

Hatfield, Meredith

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**From:** ellen.m.cummings@verizon.com  
**Sent:** Monday, April 16, 2007 8:27 AM  
**To:** agree@metrocast.net; alan.s.cort@verizon.com; alexandra.blackmore@us.ngrid.com; alinder@nhla.org; allwacj@nu.com; Noonan, Amanda; amandl@smithduggan.com; antonuk@libertyconsultinggroup.com; aprior@fairpoint.com; asaunders@shaheengordon.com; brian@destek.net; bstafford@gstnetworks.com; bthayer@bayring.com; cannata@libertyconsultinggroup.com; charlesking@optonline.net; cjohnson@globe.com; cpollart@rubinrudman.com; crand@gstnetworks.com; c\_miller@ncia.net; dwinslow@utel.com; eatongm@nu.com; ellen.m.cummings@verizon.com; epler@unitil.com; erle.b.pierce@verizon.com; Ross, F. Anne; fcoolbroth@devinemillimet.com; gent@otel.us; gkarnedy@ppeclaw.com; gkennan@onecommunications.com; gregg.strumberger@level3.com; hybscrt@psnh.com; hybscrt@psnh.com; jamesg\_white@cable.comcast.com; jcilley@aol.com; jclark@nhafcio.org; jeremy@segstel.com; jmonahan@dupontgroup.com; Carmody, Jody; john.f.nestor.iii@verizon.com; judy.messenger@paetec.com; karen.m.melanson@verizon.com; karen.potkul@xo.com; Mullholand, Kath; kathnh@comcast.net; kbarker@kelleydrye.com; Traum, Ken; kforbes@shaheengordon.com; kmiller@dtclawyers.com; Fabrizio, Lynn; mark@markdelbianco.com; mclancy@covad.com; melanie.gates@leg.state.nh.us; Hatfield, Meredith; mjohnston@shaheengordon.com; nbrockway@aol.com; njacobson@onecommunications.com; nolinka@nu.com; pfundstein@gcglaw.com; pphillips@ppeclaw.com; rciandella@dtclawyers.com; rmihalic@murthalaw.com; rmunnely@murthalaw.com; Hollenberg, Rorie; rpena@boulderattys.com; rtulk@fairpoint.com; rtuttle@fairpoint.com; rustyb313@verizon.net; sasawyer@cox.net; sbosley@nc.rr.com; scnelson@gsinet.net; scott.j.rubin@gmail.com; sheila.gorman@verizon.com; slinn@fairpoint.com; smbaldwin@comcast.net; smwoodland@ch.cityofportsmouth.com; Merrill, Steve; steven.camerino@mclane.com; Sdandley@dscicorp.com; Stacey\_Parker@cable.comcast.com; thansel@covad.com; vickroy@libertyconsultinggroup.com; victor.delvecchio@verizon.com; whamilton@aarp.org; wleach@fairpoint.com

**Subject:** Re: 04-13-07 NH 07-011: FairPoint / VZ App. - VZ Objections to OCA Data Requests - REVISED

Attached please find Verizon's Preliminary Statement and General Objections. It was inadvertently omitted from Friday's electronic distribution.

Thank you.

*(See attached file: 04-13-07 NH 07-011 VZ General Objections.pdf)*

Ellen Cummings  
State Regulatory Planning  
(617) 743-4645

Ellen Cummings/EMPL/MA/Verizon

Ellen  
Cummings/EMPL/MA/Verizon

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agree@metrocast.net, alan cort,  
alexandra.blackmore@us.ngrid.com,  
alinder@nhla.org, allwacj@nu.com,  
amanda.noonan@puc.nh.gov,  
amandl@smithduggan.com,  
antonuk@libertyconsultinggroup.com,  
aprior@fairpoint.com,  
asaunders@shaheengordon.com,



