STATE OF SOUTH CAROLINA

(Caption of Case)
App. of Time Warner Cable Information Services to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Farmers Telephone Cooperative, Inc., and for Alternative Regulation

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 325 - C

(Please type or print)

Submitted by: Margaret M. Fox
Address: McNair Law Firm, P. A.
P. O. Box 11390
Columbia, SC 29211

SC Bar Number: 65418
Telephone: 803-799-9800
Fax: 803-753-3219
Other:
Email: pfox@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☐ Affidavit	☐ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certification
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigation
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certificate	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☐ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☒ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☒ Discovery	☐ Prefiled Testimony	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

MCNAIR LAW FIRM, P.A.

ATTORNEYS AND COUNSELORS AT LAW

www.mcnair.net

Margaret M. Fox
pfox@mcnair.net

THE TOWER AT 1301 GERVAIS
1301 GERVAIS STREET, 11th FLOOR
COLUMBIA, SOUTH CAROLINA 29201

POST OFFICE BOX 11390
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803)799-9800
FACSIMILE (803)753-3219

November 14, 2008

Mr. Charles L. A. Terreni
Chief Clerk and Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

Re: Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Farmers Telephone Cooperative, Inc., and for Alternative Regulation Docket No. 2008-325-C

Dear Mr. Terreni:

Enclosed for filing please find Farmers Telephone Cooperative, Inc.'s Second Set of Interrogatories to Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable in the above- referenced docket. By copy of this letter and certificate of service, a copy of this document is being served on all parties of record.

Thank you for your assistance.

Very truly yours,

Margaret M. Fox

Margaret M. Fox

MMF/rwm
Enclosure

cc: Parties of Record

BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA

Docket No. 2008-325-C

IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Farmers Telephone Cooperative, Inc. and for Alternative Regulation	)

SECOND SET OF INTERROGATORIES TO TIME WARNER CABLE INFORMATION SERVICES (SOUTH CAROLINA), LLC

Pursuant to 26 S.C. Code Ann. Regs. 103.833 and other applicable rules of the Public Service Commission of South Carolina, Farmers Telephone Cooperative, Inc., ("Farmers") requests that Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner ("TWCIS") respond to the following interrogatories within twenty (20) days of service hereof.

IT IS HEREIN REQUESTED:

A. That all information shall be provided to the undersigned in the format requested.

B. That all responses to the below requests shall be labeled using the same number as used herein.

C. That if the requested information is found in other places or in other exhibits, reference not be made to those, but, instead, that the information be reproduced and placed in the Interrogatory in the appropriate sequence.

D. That any inquiries or communications relating to questions concerning clarifications of the data requested below be directed to the undersigned.

E. That all exhibits be reduced to 8-1/2" x 11" format.

F. That, if the requested information exceeds twenty-five (25) pages in length, the requested information be bound in ring binders (loose leaf notebook) or otherwise bound.

G. That, in addition to the signature and verification at the close of TWCIS' response, the person responsible for the information contained in each answer be indicated.

H. That each of these Interrogatories be reproduced at the beginning of each of the responses.

I. That the responses be sent to:

M. John Bowen, Jr.
Margaret M. Fox
McNair Law Firm, P.A.
1301 Gervais Street
Columbia, SC 29201
Post Office Box 11390 (ZIP 29211)

J. If the response to any Interrogatory is that the information requested is not currently available, state when the information requested will be available.

K. These Interrogatories shall be deemed continuing so as to require TWCIS to supplement or amend its responses as any additional information becomes available.

INTERROGATORIES

2-1 Is TWCIS or any affiliated company currently providing Digital Phone interconnected VoIP services or Business Class Phone interconnected VoIP services to customers in Farmers' service area?

2-2 If the answer to 2-1 above is "yes," on what date did TWCIS or the affiliated company begin providing Digital Phone service in Farmers' service area? On what date did it begin providing Business Class Phone service in Farmers' service area?

2-3 If the answer to 2-1 above is "yes," how many customers are currently being provided with Digital Phone service in Farmers' service area? How many with Business Class Phone service in Farmers' service area?

2-4 Does TWCIS intend to seek direct interconnection with Farmers?

2-5 If the answer to 2-4 above is "yes," what telecommunications services will be exchanged or provided over the interconnected facilities?

2-6 Please provide the following information for TWCIS' "high capacity private line, point to point transmission/telecommunications service" ("HCPLPPTS") offered in South Carolina:

a. Number of customers currently receiving HCPLPPTS from TWCIS;
b. Number of customers by type of HCPLPPTS provided;
c. A detailed description of the ICB arrangement for each customer, if the ICB differs among customers.

2-7 Identify all entities which have entered or plan or contemplate to enter into a partnership, LLC, joint venture or contractual relationship for the purpose of engaging in the provision of Digital Phone, Business Class Phone, or HCPLPPTS service by TWCIS in the area served by Farmers.

2-8 In TWCIS' Application, HCPLPPTS is referenced as a "non-voice" transmission/telecommunications service. Please confirm that HCPLPPTS is a "non-voice" service for purposes of this application.

