

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

In the Matter of

**SPRINT COMMUNICATIONS COMPANY L.P.
FRN: 0004-3728-27**

Complainant,

File No. EB-14-MD-014

v.

**NORTH COUNTY COMMUNICATIONS
CORPORATION,
Defendant.**

**SPRINT COMMUNICATIONS COMPANY L.P.'S OBJECTIONS TO
NORTH COUNTY COMMUNICATIONS CORP.'S
REQUEST FOR INTERROGATORIES**

GENERAL OBJECTION

Sprint objects to NCC's definitions and interrogatories to the extent that they seek information from entities other than Sprint Communications Company, L.P. Such other entities are not parties to this case and do not have the obligation to respond to discovery requests.

SPECIFIC OBJECTIONS

INT 1: Please describe in detail SPRINT's practices (between January 2001 and the present) for charging reciprocal compensation, access fees or other call termination fees for calls placed to SPRINT's conference call service offerings.

OBJECTIONS TO INT 1: Sprint objects to Interrogatory 1 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. Sprint's access charges or other call termination charges are not in dispute in this Complaint. NCC has not filed a complaint challenging Sprint's practices, nor could it do so, as Sprint was NCC's customer with respect to the disputes raised in this proceeding. *See In the matter of All American Telephone Co., E-Pinnacle Communications, Inc., and Chasecom, v. AT&T Corp.*, Mem. Op. & Order, 26 FCC Rcd. 723 (2011). Nor has Sprint alleged that imposing terminating fees for calls to chat line companies or conference calling services is necessarily unlawful.

INT 2: Please identify any instances in which SPRINT and its affiliated entities have shared personnel, computers or office space (between January 2001 and the present).

OBJECTIONS TO INT 2: Sprint objects to Interrogatory 2 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. NCC has not filed a complaint challenging Sprint's practices, nor could it do so, as Sprint was NCC's customer with respect to the disputes raised in this proceeding. *See In the matter of All American Telephone Co., E-Pinnacle Communications, Inc., and Chasecom, v. AT&T Corp.*, Mem. Op. & Order, 26 FCC Rcd. 723 (2011). Nor has Sprint alleged that affiliates who share personnel, computer and/or office space are necessarily sham entities.

INT 3: Please describe in detail any SPRINT practices (between January 2001 and the present) for blocking calls placed to 900 numbers.

OBJECTIONS TO INT 3: Sprint objects to Interrogatory 3 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. NCC has not filed a complaint challenging Sprint's practices, nor could it do so, as Sprint was NCC's customer with respect to the disputes raised in this proceeding. *See In the matter of All American Telephone Co., E-Pinnacle Communications, Inc., and Chasecom, v. AT&T Corp.*, Mem. Op. & Order, 26 FCC Rcd. 723 (2011). Nor has Sprint alleged that NCC abandoned its 900 business. Instead, Sprint has challenged the veracity of Mr. Lesser's testimony that free calling services provided by HFT were a "loss leader" designed to steer calls to 900 services for which HFT would receive revenue since he admitted that there were no calls to the 900 service.

INT 4: Please identify Sprint's per-minute revenue (between January 2001 and the present) derived from Sprint's wholesaling to non-SPRINT entities access to NCC's network.

OBJECTIONS TO INT 4: Sprint objects to Interrogatory 4 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. Sprint objects to Interrogatory 4 as overbroad and unduly burdensome. Sprint objects to Interrogatory 4 because this information was the subject of discovery at the district court and Sprint provided information deemed satisfactory to NCC. NCC chose not to rely on that information its defense of Sprint's Complaint.

INT 5: Please identify Sprint's per-minute revenue (between January 2001 and the present) derived from Sprint's wholesaling to SPRINT's affiliated CMRS providers access to NCC's network.

OBJECTIONS TO INT 5: Sprint objects to Interrogatory 5 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. Sprint objects to Interrogatory 5 as overbroad and unduly burdensome. Sprint objects to Interrogatory 5 because this information was the subject of discovery at the district court and Sprint provided information deemed satisfactory to NCC. NCC chose not to rely on that information its defense of Sprint's Complaint.

INT 6: Please identify any instances (between January 2001 and the present) in which SPRINT and its affiliated entities have charged each other collocation fees.

OBJECTIONS TO INT 6: Sprint objects to Interrogatory 6 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. NCC has not filed a complaint challenging Sprint's practices, nor could it do so, as Sprint was NCC's customer with respect to the disputes raised in this proceeding. *See In the matter of All American Telephone Co., E-Pinnacle Communications, Inc., and Chasecom, v. AT&T Corp.*, Mem. Op. & Order, 26 FCC Rcd. 723 (2011). Nor has Sprint alleged that affiliates' collocation of equipment is necessarily an unlawful practice.

INT 7: Please identify any revenue sharing agreements, including but not limited to sharing of revenues related to 800 services, that SPRINT has had with any entity, including but not limited to SPRINT-affiliated entities, since January 2001.

OBJECTIONS TO INT 7: Sprint objects to Interrogatory 7 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. NCC has not filed a complaint challenging Sprint's practices, nor could it do so, as Sprint was NCC's customer with respect to the disputes raised in this proceeding. *See In the matter of All American Telephone Co., E-Pinnacle Communications, Inc., and Chasecom, v. AT&T Corp.*, Memorandum Op. and Order, 26 FCC Rcd. 723 (2011). Nor has Sprint alleged that revenue sharing is per se unlawful.

INT 8: Please describe in detail SPRINT's practices (between January 2001 and the present) related to monitoring the switched access tariffs of the CLECs that submit switched access invoices to SPRINT.

OBJECTIONS TO INT 8: Sprint objects to Interrogatory 8 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. NCC has not filed a complaint challenging Sprint's practices, nor could it do so, as Sprint was NCC's customer with respect to the disputes raised in this proceeding. *See In the matter of All American Telephone Co., E-Pinnacle Communications, Inc., and Chasecom, v. AT&T Corp.*, Mem. Op. & Order, 26 FCC Rcd. 723 (2011).

INT 9: Please identify any and all carriers to whom SPRINT has paid (between January 2001 and the present) terminating switched access charges where SPRINT has alleged that the carrier has no valid tariff and/or no valid tariffed rate for terminating switched access.

OBJECTIONS TO INT 9: Sprint objects to Interrogatory 9 as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. NCC has not filed a complaint challenging Sprint's practices, nor could it do so, as Sprint was NCC's customer with respect to the disputes raised in this proceeding. *See In the matter of All American Telephone Co., E-Pinnacle Communications, Inc., and Chasecom, v. AT&T Corp.*, Mem. Op. & Order, 26 FCC Rcd. 723 (2011). Sprint objects to this Interrogatory as overbroad and unduly burdensome. The issue in this litigation is the lawfulness of NCC's tariffs and the 2002 Agreement to support NCC's billing of charges to Sprint.

Respectfully submitted,

/s Keith Buell

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*Counsel for Sprint Communications
Company L.P.*

Dated: January 6, 2015

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of January 2015, copies of the foregoing SPRINT COMMUNICATIONS COMPANY L.P.'S OBJECTIONS TO NORTH COUNTY COMMUNICATIONS CORP.'S REQUEST FOR INTERROGATORIES were served via the method specified below to the following:

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Via ECFS

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/s Keith Buell
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