brian@destek.net, bstafford@gstnetworks.com,  
 bthayer@bayring.com,  
 cannata@libertyconsultinggroup.com,  
 charlesking@optonline.net, cjohnson@globe.com,  
 cpollart@rubinrudman.com,  
 crand@gstnetworks.com, c\_miller@ncia.net,  
 dwinslow@utel.com, eatongm@nu.com, ellen  
 cummings, epler@unitil.com,  
 erle.b.pierce@verizon.com,  
 f.anne.ross@puc.nh.gov,  
 fcoolbroth@devinemillimet.com, gent@otel.us,  
 gkarnedy@ppeclaw.com,  
 gkennan@onecommunications.com,  
 gregg.strumberger@level3.com,  
 hybscrt@psnh.com, hybscrt@psnh.com,  
 jamesg\_white@cable.comcast.com,  
 jcilley@aol.com, jclark@nhaficio.org,  
 jeremy@segstel.com,  
 jmonahan@dupontgroup.com,  
 jody.carmody@puc.nh.gov,  
 john.f.nestor.iii@verizon.com,  
 judy.messenger@paetec.com, karen melanson,  
 karen.potkul@xo.com,  
 kath.mullholand@puc.nh.gov,  
 kathnh@comcast.net, kbarker@kelleydrye.com,  
 ken.traum@puc.nh.gov,  
 kforbes@shaheengordon.com,  
 kmiller@dtclawyers.com,  
 To lynn.fabrizio@puc.nh.gov,  
 mark@markdelbianco.com, mclancy@covad.com,  
 melanie.gates@leg.state.nh.us,  
 meredith.hatfield@puc.nh.gov,  
 mjohnston@shaheengordon.com,  
 nbrockway@aol.com,  
 njacobson@onecommunications.com,  
 nolinka@nu.com, pfundstein@gcglaw.com,  
 pphillips@ppeclaw.com,  
 rciandella@dtclawyers.com,  
 rmihalic@murthalaw.com,  
 rmunnelly@murthalaw.com,  
 rorie.hollenberg@puc.nh.gov,  
 rpena@boulderattys.com, rtulk@fairpoint.com,  
 rtuttle@fairpoint.com, rustyb313@verizon.net,  
 sasawyer@cox.net, sbosley@nc.rr.com,  
 scnelson@gsinet.net, scott.j.rubin@gmail.com,  
 sheila gorman, slinn@fairpoint.com,  
 smbaldwin@comcast.net,  
 smwoodland@ch.cityofportsmouth.com,  
 steve.merrill@puc.nh.gov,  
 steven.camerino@mclane.com,  
 Sdandley@dscicorp.com,  
 Stacey\_Parker@cable.comcast.com,  
 thansel@covad.com,  
 vickroy@libertyconsultinggroup.com,  
 victor.delvecchio@verizon.com,  
 whamilton@aarp.org, wleach@fairpoint.com

cc

Subject 04-13-07 NH 07-011: FairPoint / VZ App. - VZ  
 Objections to OCA Data Requests

Attached please find Verizon's Objections to the Office of Consumer Advocate's First Set of Data Requests in docket NH 07-011.



Thank you.

*(See attached file: 04-14-07 NH 07-011 VZ Cvr Ltr-OCA.pdf)(See attached file: 04-14-07 NH 07-011 VZ Objections OCA Set 1.pdf)*

Ellen Cummings  
State Regulatory Planning  
(617) 743-4645



## PRELIMINARY STATEMENT AND GENERAL OBJECTIONS

In response to each and every data request, Verizon states the following:

1. Verizon has attempted to identify every data request that seeks information and/or documents protected against discovery by the attorney-client privilege or the attorney work-product doctrine or any other applicable privilege. However, given that objections to data requests are due prior to the responses, Verizon has not had the opportunity to review every document that is responsive to each data request. To the extent that any specific data request is intended to elicit such privileged information and/or documents, Verizon objects and asserts the applicable privilege to the fullest extent permitted by law.

2. To the extent that Verizon responds to these data requests, Verizon does not concede the relevancy of the responses or documents to this action, nor does it concede that such responses or documents may be used for any purpose in this or any other action, lawsuit or proceeding. Verizon expressly reserves the right to object to further discovery into the subject matter of any of the responses or any portion thereof.

3. Verizon objects to each data request to the extent that it seeks information and/or documents equally available to the requester or that are not within Verizon's possession, custody or control.

4. Verizon objects to data requests that solicit information and/or documents that Verizon has already made available to the requester in this or other dockets.

5. Verizon objects to the definition of "Verizon" as defined in the requests to the extent it seeks information regarding a Verizon affiliate that is not a party to this

proceeding or regarding operations outside of New Hampshire of those Verizon affiliates that are parties to the proceeding.

6. Verizon reserves the right to object that any data requests, in the aggregate, are overly burdensome and exceed reasonable limits of discovery.

7. Verizon has attempted to respond to each data request based on the instructions and definitions provided. However, Verizon reserves the right to object to such definitions and instructions to the extent that there are differences in them among the requesters.

8. Verizon objects to the extent that the instructions and/or definitions seek to impose burdens on Verizon that are greater than those imposed by applicable portions of N.H. Admin. Rules, Puc 200, impose undue burdens on Verizon, and/or have the effect of making the data requests overbroad. Verizon will make a good faith effort to provide information responsive to the data requests subject to this objection, but it specifically objects to providing, among other things, drafts of documents, identical copies of documents, non-identical copies of documents that contain handwritten notes, and descriptions of responsive documents that once existed but cannot be produced due to loss or destruction.

9. Verizon objects to all data requests to the extent they seek information that is proprietary, competitively sensitive and subject to confidential treatment in accordance with RSA 378:43. Subject to specific instances where Verizon considers information responsive to a particular request to be extraordinarily, highly proprietary and competitively sensitive, Verizon will produce the requested information pursuant to RSA 378:43 and a duly executed protective agreement.



10. Verizon objects to all data requests to the extent they seek historical data for periods before 2003 on the basis that it would be unduly burdensome to produce that information in the circumstances of this case, and the production of such dated material is not reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

