

Exhibit No.: Big River Exhibit No. 9
Case No.: TC-2012-0284

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Data Center
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BIG RIVER TELEPHONE COMPANY, LLC'S

EXHIBIT NO. 9

AT&T MISSOURI'S RESPONSE TO INTERROGATORY 5

Big River Exhibit No. 9
Date 1-08-13 Reporter 4f
File No. TC-2012-0284

**AT&T MISSOURI'S OBJECTIONS AND RESPONSES TO BIG RIVER'S FIRST SET
OF DOCUMENT REQUESTS, INTERROGATORIES, AND REQUESTS FOR
ADMISSION**

Interrogatories

5. List and identify each issue within their respective testimony upon which William Greenlaw, Mark Neinast, and Janice Mullins are being offered by AT&T Missouri as expert witnesses, stating for each witness:

- a) the qualifications he/she possesses to give an expert opinion on said issue;
- b) the fee the witness is charging AT&T Missouri for their participation in this case; and
- c) when the witness first became aware of the dispute at issue in this case.

Answer: (a) None of AT&T Missouri's witnesses are testifying as an "expert" in the strict technical sense used in rules applicable to court proceedings, and the heightened standards for "expert" testimony that may be used in court are not pertinent here. *See* Mo. Rev. Stat. § 386.410 (the Commission "shall not be bound by the technical rules of evidence," and "[n]o formality in any proceeding nor in any manner of taking testimony before the commission or any commissioner shall invalidate any order, decision, rule or regulation made, approved or confirmed by the commission"). While AT&T Missouri's witnesses have and rely upon expertise based upon their industry knowledge and experience, they are primarily witnesses who testify about facts relevant to this case and explain AT&T Missouri's position, pursuant to 4 CSR 240-2.130(7)(A).

(b) None of AT&T Missouri's witnesses are charging a fee for their participation in this case. (c) William Greenlaw and Mark Neinast first became aware of the dispute at issue in this case shortly after Big River filed its complaint. Janice Mullins first became aware of the dispute at issue in this case shortly after Big River submitted its request for informal dispute resolution to AT&T Missouri.

(c) William Greenlaw and Mark Neinast first became aware of the dispute at issue in this case shortly after Big River filed its complaint. Janice Mullins first became aware of the dispute at issue in this case shortly after Big River submitted its request for informal dispute resolution to AT&T Missouri.