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January 15, 2003

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

RECEIVED-FPSC
JAN 15 PM 4:02
COMMISSION
CLERK

Re: Docket No.: 020507-TP - The Florida Competitive Carriers Association's Responses to BellSouth Telecommunications, Inc.'s Third Set of Interrogatories and Third Request for Production of Documents.

Dear Ms. Bayo:

The Florida Competitive Carriers Association (FCCA), pursuant to Section 364.183(1), Florida Statutes, hereby claims that certain information provided to BellSouth Telecommunications, Inc. in the FCCA's Response to BellSouth Telecommunications, Inc.'s Third Set of Interrogatories and Third Request for Production of Documents, contains confidential and proprietary business information that should be held exempt from public disclosure. Pursuant to Rule 25-22.0006(5), Florida Administrative Code, in the attached envelope is one copy of the confidential material with the confidential information highlighted. Two redacted copies are attached. Redacted copies have been provided to Staff.

Please acknowledge receipt of the above on the extra copy and return the stamped copy to me.

Thank you for your assistance.

- AUS
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- OTH

Sincerely,

Vicki Gordon Kaufman

Vicki Gordon Kaufman

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VGK/mls

Enclosures

cc: Parties of Record

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Entire Response Confidential

Interrogatory Nos. 57(ii) and 57(iv)

PUBLIC VERSION

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

**THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S RESPONSES TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S THIRD SET OF
INTERROGATORIES (NOS. 37 - 67)**

The Florida Competitive Carriers Association (FCCA), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.280(b) and 1.340, Florida Rules of Civil Procedure, hereby provides the following Responses to BellSouth Telecommunications, Inc.'s Third Set of Interrogatories (Nos. 37 - 67). In providing these responses, the FCCA does not waive and incorporates herein all of its objections, filed on January 6, 2003, to BellSouth's Third Set of Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 37: For each Interrogatory, identify the person or persons providing information in response thereto.

RESPONSE: Interrogatory Nos. 38, 39, 40, 63, 64, 66, 67. Vicki Gordon Kaufman
Interrogatory Nos. 39, 41-56. Jay Bradbury
Interrogatory Nos. 57-62, 65. Sherry Lichtenberg

INTERROGATORY NO. 38: State whether rebuttal witnesses Bradbury and Lichtenberg are testifying in their capacity as employees of AT&T Corp. (AT&T) and WorldCom, Inc. respectively. If FCCA claims that either or both of them are not testifying in their capacity as employees of their respective employers, please identify the basis upon which they are testifying, and identify any written or oral agreements related to their providing testimony in this proceeding, including any arrangements regarding compensation for their time or expenses incurred in providing this testimony.

RESPONSE: As stated on page 4, lines 4-8 of Mr. Bradbury's rebuttal testimony and on page 1, lines 20-21 of Ms. Lichtenberg's rebuttal testimony, Mr. Bradbury and Ms. Lichtenberg are testifying as experts on behalf of the FCCA. They have orally agreed to do so and are testifying based on their years of experience in the telecommunications industry and

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their personal knowledge of BellSouth's systems. Neither is receiving compensation from the FCCA; their respective companies will reimburse them for their expenses.

INTERROGATORY NO. 39: At page 7 of his rebuttal testimony, Mr. Bradbury states, in pertinent part, that "...ALECs have no problem providing BellSouth the permission necessary for BellSouth to serve its existing FA Service Customers or future FA Service Customers who are served by ALEC UNE-P or UNE-L arrangements." With regard to this statement, please state whether Mr. Bradbury has actually spoken to or communicated with any ALECs to ascertain the truth or accuracy of this statement and if he claims he has, please:

- i. Identify the ALECs with which he spoke or communicated regarding this matter, and state whether said ALECs specifically authorized Mr. Bradbury to make this representation.
- ii. Identify the person with whom he spoke or communicated.
- iii. Provide the date on which the communication occurred.
- iv. Provide a detailed description of what was said or communicated.

