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AT&T Texas
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PUBLIC UTILITY COMMISSION
FILED SECRETARY

PUC DOCKET NO. 40114
SOAH DOCKET NO. 473-13-0920

COMPLAINT OF CITY OF HOUSTON § PUBLIC UTILITY COMMISSION
AGAINST SOUTHWESTERN BELL §
TELEPHONE LP, D/B/A AT&T TEXAS § OF TEXAS

**AT&T TEXAS' FIRST REQUEST FOR INFORMATION TO
THE CITY OF HOUSTON**

Southwestern Bell Telephone Company d/b/a AT&T Texas ("AT&T") submits its First Request for Information ("RFIs") pursuant to P.U.C. Procedural Rule 22.144 to the City of Houston ("Houston") through its authorized representative Mark Wilder of Southwestern Tariff Analyst.

**I.
INSTRUCTIONS**

1. AT&T requests that Houston answer separately and fully the RFIs as provided by the Texas Rules of Civil Procedure ("TRCP") and Commission Procedural Rules. Please identify at the end of each answer the person or persons most knowledgeable about such response and the person or persons responsible for the preparation of such response. Answers and responses should be served on the undersigned counsel of record in accordance with P.U.C. Proc. R. 22.144(c)(1).
2. AT&T requests that Houston answer the RFIs under oath or stipulate in writing that its RFI responses can be treated exactly as if they were filed under oath.
3. In producing documents pursuant to requests for production ("RFPs"), Houston should number each document and indicate the specific questions(s) or request(s) in

response to which the document is being produced. To the extent that any document falls within the scope of multiple requests, multiple productions are not contemplated; one production referencing the multiple requests will be sufficient.

4. When a request asks for the production of a study, report, or supporting inputs for assumptions, such data should be provided in usable PC-based electronic format when available.

5. With respect to any document that you deem privileged, provide a statement setting forth as to each:

- (a) The type of document involved;
- (b) The date appearing on the document, or if no date appears, the date on which the document was prepared;
- (c) The name of the person(s) to whom the document was addressed;
- (d) The name of the person(s) who signed the document or, if not signed, the name of the person(s) who prepared it; and
- (e) The specific ground(s) upon which the claim of privilege rests.

6. For any information that you claim is unavailable, state why it is unavailable. If you cannot respond to the request precisely as it is stated, provide any information that is available that would respond to that request at a level of detail different from that specified herein.

7. A request for "all documents" and "all communications" contemplates a complete production of materials related to the referenced subject matter but is not intended to seek a duplicative or cumulative production of documents. To the extent that the production of one set of documents is fully responsive to the information requested, AT&T does not seek (and Houston need not produce) duplicate sets of documents that also address the same matters.

8. Service on AT&T should be made in person or by electronic mail to:

Christie M. Villarreal
General Attorney
AT&T Texas
816 Congress, Suite 1100
Austin, Texas 78701
(512) 457-2305 (Telephone)
(512) 870-3420 (Facsimile)
christie.villarreal.1@att.com (email)

II. DEFINITIONS

For purposes of these RFIs, the terms set forth should be interpreted according to their plain and ordinary meanings. Technical terms should be interpreted according to their commonly used meanings within the communications industry. Additionally, the terms used below shall have the following meanings:

- (1) "AT&T" or "AT&T Texas" means Southwestern Bell Telephone Company d/b/a AT&T Texas and its predecessor in interest.
- (2) "Communication" includes without limitation of its generality correspondence, e-mails, statements, agreements, contracts, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by documents or by media such as intercoms, telephones, computer transmission, e-mail, television or radio. Unless otherwise specifically stated, the term includes both internal (e.g., Houston to Houston) and external (e.g., Houston to others) correspondence, e-mails, statements, agreements, contracts, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral.
- (3) "Document" means any written, recorded or graphic matter, however produced or reproduced, on any medium of any description in your actual or constructive possession, custody or control, or of which you have knowledge, upon which intelligence or information is recorded from or from which intelligence or information can be retrieved; and every copy of such writing or record where the original is not in your possession, custody, or control.

