

Meredith Mays
Regulatory Counsel

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0750

December 24, 2002

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: 020507-TL

Dear Ms. Bayó:

On December 18, 2002, BellSouth Telecommunications, Inc ("BellSouth") filed its Emergency Motion to Compel Against the Florida Competitive Carriers Association with exhibits. With this letter, BellSouth hereby corrects the exhibits that were filed.

Specifically, BellSouth inadvertently omitted to send in Exhibit No. 2 a copy of FCCA's Response to BellSouth's First Set of Interrogatories (Nos. 1-32), which is enclosed. BellSouth also included in Exhibit No. 2, two copies of both FCCA's Objections to BellSouth's First Set of Interrogatories (Nos. 1-32) and First Request for Production of Documents (Nos. 1-4) of which we asked that you discard one copy. FCCA's Notice and Third Set of Interrogatories to BellSouth (No. 7) should also be discarded.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Meredith E. Mays (KA)

cc: All Parties of Record

DOCUMENT NUMBER DATE

14017 DEC 24 8

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 020507-TL**

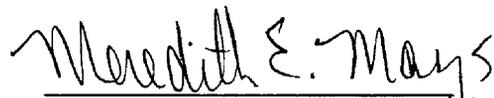
I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
U.S. Mail this 24th day of December 2002 to the following:

Patricia Christensen
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
pchrste@psc.state.fl.us

Vicki Gordon Kaufman (+)
Joseph A. McGlothlin
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
Tel. No. (850) 222-2525
Fax. No. (850) 222-5606
Represents FCCA
vkaufman@mac-law.com
jmcglothlin@mac-law.com

Nanette Edwards, Esq.
Director - Regulatory
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802
nedwards@itcdeltacom.com

Floyd Self, Esq.
Messer, Caparello & Self
215 S. Monroe Street
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Represents ITC^DeltaCom
fself@lawfla.com


Meredith E. Mays (lms)

(+) Signed Protective Agreement

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of the Florida
Competitive Carriers Association
Against BellSouth Telecommunications, Inc.
Regarding BellSouth's Practice of Refusing
To Provide FastAccess Internet Service to
Customers who Receive Voice Service from a
Competitive Voice Provider and Request for
Expedited Relief.

Docket No. 020507-TP

**FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S RESPONSES TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S FIRST SET OF
INTERROGATORIES (NOS. 1 - 32)**

The Florida Competitive Carriers Association (FCCA), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340 and 1.280(b), Florida Rules of Civil Procedure, hereby provides the following Responses to BellSouth Telecommunications, Inc.'s First Set of Interrogatories (Nos. 1 - 32).¹ In providing these responses, the FCCA does not waive and incorporates herein all of its objections, filed on November 15, 2002, to BellSouth's First Set of Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 1: For each Interrogatory, identify the person or persons providing information in response thereto.

RESPONSE: The responses to Interrogatory Nos. 2 and 4 were provided by Mark Long. The responses to Interrogatory Nos. 30 - 32 were provided by Joseph P. Gillan.

INTERROGATORY NO. 2: Please provide a full listing of all FCCA individual member companies, including the legal name and any trade names or "doing business as" names of each individual member company.

RESPONSE: The FCCA has objected to this interrogatory. Notwithstanding its objection, and without waiving it, the FCCA provides the following list of its members.

Access Integrated Networks, Inc.

AT&T Communications of the Southern States, Inc.

BTI Corporation

¹ BellSouth's interrogatories were misnumbered. To avoid confusion, the FCCA has used BellSouth's numbering.

e.spire Communications, Inc.

ICG Telecom Group

ITC^Deltacom

KMC Telecom

MCI WorldCom

Mpower Communications Corp.

Network Telephone Corporation

NuVox Communications, Inc.

Supra Telecom

Z-Tel Communications, Inc.

INTERROGATORY NO. 4: Please list the names, titles, and business addresses of the officers, directors, and management employees of FCCA. State also whether each officer, director, and management employee is affiliated with an individual member company of FCCA; if so, provide the title and name of the individual member company.

