephone number; (3) when used with reference to a document, give the document’s date, title, author, recipient, type (e.g., letter, memorandum, note, etc.), name of the custodian of the document, and a description of the contents with sufficient specificity to be the basis for discovery; and (4) when used with reference to an action taken by an entity, identify the person(s) taking the action, describe the nature of the action, and give the date on which the action was taken. If any action identified pursuant to (4) involved a communication with another person, identify the person(s) with whom the actor(s) communicated; and, if the communication was through the use of a document, identify the document through which the communication was made.

“Person” includes a natural person, partnership, joint venture, firm, corporation, association, organization, or any other type of business or legal entity.

“TCTA” means the Tennessee Cable Telecommunications Association.

“BTES” means Bristol Tennessee Essential Services.

2. If the answers to any of the following data requests could be provided through the production of existing Documents within BTES’s possession or control, or within the possession or under the control of any of its representatives, including its attorneys, TCTA will accept such production in lieu of written answers to any such data requests.

3. Provide the names, addresses and positions of each person responsible for preparing each of the answers to the following data requests, and for each person providing information used in the preparation of each answer.

4. If you maintained that any document or record which refers to or relates to anything about which these data requests ask or that would be responsive to any of the data requests has been destroyed, set forth the contents of said document, the location of any copies of said document, the date and circumstances of said destruction and the name of the person who ordered or authorized such destruction.

5. In answering these data requests, furnish all information and responsive Documents in the possession of BTES or in the possession of any director, officer, employee, agent, representative, or attorney of BTES.

6. If you cannot answer any data request in full after exercising due diligence to secure all the information requested, or do not have precise information with regard to any part of a data request, you should so state, describing in full your efforts to obtain the information requested, and then proceed to answer to the fullest extent possible.

7. When the information requested by a data request varies over time, state the response for each period of time as to which the response differs, and identify the time periods applicable to each portion of the response.

8. Where the data requested, including but not limited to cost studies and related information, is or can be made available on CD ROM, please provide the documentation on CD ROM. Where both public and proprietary versions of said cost studies exist, please provide both public and proprietary versions of all cost studies.

9. Where BTES believes a document that is responsive to these data requests is protected by attorney-client privilege, a privilege log listing the date of the document, title, author, recipients, type (e.g., letter, memorandum, note, etc.), name of the custodian of the document, and a description of the contents with sufficient specificity to be the basis for analyzing BTES's claim of privilege should be provided.

10. If you are unable to answer any interrogatory fully and completely after exercising due diligence to make inquiry and to secure information, you are to answer such interrogatory as fully and completely as you can and to specify those portions which you are unable to answer in such interrogatory. In addition to specifying those portions, you are to state with regard to such portion:

- (a) the facts on which you base the contention that you are unable to answer that portion;
- (b) the knowledge, information, and belief you have concerning that portion;
- (c) the acts done and inquiries made by you in attempting to answer such interrogatory.

## **II. INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Please describe the relationship between BTES and the City of Bristol, Tennessee. Include in your answer: (a) an identification of all enabling legislation enacted which is or was applicable to the creation, organization and operation of BTES; and (b) a description of the process for the management, operation and control of BTES, including the identification of all management level personnel and their titles.

RESPONSE:

2. Please provide any and all Documents related to the creation of the BTES telecommunications division, including business plans and projections and the analysis and approval of any governing authority, excluding the approval of the Tennessee Regulatory Authority.

RESPONSE:

3. Identify all persons involved in the decision to seek statewide authority to provide telecommunication services and the process for making the decision. Provide a copy of any business plan considered including revenue and cost projections.

RESPONSE:

4. By category, how many telephone, internet and cable customers were receiving services from BTES as of June 30, 2012?

RESPONSE:

5. Please provide a detailed description of the telecommunications network facilities that BTES has constructed or plans to construct within the next 2 years. Include in your answer: (a) the location of the network facilities; (b) the date the construction was completed and/or the scheduled date of completion; and (c) an itemization of the construction costs.