- (4) "Houston" means the City of Houston, and its mayor, council members, agents, attorneys, employees, representatives, and/or consultants of the City of Houston. Reference to "Houston" explicitly includes its representative Southwestern Tariff Analyst as defined below.
- (5) "Identify," when used in connection with an act, shall mean to state a description of the act, including the place, date, and time of its occurrence, and the identity of the person, persons, or entities that engaged in and/or witnessed the act.
- (6) "Identify," when used with reference to a "Document," shall mean to state the type of Document (e.g., book, magazine, article, circular, ledger, letter, memoranda, chart, computer run information, microfilm, etc.), its present location and custodian, a description of its form, title, author/addresser, addressee, indicated or blind copies, subject matter, volume and page number or other means of general identification, approximate size and number of pages, any attachments or appendices, and the date on which it was made or prepared.
- (7) "Identify," when used with reference to a natural person, shall mean to state the full name, present business address, and the occupation of that person during the time period indicated by these requests for information, the relationship, if any, of that person to your company, and that person's involvement in the matter that is the subject of the request.
- (8) "Person" means any natural person, firm, corporation, association, partnership, or other organization or form of legal entity.
- (9) "Related to" means documents containing, showing, relating, mentioning, referring or pertaining in any way, directly, or indirectly to, or in legal, logical or factual way or connection with, a document request, and includes documents underlying, supporting, now or previously attached or appended to, or used in the preparation of any document called for by such request.
- (10) "Southwestern Tariff Analyst" includes Mark A. Wilder and any other employee of Southwestern Tariff Analyst.
- (11) "The Move" means the intended disconnect of the 4 SmartTrunks on account 832 393-0000 and move of the DID blocks from 611 Walker to the newly installed SmartTrunks on account 832 393-3000 at 1400 Lubbock.
- (12) "Greater Houston Convention and Visitors Bureau" means the Greater Houston Convention and Visitors Bureau and its board of directors, agents, attorneys, employees, representatives, and/or consultants.

- (13) "Friends of the Houston Public Library" means the Friends of the Houston Public Library and its board of directors, agents, attorneys, employees, representatives, and/or consultants.
- (14) "Houston Police Officers Pension System" means the Houston Police Officers Pension System and its board of trustees, agents, attorneys, employees, representatives, and/or consultants.

III.
REQUESTS FOR INFORMATION

RFI No. 1-1:

Explain in detail how Houston compensates and/or will compensate Southwestern Tariff Analyst for services rendered in this proceeding including all commissions, fees, benefits, cost recovery, award/refund sharing or other forms of compensation.

RFI No. 1-2:

Identify the estimated refund (including interest) Houston seeks in this proceeding and explain in detail how Houston or anyone acting on its behalf, including but not limited to Southwestern Tariff Analyst, arrived at that estimate.

RFI No. 1-3:

Identify all documents Houston relied upon in responding to RFI No. 1-2 including but not limited to telephone bills, contracts, reports, records, and tariffs.

RFI No. 1-4:

Identify the person(s) employed (whether currently employed or previously employed) by Houston that have personal knowledge of any facts related to the claims raised by Houston in this proceeding.

RFI No. 1-5:

Identify the person with the most personal knowledge of the facts related to the claims raised by Houston in this proceeding.

RFI No. 1-6:

Identify the person(s) employed by Houston that Southwestern Tariff Analyst consults with to obtain responses to AT&T's requests for information issued in this proceeding.

RFI No. 1-7:

Identify the persons that will provide written testimony on behalf of Houston in this proceeding.

RFI No. 1-8:

For each person identified in RFI No. 1-7, disclose the subject matter on which the person will testify.

RFI No. 1-9:

Identify all persons Houston intends to offer as a testifying expert in this proceeding and disclose the subject matter on which the expert will testify.

RFI No. 1-10:

For each testifying expert identified in RFI No. 1-9, disclose the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them.

RFI No. 1-11:

Identify the person or persons responsible for the payment of the telephone bills associated with account 713 227-3100.

RFI No. 1-12:

Identify the person or persons responsible for the payment of the telephone bills associated with account 713 437-5200.

RFI No. 1-13:

Identify the person or persons responsible for the payment of the telephone bills associated with account 713 849-9330.