2-9 Does any Time Warner Company use assets owned by any subsidiary or division of Time Warner Inc. in order to provide HCPLPPTS? If so, please identify the subsidiary (hereinafter for purposes of this set of Interrogatories defined as "Time Warner Cable") and describe what assets are used.

2-10 If the answer to 2-9 is "yes,"

a. Please describe the network components where the Time Warner Company connects or interconnects with Time Warner Cable in order to use this network facility for the provision of HCPLPPTS.
b. Does Time Warner Cable charge the Time Warner Company for using this cable as described above? If yes, how much does Time Warner Cable charge the Time Warner Company to use this cable?
c. Is Time Warner Cable willing to provide the same network assets to other carriers other than the Time Warner Company? If not, why not?

2-11 Are the HCPLPPTS services offered on a common carriage basis? If so, how does TWCIS demonstrate that services are non-discriminatory to customers?

2-12 In response to Interrogatory 1-9, TWCIS states that it will continue to use Sprint for interconnection of TWCIS' retail VoIP services, if the application is granted. Please respond to the following:

a. Does TWCIS plan on obtaining numbering resources directly from NANPA?
b. If TWCIS were certified, what would prevent it from obtaining numbers directly?
c. What arrangements does TWICS anticipate making in order to connect to Farmers' network?

2-13 In response to Interrogatory 1-9(i), TWCIS states that wholesale services "will be" tariffed. Will that tariff be the same as the tariff submitted with the application?

2-14 In response to Interrogatory 1-11, TWCIS states that its wholesale HCPLPPTS services are not in a predetermined network configuration but will be provisioned on an ICB basis. Please answer the following:

a. Does the TWCIS HCPLPPTS include transport over a specific distance between the customer locations or TWCIS locations? If so, does overall price of the service to the customer vary based on the distance between the locations?

b. Does the TWCIS HCPLPPTS provide options for termination of the transport at each of the end points? Does the overall price of HCPLPPTS to the customer vary based on the number and type of terminations?

c. Does TWCIS use more than one type of technology to provide HCPLPPTS? If yes, how many different technologies does TWCIS use and what are they?

d. Please provide examples of circumstances that make the provision of HCPLPPTS unique to individual customers that have driven TWCIS to price HCPLPPTS exclusively on an Individual Case Basis.

2-15 How many retail HCPLPPTS customers does TWCIS project within the next 2 years?

2-16 How many wholesale HCPLPPTS customers does TWCIS project within the next 2 years?

2-17 In response to Interrogatory 1-16, TWCIS states that Time Warner's New Hampshire affiliate has not paid certain access bills due to "erroneous charges." Please respond to the following:

a. How many such bills with "erroneous charges" are there?

b. Have these disputes been settled between the parties or have third parties been required to settle the dispute?

c. How many of the disputes are pending?

2-18 In response to Interrogatory 1-18, TWCIS states that Sprint provides 911 service to TWCIS for its interconnected VoIP service customers. Does Sprint populate the 911 database with the customer location?

2-19 Does TWCIS itself own any physical telecommunications facilities in South Carolina? If yes, please describe.

2-20 With respect to Section 3.4.1 of the tariff filed with TWCIS' Application, please respond to the following:

a. The tariff states that HCPLPPTS "may" utilize Ethernet interfaces, optical fiber, and/or coaxial cable facilities. Are there any other options for the customer? Who determines which facilities will be used? Are there standard interfaces used for the Ethernet, fiber or coax facilities?

b. This section also states that HCPLPPTS connections are scalable from 1 Mbps to 10 Gbps. Are standard increments used or will TWCIS support any increment of bandwidth?

c. Does TWCIS warranty any standards of performance of the HCPLPPTS transmission circuits?

d. Please define "non-discriminatory access" as used in this tariff section.

e. Please define "non-discriminatory rates" as used in this tariff section.

Respectfully submitted,

By: Margaret M. Fox

M. John Bowen, Jr.
Margaret M. Fox
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
Telephone: (803) 799-9800
Facsimile: (803) 376-2219
Email: jbowen@mcnair.net;
pfox@mcnair.net

ATTORNEYS FOR FARMERS
TELEPHONE COOPERATIVE, INC.

Columbia, South Carolina

November 14, 2008

BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA

Docket No. 2008-325-C

IN RE: Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Farmers Telephone Cooperative, Inc. and for Alternative Regulation	)	**CERTIFICATE OF SERVICE**

This is to certify that I, Rebecca W. Martin, an employee with the McNair Law Firm, P. A., have this date served one (1) copy of Farmers Telephone Cooperative, Inc.'s Second Set of Interrogatories in the above-referenced matter to the persons named below by causing said copies to be hand-delivered by courier at the addresses stated below.

Nanette S. Edwards, Esquire
Jeffrey M. Nelson, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29211

Frank Ellerbe, III, Esquire
Bonnie D. Shealy, Esquire
Robinson, McFadden & Moore, P. C.
1901 Main Street, Suite 1200
Columbia, South Carolina 29202

I further certify that the following party of record is receiving a copy of the above-mentioned document by United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below.

C. Bradley Hutto, Esquire
Williams & Williams
Post Office Box 1084
Orangeburg, South Carolina 29115

Rebecca W. Martin

Rebecca W. Martin
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

November 14, 2008

Columbia, South Carolina