RESPONSE: The FCCA has objected to this question on the basis of the work product and attorney client privileges. Without waiving these objections, the FCCA responds that Mr. Bradbury has not spoken directly with any particular ALEC regarding this statement in the context of this case, though Mr. Bradbury has had occasion to discuss BellSouth's FastAccess policy with ALECs through his participation in a number of forums, including, for example, the Change Control Process (CCP), the Flow Through Task Force (FTTF) and the Florida Telecommunications Competitive Topics Forum. Mr. Bradbury's testimony represents the FCCA position regarding the issues in the Complaint established before his testimony was prepared.

INTERROGATORY NO. 40: State whether the ALECs, if any, that authorized Mr. Bradbury to make this representation discussed the issue of whether the high frequency portion of the loop would be made available to BellSouth at no charge to BellSouth. If this issue was discussed or otherwise touched upon in any way, please provide, in detail, the substance of the discussion.

RESPONSE: The FCCA has objected to this question on the basis of the work product and attorney client privileges. Without waiving these objections, the FCCA states see response to Interrogatory No. 39.

INTERROGATORY NO. 41: If Mr. Bradbury has not in fact discussed this matter with all of the ALECs in Florida, or even all of the ALECs that are members of FCCA, will AT&T agree to make the high frequency portion of any UNE-P or UNE-L purchased from BellSouth available at no charge for BellSouth's use in providing FastAccess® service to BellSouth's FastAccess® service customers in the event that the Florida Public

Service Commission orders BellSouth to provide FastAccess® service over such facilities.

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that should, if as a result of the FCCA Complaint, the Florida Public Service Commission order BellSouth to provide FastAccess service over the high frequency portion of ALEC UNE-P or UNE-L purchased from BellSouth, AT&T, consistent with the position of the FCCA in this proceeding, does not intend to charge BellSouth for that access.

INTERROGATORY NO. 42: If the answer to Interrogatory 41 is anything other than an unqualified affirmative answer with regard to AT&T, does AT&T intend to charge BellSouth for the use of such spectrum and if so, at what rate?

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that this questions is not applicable given the response to Interrogatory No. 41 above.

INTERROGATORY NO. 43: Does Mr. Bradbury claim to be a witness qualified by education, training or experience to give an expert opinion on economic matters?

RESPONSE: Mr. Bradbury is qualified by education, training and experience to opine upon all of the matters discussed in his rebuttal testimony submitted in this docket.

INTERROGATORY NO. 44: If the answer to Interrogatory 43 is anything other than an unqualified negative answer, please provide detailed information about why Mr. Bradbury believes he should be so qualified and identify every proceeding Mr. Bradbury is aware of where he has been qualified as a witness who could give expert testimony on economic matters.

RESPONSE: Mr. Bradbury's educational and professional background is summarized on pages 1-3 of his rebuttal testimony submitted in this docket. Additional information on Mr. Bradbury's education, employment and training is attached hereto. Further, since 1997, Mr. Bradbury has provided testimony, similar in scope to that presented in this docket, multiple times in each of the nine states in the BellSouth region, including testimony before the Florida Public Service Commission in various dockets related to section 271 matters and arbitrations. The forums in which Mr. Bradbury has provided such testimony is a matter of public record.

INTERROGATORY NO. 45: Does Mr. Bradbury dispute that "BellSouth's wholesale DSL service was developed solely for use with BellSouth voice customers?" If so, please provide a detailed explanation of the facts upon which Mr. Bradbury relies in reaching such a conclusion.

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that Mr. Bradbury can neither dispute nor confirm BellSouth's claim

concerning its wholesale DSL service. However, there is nothing in the DSL or Operations Support System technology available to BellSouth that requires this limitation.

INTERROGATORY NO. 46: Does Mr. Bradbury dispute that “When the provisioning flows, methods, and procedures were developed, the assumption was made that since all customers of BellSouth’s wholesale DSL service or its FastAccess® service would be BellSouth voice customers, it would be most efficient to use the “telephone number” as the driver for provisioning, maintenance, billing and record-keeping purposes?” If so, please provide a detailed explanation of the facts upon which Mr. Bradbury relies in reaching such a conclusion.

