

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

FILED/ACCEPTED

MAR - 6 2007

Federal Communications Commission  
Office of the Secretary

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 In the Matter of )  
 )  
 ARKANSAS CABLE )  
 TELECOMMUNICATIONS )  
 ASSOCIATION; COMCAST OF )  
 ARKANSAS, INC.; BUFORD )  
 COMMUNICATIONS I, L.P. d/b/a )  
 ALLIANCE COMMUNICATIONS )  
 NETWORK; WEHCO VIDEO, INC.; )  
 COXCOM, INC.; and CEBRIDGE ACQUISITION, )  
 L.P., d/b/a SUDDENLINK COMMUNICATIONS, )  
 )  
                   *Complainants,* )  
 )  
                   v. )  
 )  
 ENTERGY ARKANSAS, INC., )  
 )  
                   *Respondent.* )  
 \_\_\_\_\_ )  
 )

EB Docket No. 06-53

EB-05-MD-004

**COMPLAINANTS' EIGHTH AMENDED RESPONSES TO ENTERGY'S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION**

Complainants Comcast of Arkansas, Inc., Buford Communications I, L.P. d/b/a/ Alliance Communications Network; WEHCO Video, Inc., CoxCom, Inc. and Cebridge Acquisition, L.P., d/b/a Suddenlink Communications ("Complainants") hereby responds to Entergy's First Interrogatories and Requests for Production as follows:

**STATEMENT**

These responding parties and their attorneys have not completed discovery in this action. All of the responses contained herein are based solely upon

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information presently available to and specifically known by the parties and their attorneys after diligent and good faith investigation. As discovery continues, witnesses, facts, and evidence may be discovered which are not set forth herein, but which may have been responsive to one or more of the interrogatories had the information been known at this time.

Facts and evidence now known may be imperfectly understood, and the relevance or consequences of such facts and information may be imperfectly understood. Accordingly, some facts and evidence now known may not, in good faith, be included in the following responses.

Complainants anticipate that further discovery, independent investigation, legal research and analysis will supply additional facts, may supply new meaning to known facts, and may establish entirely new facts or conclusions and legal contentions, all of which may lead to substantial modification to the discovery responses herein. The following interrogatory responses are given without prejudice to Complainants' right to produce witnesses and evidence, the significance of which are only subsequently discovered. Complainants therefore reserve the right to modify any or all responses made herein as additional facts are obtained, analyses are made, legal research is completed and contentions are developed. The responses contained herein are made in a good faith effort to supply such factual information as is presently known, but should in no way be interpreted to prejudice the rights of Complainants in relation to future discovery, research, or analysis.

Finally, Entergy's requests are in some cases duplicative of each other, and each document identified may not be responsive only to the Interrogatory or

*Request marked; in many cases, documents may be responsive to one or more additional Interrogatory or Request.*

### **GENERAL OBJECTIONS**

Complainants assert the following General Objections, which are incorporated by reference into each specific response below:

1. Complainants object to the Interrogatories, including the "Instructions" and "Definitions," to the extent that they seek to impose burdens or duties upon Complainants that exceed the requirements and permissible scope of discovery under the FCC's Rules and Procedures governing hearings and the Orders, including but not limited to the Hearing Designation Order and Judge Steinberg's April 20, 2005 Procedural Order.

2. Complainants object to the Interrogatories to the extent that they seek information reflecting communication protected from disclosure by the attorney-client privilege and/or material protected by the work-product doctrine or any other applicable privilege.

3. Complainants object to the Interrogatories to the extent that they seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4. Complainants object to the Interrogatories to the extent that they seek proprietary and/or confidential information and/or trade secrets.

5. Complainants object to the Interrogatories to the extent that they are vague, overly broad, and/or confusing.

6. Complainants object to the Interrogatories to the extent that they are unduly burdensome, unreasonably cumulative and duplicative, or call for information already in Entergy's (or its agents', representatives' and contractors') possession.

7. Complainants object to the Interrogatories to the extent that they are intended solely for the purpose of annoyance, embarrassment, harassment, and/or oppression.

8. Complainants object to the Interrogatories to the extent that they seek information that should more properly be obtained through deposition testimony.

9. Complainants anticipate discovering additional information and materials during the discovery process, which may be responsive to the discovery requests. Complainants expressly reserve the right to rely on such information and materials if and when they are discovered after the date of this response.

10. Complainants expressly reserve the right to supplement these objections.

11. These General Objections are incorporated into each specific response below and all such responses shall be subject to the foregoing General Objections.