RESPONSE:

6. Please provide the backup data for the telephone, cable and internet revenue and expenses referenced in the BTES 2011 Annual Report, Exhibit B to the Application.

RESPONSE:

7. Identify and provide a detailed chart of accounts or any and all related Documents for BTES, (ie. controlling and subsidiary accounts) including an identification and description of the type of financial activity recorded to each as of June 30, 2012.

RESPONSE:

8. Identify and provide any and all Documents regarding accounting directives, memorandums, and/or policies with respect to the affiliate transactions of BTES, and the allocation of revenues, expenses and investment among its operating divisions.

RESPONSE:



9. If not provided in the response to request 8, please identify and provide Documents showing the bases for the allocation of indirect costs and joint costs among the operating divisions of BTES.

RESPONSE:

10. Please identify and provide any and all Documents regarding the amount of joint and common costs incurred by BTES during each fiscal year 2006 through 2012, inclusive.

RESPONSE:

11. Please identify and provide any and all Documents showing the dollar amount of joint and common costs allocated to each operating division of BTES during each fiscal year 2006 through 2012, inclusive.

RESPONSE:

12. Please provide a complete list of all entities with which BTES has entered into business relationships to provide telecommunication services. Identify and provide any and all proposed or executed contracts.

RESPONSE:

13. Explain in detail BTES's plans to expand provisioning of its telecommunications services if it is granted state-wide authority and any and all operational, accounting, and management, changes which will occur. Include in your answer: (a) the services to be offered; (b) the locations of the planned expansion; and (c) how costs of expansion will be financed.

RESPONSE:

14. Please identify and provide any and all Documents indicating the terms or arrangements for use of utility poles and/or underground facilities between the telecommunications operating division and any affiliate or other third party entity.

RESPONSE:

15. Describe all BTES staff, plant equipment, and all other resources used by the electric division to assist the telecommunications operations. Describe the allocation of costs.

RESPONSE:

16. Please identify all BTES personnel having job responsibilities relating to the telecommunications operations and one or more of the other divisions of BTES. Explain in detail how these employees allocate their time and provide all Documents showing the allocation of salaries and benefits.

RESPONSE:

17. Please identify and provide any and all Documents pertaining to any and all loan applications which have been approved by the Comptroller of the State of Tennessee and/or the Tennessee Valley Authority that are related to the provisioning of telecommunications services or are in any way related to the application subject to this proceeding.

RESPONSE:

18. Identify and provide all Documents evidencing any and all loans made by any operating division of BTES to the telecommunications operations. Include in your answer: (a) actual rate of interest charged; (b) any collateral or security received by BTES; (c) term of the loan(s); (d) payment schedule and payment history.

RESPONSE:

19. Describe in detail the business case developed by BTES to support its decision to seek expanded state-wide authority to provide telecommunications services. Include any and all assumptions, data analysis, inter-company communications, and any other related Documents.

RESPONSE:

20. Provide all correspondence and Documents provided by and between BTES and its auditors in connection with the preparation of Exhibit B to the Application.

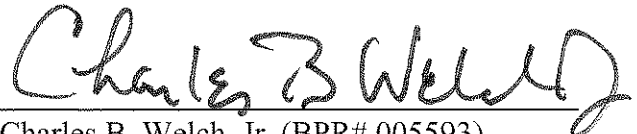
RESPONSE:

21. Please provide copies of all responses to data requests served on BTES by any other parties in this proceeding.

RESPONSE:

The Tennessee Cable Telecommunications Association reserves the right to propound additional questions relative to cross-subsidization of BTES telecommunications services by other BTES services and other anti-competitive issues at any reasonable time hereafter.

Respectfully submitted,

A handwritten signature in dark ink, reading "Charles B. Welch, Jr." with a stylized flourish at the end.

Charles B. Welch, Jr. (BPR# 005593)

Farris Mathews Bobango, PLC

618 Church Street, Suite 300

Nashville, TN 37219

(615)726-1200

*Attorney for The Tennessee Cable  
Telecommunication Association*