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that Mr. Bradbury can neither dispute nor confirm BellSouth’s claims concerning the assumptions it made when developing its wholesale DSL Service or its FastAccess® service. However, there is nothing in the DSL or Operations Support System technology available to BellSouth that requires such a limitation.

Further, BellSouth’s witnesses point out in their description of BellSouth’s tariffed wholesale DSL service (see, for example, the direct testimony of W. Keith Milner, page 3, line 16 – page 4, line 7) that it (1) is not available to end users as a stand-alone service, (2) is a data transport service specifically designed as a network component for Internet Service Providers (“ISPs”) and carriers to package as a part of an enhanced, and (3) requires the termination of all wholesale DSL virtual circuits on an ISP, ALEC, IXC, or NSP designated ATM circuit. What this means is that the wholesale DSL product is not identified by a working telephone number but rather by a circuit number. Thus, BellSouth’s existing systems used in the provisioning, maintenance, billing and record keeping of DSL must be able to function in the absence of a working telephone number for identification purposes.

INTERROGATORY NO. 47: Does Mr. Bradbury dispute that “Accordingly, all of BellSouth’s systems (and the hundreds of supporting sub-systems) were developed using the telephone number as the identifier?” If so, please provide a detailed explanation of the facts upon which Mr. Bradbury relies in reaching such a conclusion.

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that Mr. Bradbury can neither dispute nor confirm BellSouth’s claim concerning the use of the telephone number as the identifier. However, there is nothing in the DSL or Operations Support System technology available to BellSouth that requires such a limitation. As noted in the FCCA response to Interrogatory No. 46, the wholesale DSL identifier is not a working telephone number.

INTERROGATORY NO. 48: Does Mr. Bradbury dispute that “When an ALEC acquires a stand-alone unbundled loop or the UNE-P, the ALEC now becomes the voice provider, and accordingly there no longer is a working BellSouth telephone number in some of

BellSouth's systems?" If so, please provide a detailed explanation of the facts upon which Mr. Bradbury relies in reaching such a conclusion.

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that Mr. Bradbury does dispute the statement above. Specifically, in the case of UNE-P, there is a working telephone number present in all of the same BellSouth systems as if the customer were still receiving either BellSouth retail service or ALEC resale service.

INTERROGATORY NO. 49: Does Mr. Bradbury dispute that "if the ALEC acquires a stand-alone unbundled loop and attaches such a loop to the ALEC's own switch, any assigned telephone number is in the ALEC's switch rather than in BellSouth's switch?" Is so, please provide a detailed explanation of the facts upon which Mr. Bradbury relies in reaching such a conclusion.

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states no. However, this does not necessarily mean that the telephone number, service address, billing address and other customer profile information contained within BellSouth Internet Services databases has been altered, deleted or rendered useless.

INTERROGATORY NO. 50: Please provide a detailed description of the last time that Mr. Bradbury personally participated, either directly, or even by simply observing, (1) BellSouth taking an order for FastAccess® service, (2) BellSouth provisioning FastAccess® service, and (3) where the service was already provisioned, BellSouth repairing or maintaining FastAccess® service.

RESPONSE: (1) Mr. Bradbury has used BellSouth's on-line FastAccess ® ordering process as recently as December 2002.
(2) (3) Mr. Bradbury has neither participated in nor observed the processes in (2) or (3).

INTERROGATORY NO. 51: Please provide a detailed statement of the facts upon which Mr. Bradbury relies if he claims that he has more experience, more understanding or has more knowledge of the operation of BellSouth's provisioning systems (and also the ordering, billing, repair, and maintenance systems), than Mr. Milner, such that Mr. Bradbury's opinion regarding whether it would take a very large, complex, and detailed internal system change to convert BellSouth's wholesale DSL service or FastAccess® service into offerings available to ALECs, is more accurate than Mr. Milner's opinion.