RFI No. 1-14:

Identify the person or persons responsible for the payment of the telephone bills associated with account 713 869-7657.

RFI No. 1-15:

State the basis for Houston's contention that account 713 227-3100 and account 713 437-5200 "are the City of Houston" as alleged in Houston's Formal Complaint.

RFI No. 1-16:

State the basis for Houston's contention that account 713 849-9330 is a City of Houston account.

RFI No. 1-17:

State the basis for Houston's contention that account 713 869-7657 is a City of Houston account.

RFI No. 1-18:

Is it Houston's contention that the Greater Houston Convention and Visitors Bureau was eligible for Tex-An 2000 rate treatment?

RFI No. 1-19:

If Houston's response to RFI No. 1-18 is in the affirmative, please state the basis for Houston's contention.

RFI No. 1-20:

Is it Houston's contention that the Friends of the Houston Public Library was eligible for Tex-AN 2000 rate treatment?

RFI No. 1-21:

If Houston's response to RFI No. 1-20 is in the affirmative, please state the basis for Houston's contention.

RFI No. 1-22:

Is it Houston's contention that the Houston Police Officers Pension System was eligible for Tex-AN 2000 rate treatment?

RFI No. 1-23:

If Houston's response to RFI No. 1-22 is in the affirmative, please state the basis for Houston's contention.

RFI No. 1-24:

Is the mailing address on the current telephone bill on account 713 227-3100 a property that is owned by Houston?

RFI No. 1-25:

Is the mailing address on the current telephone bill on account 713 437-5200 a property that is owned by Houston?

RFI No. 1-26:

Is the mailing address on the current telephone bill on account 713 849-9330 a property that is owned by Houston?

RFI No. 1-27:

Is the mailing address on the current telephone bill on account 713 869-7657 a property that is owned by Houston?

RFI No. 1-28:

Who is currently authorized to make business decisions and changes to account 713 227-3100—Houston or the Greater Houston Convention and Visitors Bureau?

RFI No. 1-29:

Who is currently authorized to make business decisions and changes to account 713 437-5200—Houston or the Greater Houston Convention and Visitors Bureau?

RFI No. 1-30:

Who is currently authorized to make business decisions and changes to account 713 849-9330—Houston or the Friends of the Houston Public Library?

RFI No. 1-31:

Who is currently authorized to make business decisions and changes to account 713 869-7657—Houston or the Houston Police Officers Pension System?

RFI No. 1-32:

Identify how the Greater Houston Convention and Visitors Bureau was incorporated and identify its governing body.

RFI No. 1-33:

Do Houston and the Greater Houston Convention and Visitors Bureau share the same governing body? If not, please explain how Houston is authorized to make decisions on account 713 227-3100 and account 713 437-5200.

RFI No. 1-34:

Identify how the Friends of the Houston Public Library was incorporated and identify its governing body.

RFI No. 1-35:

Do Houston and the Friends of the Public Library share the same governing body? If not, please explain how Houston is authorized to make decisions on account 713 849-9330.

RFI No. 1-36:

Identify how the Houston Police Officers Pension System was incorporated and identify its governing body.

RFI No. 1-37:

Do Houston and the Police Officers Pension System share the same governing body? If not, please explain how Houston is authorized to make decisions on account 713 869-7657.

RFI No. 1-38:

Identify all agreements between Houston and the Greater Houston Convention and Visitors Bureau related to any refund that may be recovered regarding claims that form the basis of this proceeding?

RFI No. 1-39:

Identify all agreements between Houston and the Friends of the Houston Public Library related to any refund that may be recovered regarding claims that form the basis of this proceeding?

RFI No. 1-40:

Identify all agreements between Houston and the Houston Police Officers Pension System related to any refund that may be recovered regarding claims that form the basis of this proceeding?

RFI No. 1-41:

Is the Greater Houston Convention and Visitors Bureau aware of the claims that form the basis of this proceeding? If so, please explain how it became aware of the claims that form the basis of this proceeding.

RFI No. 1-42:

Is the Friends of the Houston Public Library aware of the claims that form the basis of this proceeding? If so, please explain how it became aware of the claims that form the basis of this proceeding.

