

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

**MCI COMMUNICATIONS
SERVICES, INC.,**

Complainant,

v.

WIDE VOICE, LLC,

Defendant.

Proceeding Number 19-121

**Bureau ID Number
EB-19-MD-003**

**VERIZON'S OBJECTIONS TO
WIDE VOICE'S FIRST REQUEST FOR INTERROGATORIES**

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July 10, 2019

Pursuant to 47 C.F.R. § 1.730(c), MCI Communications Services, Inc. (“Verizon”) submits the following objections to Wide Voice’s First Request for Interrogatories.

GENERAL OBJECTIONS

The following General Objections apply to each and every Interrogatory and will form an integral part of Verizon’s objections to the Interrogatories.

1. Verizon objects to the Interrogatories, Instructions, and Definitions to the extent they seek any information that is not both necessary to the resolution of the dispute and unavailable from any other source, are otherwise inconsistent with 47 C.F.R. § 1.730, or seek to impose upon Verizon any obligation not imposed by the Commission’s rules.

2. Verizon objects to the Interrogatories, Instructions, and Definitions to the extent they seek information protected by applicable privileges (including, but not limited to, the attorney-client privilege, joint defense or common interest privilege, and attorney work product privilege) or otherwise protected under applicable law. In the event such information is disclosed in response to these Interrogatories, such disclosure shall not constitute a waiver of any privilege, doctrine, or other applicable ground for protecting such documents from disclosure.

3. Verizon objects to the Interrogatories, Instructions, and Definitions to the extent they call for proprietary and confidential information and/or trade secrets. If the Commission determines such information is necessary to the resolution of the dispute, Verizon agrees to provide such information pursuant to the terms of the Protective Order entered by the Commission in this proceeding on May 9, 2019.

4. Verizon objects to Definition No. 2 to the extent it differs from the statutory definition of “Affiliate” in 47 U.S.C. § 153(2).

5. Verizon objects to Instruction No. 2 to the extent it seeks information not currently in Verizon's possession, custody, or control.

6. Verizon objects to the Interrogatories, Instructions, and Definitions to the extent they imply the existence of facts or circumstances that do not or did not exist and to the extent they state or assume legal conclusions. In objecting, Verizon does not admit the factual or legal premise of any of the Interrogatories.

SPECIFIC OBJECTIONS

In addition to the foregoing General Objections set forth above, which are fully incorporated into each of the following objections as if they are set forth in full, Verizon specifically objects to Wide Voice's Request for Interrogatories as follows:

WIDE VOICE INTERROGATORY NO. 1

Please identify the full legal name of the legal entity that employs Ms. Traci Morgan, MCI Communications Service, Inc.'s declarant in this matter.

Verizon's Objections to Interrogatory No. 1

Verizon objects to Interrogatory No. 1 because it seeks information about Verizon's corporate structure and relationships that is not necessary to the resolution of the dispute. This complaint is about the lawfulness of Wide Voice's tariff. The legal entity that employs Verizon's declarant, Traci Morgan, is not relevant to or related to the lawfulness of Wide Voice's tariff.

WIDE VOICE INTERROGATORY NO. 2

In her declaration, Ms. Morgan asserts that "Verizon conducted an internal audit of Wide Voice's intercarrier compensation charges based on suspicious billing patterns."

- (a) Please describe methodology Verizon used to conduct the “internal audit of Wide Voice’s intercarrier compensation charges” with detail sufficient for the audit to be replicated using Wide invoice’s invoices.
- (b) Please describe in detail all “suspicious billing patterns” identified.

Verizon’s Objections to Interrogatory No. 2

Verizon objects to Interrogatory No. 2 because it seeks information that is irrelevant and not necessary to the resolution of the dispute. This complaint is about the lawfulness of Wide Voice’s tariff. The means by which Verizon identified suspicious Wide Voice billing patterns and how it analyzed Wide Voice’s intercarrier compensation charges are not relevant or related to the lawfulness of Wide Voice’s tariff.