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that BellSouth's interrogatory is based upon a proposition or requirement that is not contained within FCCA's Complaint or the identified issues. Specifically, BellSouth's interrogatory encompasses a requirement "to convert BellSouth's wholesale DSL service or FastAccess® service into offerings available to ALECs." Neither the FCCA Complaint nor the identified issues contain such a requirement. The issues at hand are the provisioning of FastAccess ® service to existing end users already purchasing the service and end users desiring to purchase BellSouth FastAccess ®

service in areas in which it is otherwise available. ALECs do not purchase FastAccess®, offer FastAccess® to their customers, or receive any financial return when BellSouth provides FastAccess® to such customers.

The facts supporting Mr. Bradbury's position are included in his rebuttal testimony at page 12, line 1 through page 14, line 8 and at page 16, lines 11-21.

INTERROGATORY NO. 52: For the purpose of this interrogatory, please assume that Customer A is a local customer of AT&T, and that AT&T provides Customer A's local service using UNE-P. Assume further that the Florida Public Service Commission has ordered BellSouth to provide Customer A with FastAccess® service, which is being provided over the high frequency portion of the loop that AT&T is using in providing local service to Customer A. Finally, assume that Customer A now has a problem with his or her FastAccess® service.

- i. Where should Customer A call to report a problem with the FastAccess® service, AT&T or BellSouth?
- ii. If Customer A calls BellSouth, should Customer A call the appropriate business office number for BellSouth, the appropriate repair office or the appropriate Help Desk and technical support personnel? If the answer is to call some other place, please state where Customer A should call regarding problems with his or her FastAccess® service.
- iii. If Customer A calls either the BellSouth business office, or the BellSouth repair center, or the BellSouth Help Desk, based on Mr. Bradbury's extensive knowledge of BellSouth's systems, is Customer A going to be asked to provide Customer A's telephone number?
- iv. If the responding BellSouth representative puts Customer A's telephone number in to the system currently available to the BellSouth representative, what is going to happen?
- v. Based on the existing systems that BellSouth's representatives are using, could the BellSouth representative put the service address into the system the representative uses, and if he or she did, what would the system, as it is currently arranged, tell the BellSouth representative?
- vi. Is it FCCA's position that end user subscribers generally know their circuit numbers? If the answer is negative, how does Mr. Bradbury propose that BellSouth use Customer A's circuit number to address Customer A's FastAccess® service problem.
- vii. If Mr. Bradbury claims that he does not know the answers to all of the foregoing subparts of this interrogatory, please state in detail the facts upon which he relies to assert, or to imply, that BellSouth can use service

addresses or circuit numbers to address FastAccess® service problems where the ALEC is providing Customer A's voice service.

- RESPONSE:**
- i. As is indicated on page 26 of 31 of Exhibit No. __ (JMB-2), Customer A (BellSouth's FastAccess ® customer) should first attempt to "solve your problem yourself by checking the BellSouth online assistance. Then if Customer A still needs assistance with BellSouth's FastAccess ® service "BellSouth's Help Desk and Technical Support personnel are available 24 hours a day, seven days a week." The following contact number is provided for BellSouth Technical Support – 1-888-321-2375, Option 1, 2, 3 for home service, or 2, 2, 2 for business service.
 - ii. See i. above.
 - iii. Yes.
 - iv. Using the assumptions in this item (FastAccess ® over UNE-P), the BellSouth Internet Service Account User Information, including, but not limited to, user identification and service address will be returned to the BellSouth representative, unless BellSouth has taken deliberate (and unnecessary) action to prevent the information from displaying.
 - v. Yes, the same BellSouth Internet Service Account User Information discussed in iv. above, can be retrieved by BellSouth's representative at the Technical Support number listed in i. above using the service address. In addition that same representative is also capable of obtaining the information discussed in iv., above, starting from the customer's BellSouth Internet Service user identification (fictitious example – JMB6925@bellsouth.net).
 - vi. This question is not applicable to the assumptions BellSouth has established for this item.
 - vii. Not applicable.