RFI No. 1-43:

Is the Houston Police Officers Pension System aware of the claims that form the basis of this proceeding? If so, please explain how it became aware of the claims that form the basis of this proceeding.

RFI No. 1-44:

State the basis for Houston's contention that Houston "never intended to completely disconnect the original service" as alleged on page 4 of Houston's Formal Complaint?

RFI No. 1-45:

Explain why Houston subsequently cancelled the request for the Move.

RFI No. 1-46:

Identify the date Houston elected to have AT&T apply Tex-AN 2000 rates for the SmartTrunks on account 832 393-3000 and how that election was made to AT&T.

RFI No. 1-47:

Identify the date Houston elected to have AT&T apply Tex-AN 2000 rates for the measured service on account 713 849-9330 and how that election was made to AT&T and how that election was made to AT&T.

RFI No. 1-48:

Identify the date Houston elected to have AT&T apply Tex-AN 2000 rates for the single line on account 713 869-7657 and how that election was made to AT&T.

RFI No. 1-49:

Identify the date Houston elected to have AT&T apply Tex-AN 2000 rates for the services on account 713 227-3100 and how that election was made to AT&T.

RFI No. 1-50:

Identify the date Houston elected to have AT&T apply Tex-AN 2000 rates for the service on account 713 437-5200 and how that election was made to AT&T.

RFI No. 1-51:

Identify the contract that the 4 SmartTrunks on account 932 393-0000 (associated with the Move) were under in February 2008, and provide the end date of the contract term as to those 4 SmartTrunks.

RFI No. 1-52:

Identify all P.O.N.s (Purchase Order Numbers) issued by Houston related to the Move.

**IV.
REQUESTS FOR PRODUCTION**

RFP No. 1-1:

Produce all documents Houston relied upon in responding to RFI No. 1-2.

RFP No. 1-2:

For each testifying expert identified in RFI No. 1-9, produce all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony.

RFP No. 1-3:

For each testifying expert identified in RFI No. 1-9, produce the expert's current curriculum vitae.

RFP No. 1-4:

Produce the agreement by which Houston has agreed to compensate Southwestern Tariff Analyst for services rendered in this proceeding including all commissions, fees, benefits, cost recovery, award/refund sharing or other forms of compensation.

RFP No. 1-5:

Produce Houston's procurement manual in effect during the time period from January 1, 2008 to the present, including all revisions issued during that time period.

RFP No. 1-6:

Produce all documents evidencing that Houston elected to have AT&T apply Tex-AN 2000 rates for the SmartTrunks on account 832 393-3000.

RFP No. 1-7:

Produce all documents evidencing Houston's request for Tex-AN 2000 rate treatment on services on account 713 227-3100.

RFP No. 1-8:

Produce all documents evidencing Houston's request for Tex-AN 2000 rate treatment on services on account 713 437-5200.

RFP No. 1-9:

Produce all documents evidencing Houston's request for Tex-AN 2000 rate treatment on services on account 713 849-9330.

RFP No. 1-10:

Produce all documents evidencing Houston's request for Tex-AN 2000 rate treatment on services on account 713 869-7657.

RFP No. 1-11:

Produce all documents related to the refund Houston seeks in this proceeding.

RFP No. 1-12:

Produce all documents providing the calculations for the refund Houston seeks in this proceeding.

RFP No. 1-13:

Produce all communications sent or received by Houston related to the claims that make the basis of this proceeding.

RFP No. 1-14:

Produce all studies, reports, letters, written memoranda, recommendations, analysis or documentation of any kind created by, on behalf of or at the request of Houston related to the claims that make the basis of this proceeding.

RFP No. 1-15:

Produce all studies, reports, letters, written memoranda, recommendations, analysis or documentation of any kind that Southwestern Tariff Analyst submitted to or prepared for Houston related to the claims that make the basis of this proceeding.

RFP No 1-16:

Produce all documents identifying the person that pays the telephone bills on account 713 227-3100.

RFP No 1-17:

Produce all documents identifying the person that pays the telephone bills on account 713 437-5200.

RFP No 1-18:

Produce all documents identifying the person that pays the telephone bills on account 713 849-9330.