RESPONSE: The FCCA has objected to this interrogatory. Notwithstanding its objection, and without waiving it, the FCCA provides the following list of its officers and directors:

Mark Long
Executive Director, FCCA

2710 Neuchatel Drive
Tallahassee, FL 32303

Brian Sulmonetti
President, FCCA

MCI WorldCom
8 Concourse Parkway, #3200
Atlanta, GA 30328

Joseph P. Gillan
Secretary, FCCA

3 Oceans West Blvd, Unit 6B8
Daytona Beach Shores, FL 32118

Claudia DaVant
Director, FCCA

AT&T
101 N. Monroe Street, Suite 700
Tallahassee, FL 32301

John D. McLaughlin
Vice-Director, FCCA

KMC Telecom
3025 Breckenridge Boulevard, Suite 170
Duluth, GA 30096

INTERROGATORY NO. 30: With respect to the statement in the Complaint that an objective of this Commission is to "protect consumers in their ability to access a full array of market options - whether that option is basic telecommunications service, broad band service, long distance service, or whatever combination of these and/or other services a particular consumer selects to serve his or her own unique needs" do you contend that seeking to regulate only BellSouth's provision of FastAccess accomplishes this goal? If the answer to the foregoing Interrogatory is in the affirmative, state all facts and identify all documents that support his contention.

RESPONSE: This question contains a false premise with which the FCCA cannot agree. The FCCA does not seek to "regulate" FastAccess but rather to prohibit BellSouth from leveraging its monopoly power by tying the provisioning of FastAccess to BellSouth's voice service. As the incumbent provider, only BellSouth is in a position to thwart market forces and hamper consumer choice.

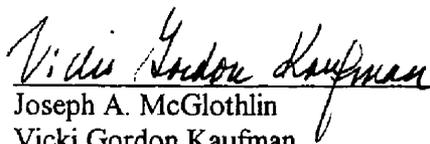
INTERROGATORY NO. 31: With respect to statement in the Complaint that "the Commission should ensure that its policy decision is applicable to all competitive providers" is it your contention that any company that provides both telecommunications service and Broadband service should be required to provide Broadband service when a customer changes voice providers? If the answer to the foregoing Interrogatory is in the negative, state all facts and identify all documents that support this contention.

RESPONSE: As the issues in this docket make clear, the focus of this case is BellSouth's behavior. The FCCA is unaware of any other provider engaging in the anticompetitive conduct that BellSouth is engaged in.

INTERROGATORY NO. 32: With respect to the allegations in Paragraph 12 of the Complaint, do you contend that the Commission's role is solely focused on the behavior that incumbent local providers and that ALECs do not engage in behavior "that hampers the development of a competitive market"? If the answer to the foregoing Interrogatory is in the affirmative, state all facts and identify all documents that support this contention

State also whether you contend that the market for Broadband services is competitive; if not, state all facts and identify all documents that support this contention.

RESPONSE: The focus of this docket is the behavior of BellSouth and the anticompetitive effects of such behavior on consumer choice. As the incumbent monopoly in its service territory, BellSouth is uniquely positioned to affect the marketplace. Because ALECs have a very small market share in comparison to BellSouth, they have no ability, or any incentive, to engage in behavior that hampers the development of a competitive market.



Joseph A. McGlothlin

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Attorneys for the Florida Competitive
Carriers Association

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Responses to BellSouth Telecommunications, Inc.'s First Set of Interrogatories (Nos. 1-32) have been furnished by (*) hand delivery, (**) electronic mail, or by U. S. Mail this 5th day of December 2002, to the following:

(*) (**) Patricia Christensen
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

(*) (**) Nancy White
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

(**) Floyd R. Self
215 South Monroe Street, Suite 701
Tallahassee, Florida 32301

(**) Nanette Edwards
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4092 S. Memorial Parkway
Huntsville, Alabama 35802


Vicki Gordon Kaufman