INTERROGATORY NO. 53: Mr. Bradbury asserts that "Mr. Milner's and Mr. Folge's (sic) claims that development work is required in order to qualify loops for DSL in the absence of a telephone number are inaccurate." Is it Mr. Bradbury's position that when a potential FastAccess® service customer who is presently receiving voice service from an ALEC, calls a BellSouth business office to inquire about FastAccess® service, that the responding service representative using the system presently available to such representatives can qualify the loop that the calling customer is using without any systems changes? If the answer to the foregoing is affirmative, please provide a detailed explanation of the steps that Mr. Bradbury contends that the responding service representative can take to qualify the loop.

RESPONSE: The instructions on BellSouth's FastAccess ® web site to customers who have only address information is to "contact our representative" to determine if DSL can be provided. Exhibit No. ____, JMB-2, pages 16, 19, and 25 indicate that the responding service representative has some method by which he or she can satisfy the customer's request. Whether that method is a system currently available directly to the responding service representative or involves the representative forwarding the request to another BellSouth employee is not indicated.

BellSouth has developed and deployed two systems that perform on-line and mechanized DSL loop qualification for ALECs/DLECs (LENS and TAG) it could make available to its employees if it so desired. See Bradbury Rebuttal Testimony, page 13, lines 15-21 and Exhibit No. ____, JMB-5.

INTERROGATORY NO. 54: On page 13 and 14 of his testimony, Mr. Bradbury claims "...systems necessary to perform these functions already exist and are available to BellSouth. BellSouth need only train the appropriate personnel on the use of these systems that it has already developed." With regard to this statement"

- i. Does Mr. Bradbury know how many people would have to be trained in order to insure that BellSouth's representatives that could receive calls regarding FastAccess® service would be trained to perform the functions to which Mr. Bradbury refers?
- ii. Does Mr. Bradbury know what such training would cost and how long it would take? If so, please provide a detailed explanation of Mr. Bradbury's estimate of the cost and the time such training would take.

RESPONSE: i. No.

- ii. No. However, utilization of the existing LENS and or TAG systems would reduce any training costs as the systems are in service and the materials necessary to conduct training in their use already exist.

INTERROGATORY NO. 55: Referring to page 10 and the following pages of Mr. Bradbury testimony, if a customer has voice service from the ALEC, and BellSouth has no billing relationship with the customer, does Mr. Bradbury, or the FCCA, object to BellSouth requiring customers to pay for FastAccess® service by credit card? If the answer is anything other than an unqualified negative, please provide a detailed explanation for such answer.

RESPONSE: No.

INTERROGATORY NO. 56: Referring to page 11 of Mr. Bradbury's testimony, beginning at line 8, where Mr. Bradbury states "BellSouth also has the capability to produce bills for customers that do not have working BellSouth telephone numbers," if

the Florida Public Service Commission orders BellSouth to provide FastAccess® service to customers of ALECs, does Mr. Bradbury or the FCCA object to BellSouth charging such customers for the cost of providing such bills to customers that do not have working BellSouth telephone numbers? If the answer is anything other than an unqualified negative, please provide a detailed explanation for the answer.

RESPONSE: Yes. The FCCA position is that no changes in the terms and conditions for FastAccess ® service should occur if the relief it seeks is granted. BellSouth's cost for billing its FastAccess ® customers is included in its calculation of the rates it determines to charge for its services. Both direct billing by BellSouth and credit card billing are available to BellSouth's FastAccess ® customers today. Should BellSouth elect to continue providing both options to its customers, no changes in the rates for FastAccess ® service is justified.