INTERROGATORY NO. 30: Identify the documents you would consult or rely on to identify the dates when each safety violation was corrected by you and the steps taken by you to correct the violation.

**RESPONSE:** See objections and response to Interrogatory No. 30 as set forth in Complainants' Sixth Amended Responses to Entergy Arkansas, Inc.'s First Interrogatories And Requests For Production To Certain Complainants. See also COMPL980028-980060.

REQUEST FOR PRODUCTION NO. 17: Produce all documents which constitute or relate to your construction manuals or books, procedures, policies, standards, specifications, or field practices followed by you to make any attachment of coax or fiber cable, messenger, guy wire, anchor, bracket, bolt, apparatus, power supply, electronic device, or any other equipment or wire associated with attachment of the foregoing to the poles, structures or property owned or controlled by EAI in areas served by you, including without limitation all drafts, revisions, or amendments of these documents.

**RESPONSE:** See objections and response to Request No. 17 as set forth in Complainants' Sixth Amended Responses to Entergy Arkansas, Inc.'s First Interrogatories And Requests For Production To Certain Complainants. See also COMPL980129-980144; COMPL980150-980504.

REQUEST FOR PRODUCTION NO. 18: Produce all documents which constitute or relate to training materials or manuals, safety regulations or codes, internal training or safety manuals, training or safety policies or procedures utilized or implemented by you in making any attachment of coax or fiber cable, messenger, guy wire, anchor bracket, bolt, apparatus, power supply, electronic device, or any other equipment or wire

associated with attachment of the foregoing to poles, structures, or property owned or controlled by EAI in areas served by you, including without limitation all drafts, revisions and amendments of these documents.

**RESPONSE:** See objections and response to Request No. 18 as set forth in Complainants' Sixth Amended Responses to Entergy Arkansas, Inc.'s First Interrogatories And Requests For Production To Certain Complainants. See also COMPL980061-980100.

REQUEST FOR PRODUCTION NO. 27: Produce all documents relating to agreements or contracts between you and every agent, contractor, subcontractor, consultant, or other person or entity who has ever performed or provided any work, labor, or service relating to attachments of Cable Plant, installation, upgrades, rebuilds, overloading, modernizations, modifications, replacement of Cable Plant, or safety violations reported to you by EAI or USS.

**RESPONSE:** See objections and response to Request No. 27 as set forth in Complainants' Sixth Amended Responses to Entergy Arkansas, Inc.'s First Interrogatories And Requests For Production To Certain Complainants. See also COMPL980101-980128; COMPL980145-980149.

REQUEST FOR PRODUCTION NO. 29: Produce all documents relating to agreements between you and Utility Consultants, Inc. ("UCI") or any other agent, contractor, subcontractor or consultant utilized for work on poles, structures, or property owned or controlled by EAI, including but not limited to, contracts, exhibits, schedules, attachments, diagrams, addendums, and modifications.

**RESPONSE:** See objections and response to Request No. 29 as set forth in Complainants' Sixth Amended Responses to Entergy Arkansas, Inc.'s First Interrogatories And Requests For Production To Certain Complainants. See also COMPL980101-980128; COMPL980145-980149.

ARKANSAS CABLE TELECOMMUNICATIONS  
ASSOCIATION; COMCAST OF ARKANSAS,  
INC.; BUFORD COMMUNICATIONS I, L.P.  
D/B/A ALLIANCE COMMUNICATIONS  
NETWORK; WEHCO VIDEO, INC.; COXCOM,  
INC.; AND CEBRIDGE ACQUISITION, L.P.,  
D/B/A SUDDENLINK COMMUNICATIONS



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March 6, 2007

Its Attorneys

**CERTIFICATE OF SERVICE**

I, Coleen Lennon , hereby certify that on March 6, 2007, a copy of the foregoing **COMPLAINANTS' EIGHTH AMENDED RESPONSES TO ENTERGY'S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION** was hand-delivered, and/or placed in the United States mail, and/or sent via electronic mail, postage prepaid, to:

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*Secretary*  
Federal Communications Commission  
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Washington, D.C. 20554

The Honorable Arthur I. Steinberg \*\*  
Administrative Law Judge  
Office of the Administrative Law Judge  
Federal Communications Commission  
445 Twelfth Street, S. W.  
Washington, D. C. 20554

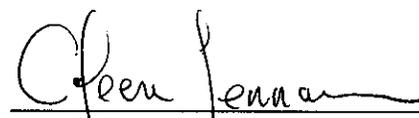
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Coleen Lennon

\* Served via U.S. Mail  
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