WIDE VOICE INTERROGATORY NO. 3

Ms. Morgan further states in paragraph 4 of her declaration that “[b]eginning with Wide Voice’s December 2018 invoice, Verizon began disputing and withholding payment with respect to Wide Voice’s terminating charges.” Please describe in detail all bases for Verizon’s refusal to pay Wide Voice’s July 2018 through November 2018 invoices for terminating traffic that was routed through another company’s end office switch, a “third party.”

Verizon’s Objections to Interrogatory No. 3

Verizon objects to Interrogatory No. 3 because it seeks information that is irrelevant and not necessary to the resolution of the dispute. This complaint is about the lawfulness of Wide Voice’s tariff. Verizon disputed and withheld payment of Wide Voice’s charges under that tariff because Wide Voice’s tariff is unlawful. But whether Wide Voice’s tariff is lawful or unlawful depends on the tariff itself, not on the bases for Verizon’s decision to dispute and withhold payment on Wide Voice’s charges. To the extent Verizon’s decision-making with respect to

disputing and withholding Wide Voice's charges has any relevance (which Verizon disputes), it would be in a damages phase of this complaint proceeding.

WIDE VOICE INTERROGATORY NO. 4

On June 16, 2017, the Verizon Telephone Companies issued revisions to Tariff F.C.C. Nos. 1, 11, 14, and 16 (the "Verizon ILECs' Tariffs"). In those filings, the Verizon Telephone Companies included one set of rates for Tandem Switched Transport that applied to traffic "Terminating to Telephone Company End Offices" and another set of rates for Tandem Switched Transport that applied to traffic "Terminating to Third Party."

- (a) Please describe in detail how the Verizon ILECs' Tariffs' rates comply with 47 C.F.R. § 51.906(h) (the Commission's "Step 6" reduction).
- (b) Are the Verizon Telephone Companies issuing Tariff F.C.C. Nos. 1, 11, 14, and 16 "Price Cap carriers" as that term is used in 47 C.F.R. § 51.906(h).
- (c) According to the Verizon ILEC Tariffs, does the term "Telephone Company" include only the price cap LEC issuers of the tariffs?
- (d) Does "Terminating to Third Party" traffic include termination to any other provider, including any non-price cap LEC affiliate of Verizon?
- (e) Do the Verizon price cap LECs charge non-zero tandem switched transport charges for traffic they terminate to non-price cap LEC affiliates of Verizon?

Verizon's Objections to Interrogatory No. 4

Verizon objects to Interrogatory No. 4 because it seeks information that is irrelevant and not necessary to the resolution of the dispute. This complaint is about the lawfulness of Wide Voice's tariff. This proceeding is not about Verizon's tariff, its affiliates' tariffs, or their charges. Wide Voice's tariff, not Verizon's tariff, is at issue here. The Verizon Telephone

Companies' Tariff F.C.C. Nos. 1, 11, 14, and 16 do not include language like the Wide Voice tariff language at issue in this proceeding. The lawfulness of the Verizon Telephone Companies' tariffs, the meaning of those tariffs, and how the Verizon Telephone Companies implement those tariffs is not relevant or related to the lawfulness of Wide Voice's tariff.

WIDE VOICE INTERROGATORY NO. 5

Please identify all entities related to or affiliated with Verizon that subtend another Verizon-affiliated tandem services provider, and each such entity's regulatory classification (e.g., incumbent local exchange carrier, competitive local exchange carrier, interconnected VoIP provider, etc.).

Verizon's Objections to Interrogatory No. 5

Verizon objects to Interrogatory No. 5 because it seeks information that is irrelevant and not necessary to the resolution of the dispute. This complaint is about the lawfulness of Wide Voice's tariff. This proceeding is not about Verizon, its network architecture, or its affiliates' network architecture. The entities that subtend a Verizon-affiliated tandem services provider and those entities' regulatory classification are not relevant or related to the lawfulness of Wide Voice's tariff.

Respectfully submitted,

/s/ Curtis L. Groves

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