RFP No 1-19:

Produce all documents identifying the person that pays the telephone bills on account 713 869-7657.

RFP No. 1-20:

If it is Houston's contention that the Greater Houston Convention and Visitors Bureau was eligible for Tex-AN 2000 rate treatment, produce all documents in support of Houston's contention.

RFP No. 1-21:

If it is Houston's contention that the Friends of the Houston Public Library was eligible for Tex-AN 2000 rate treatment, produce all documents in support of Houston's contention.

RFP No. 1-22:

If it is Houston's contention that the Houston Police Officers Pension System was eligible for Tex-AN 2000 rate treatment, produce all documents in support of Houston's contention.

RFP No. 1-23:

Produce all documents supporting Houston's contention that Houston "had already instructed AT&T to convert both locations to Tex-AN 2000" as alleged on page 4 of Houston's Formal Complaint.

RFP No. 1-24:

Produce all documents supporting Houston's contention that AT&T made "unambiguous notes in Houston's billing records to memorialize Houston's election to Tex-AN 2000 (24-month term)" as alleged on page 4 of Houston's Formal Complaint.

RFP No. 1-25:

Produce all P.O.N.s (Purchase Order Numbers) submitted by Houston related to the Move.

RFP No. 1-26:

Produce all communications by and between AT&T and Houston related to the Move.

RFP No. 1-27:

Produce all documents received from or forwarded to AT&T which Houston intends to offer at the hearing on the merits of this proceeding.

RFP No. 1-28:

Produce the organizing documents (*i.e.*, articles of incorporation) for the Greater Houston Convention and Visitors Bureau.

RFP No. 1-29:

Produce the organizing documents (*i.e.*, articles of incorporation) for the Friends of the Houston Public Library.

RFP No. 1-30:

Produce the organizing documents (*i.e.*, articles of incorporation) for the Houston Police Officers Pension System.

RFP No. 1-31:

Produce all communications between Houston and the Greater Houston Convention and Visitors Bureau related to the claims that form the basis of this proceeding.

RFP No. 1-32:

Produce all communications between Houston and the Friends of the Houston Public Library related to the claims that form the basis of this proceeding.

RFP No. 1-33:

Produce all communications between Houston and the Houston Police Officers Pension System related to the claims that form the basis of this proceeding.

RFP No. 1-34:

Produce all documents evidencing the relationship between Houston and the Greater Houston Convention and Visitors Bureau.

RFP No. 1-35:

Produce all documents evidencing the relationship between Houston and the Friends of the Houston Public Library.

RFP No. 1-36:

Produce all documents evidencing the relationship between Houston and the Houston Police Officers Pension System.

RFP No. 1-37:

Produce all agreements between Houston and the Greater Houston Convention and Visitors Bureau related to any refund that may be recovered regarding claims that form the basis of this proceeding.

RFP No. 1-38:

Produce all agreements between Houston and the Friends of the Houston Public Library related to any refund that may be recovered regarding claims that form the basis of this proceeding.

RFP No. 1-39:

Produce all agreements between Houston and the Houston Police Officers Pension System related to any refund that may be recovered regarding claims that form the basis of this proceeding.

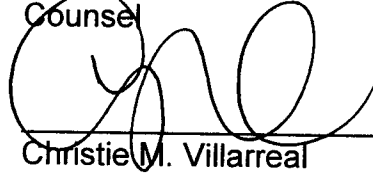
V.
REQUESTS FOR ADMISSION

RFA No. 1-1:

Admit Houston cancelled the request for the Move on July 13, 2009.

Respectfully submitted,

JOSEPH E. COSGROVE, JR.
General Attorney and Associate General
Counsel



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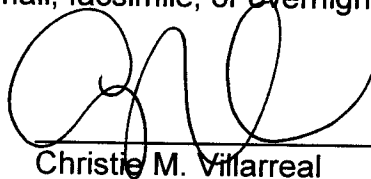
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CERTIFICATE OF SERVICE

I, Christie M. Villarreal, General Attorney for AT&T Texas, certify that a true and correct copy of this document was served on all parties of record on September 6, 2013, via: U.S. Certified Mail, electronic mail, facsimile, or overnight delivery.



Christie M. Villarreal