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August 24, 2017

VIA EMAIL AND ECFS

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Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *AT&T Corp. v. Iowa Network Services, Inc.*
FCC Docket No. 17-56
Bureau ID No. EB-17-MD-001

Dear Counsel:

Counsel for AT&T Corp. writes this letter in response to the letter submitted on August 22, 2017 by counsel for Iowa Network Services, Inc. d/b/a Aureon Network Services (“INS”). In that letter, INS counsel informed the Commission that it was late in producing discovery materials responsive to AT&T Interrogatory No. 5, in which AT&T requested all backup materials that INS relied on in support of its Tariff Filings. While AT&T appreciates INS’s prompt notification of the late production, it objects to INS’s use of this material or any other new material in this proceeding.

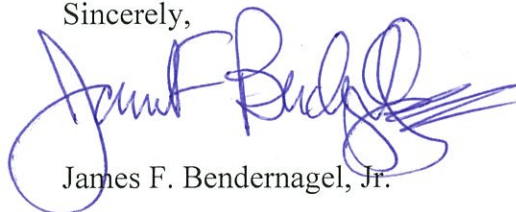
During the informal discovery process, AT&T requested that INS provide “all backup materials that INS relied upon for the tariff submissions it made to the FCC” for the years 2016, 2014, 2013, 2012, and 2010, in native format, including all cost support material. *See* Letter from M. Hunseder to J. Troup and T. Lee, dated Nov. 8, 2016. In March 2017, INS Counsel certified with its final production that it had produced all material responsive to that request. *See* Letter from J. Troup and T. Lee to M. Hunseder and J. Bendernagel, dated Mar. 23, 2017. Subsequently, during formal discovery, AT&T asked INS to “[c]onfirm that all backup materials (including Excel spreadsheets, in native format) that INS relied upon for the Tariff Filings ... ha[d] been produced.” AT&T Interrogatory No. 5. On June 28, 2017, INS Counsel certified that the materials it produced on March 23, 2017 were “the only materials relied upon when producing the identified tariff filings submitted on behalf of Aureon,” and that it would produce

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the native versions of those materials. *See* INS Response to ATT-INS No. 5; *see also* INS Supp. Discovery Responses, dated Aug. 16, 2017) (certifying the completeness of the production).¹

In light of the compressed briefing schedule in this proceeding, and given that the parties' final reply briefs are due on Monday, August 28, 2017, AT&T submits that it would be inappropriate for INS to use the late-produced material, or any other new material, in its final submission. AT&T further reserves its right to move to strike any such material from the record, and it also reserves the right to request further discovery and briefing, to the extent INS uses the material in its submission.

Sincerely,



James F. Bendernagel, Jr.

Jamie U. Troup, Counsel for INS
Tony S. Lee, Counsel for INS
Christopher Killion, FCC
Adam Suppes, FCC
Sandra Gray-Fields, FCC

¹ AT&T's other interrogatories requested additional information related to each of those Tariff Filings, including support for the lease costs that INS allocated to the Access Division. *See* AT&T Interrogatory Nos. 6-10, 12-13, 15.