INTERROGATORY NO. 57: At page 2 of her testimony, Ms. Lichtenberg states that MCI "...has encountered a large number of BellSouth customers who receive voice and FastAccess service over the same line. While many of these customers want to migrate to MCI in order to take advantage of the Neighborhood "all distance" voice package, BellSouth's policy of forcing customers to stay with BellSouth for voice service in order to keep their DSL service effectively precludes these consumers from selecting alternative local voice providers." With regard to this statement, please:

- i. State whether MCI and Ms. Lichtenberg are claiming that the 5,233 rejections that Ms. Lichtenberg reports on page 3 of her testimony were rejections solely because the customer had FastAccess® service and would not change because of the policy Ms. Lichtenberg is complaining about.
- ii. If the answer to the foregoing is affirmative, please state how Ms. Lichtenberg made the determination and identify any documents that support his claim.
- iii. If any of the rejections referred to above were for reasons other than the policy Ms. Lichtenberg is complaining about, please identify the actual number of BellSouth customers in Florida that MCI has contacted who wanted to migrate to MCI's local service, but refused to do so because of BellSouth's policy that Ms. Lichtenberg is complaining about.
- iv. Please provide the name and telephone number of 20 of these customers. (Since these customers presumably remained customers of BellSouth because of the policy Ms. Lichtenberg complains about, there should be no proprietary MCI information involved in providing just 20 such names and telephone numbers so that BellSouth can verify the accuracy of Ms. Lichtenberg's claims.)

RESPONSE: The FCCA has objected to this interrogatory. Without waiving that objection, the FCCA responds as follows to the subparts of this interrogatory:

- i. As a preliminary matter, the FCCA notes that Ms. Lichtenberg's Rebuttal Testimony will be corrected to reflect that there were 5,938 rejects between January 1, 2002 and December 12, 2002. These rejects related to 5,131 telephone numbers, which means that approximately 807 of the rejects involved subsequent attempts to migrate these customers. Subsequent migration attempts may have occurred because the customer's CSR was not updated with the correct DSL status on a timely basis by BellSouth; in such cases, the customer could be migrated because he or she no longer had BellSouth DSL service. Each of the 5,938 rejects in question was received from BellSouth with a reject message indicating that the customer could not migrate because he or she had DSL service on his or her account. Two hundred sixty of the customers involved subsequently became MCI local customers, but some or all of these customers in fact may not have been receiving BellSouth DSL service and initially may have been rejected in error.

- ii. MCI received reject messages for each of these transactions. For electronic reject notices, MCI received the G9861 code, meaning "ADSL not allowed with this service." MCI also received a few manual rejection notifications, with one of the following codes:
 - 1000 CLR ACCT HAS ADSL. ND TO CONTACT SVC PROVIDER.
 - 1000 3400-ADSL ON ACCOUNT UNABLE TO PORT REQUESTED NUMBER
 - 1000 2805-USOC NOT COMPATIBLE - USOC: ADSL
 - 1000 ADSL MUST BE RMVD BEFORE CONV ALLWD GPT-ATL
 - 1000 MUST REMOVE ADSL BEFORE SWITCHING
 - 1000 ADSL WILL HAVE TO BE REMOVED PLEASE CONTACT ENDUSER
 - 1000 3400-ADSL ON ACCOUNT UNABLE TO PORT REQUESTED NUMBER

BellSouth should have each of these rejection notifications since it provided them to MCI. A list of the 5,938 rejects is being provided herewith subject to the Protective Agreement between the parties.

- iii. According to the reject messages provided by BellSouth, in all 5,938 cases BellSouth rejected the order because the customer had DSL. As noted in response to subpart i, in some instances BellSouth's reject notices may have been in error. Further, it should be noted that this number understates the impact of BellSouth's policy, because it does not include customers who did not order MCI's local service because they learned of BellSouth's policy before an order was placed. MCI does not track the number of these lost sales.

- iv. The requested information is provided herewith subject to the Confidentiality Agreement between the parties.

INTERROGATORY NO. 58: In her testimony, Ms. Lichtenberg provides the number of potential MCI customers who had BellSouth FastAccess® service who supposedly refused to move to MCI's local service because of the BellSouth policy Ms. Lichtenberg is complaining about. For the same period that Ms. Lichtenberg reports upon, how many BellSouth customers with FastAccess® service did in fact move to WorldCom Inc.'s local service in Florida?

RESPONSE: The FCCA has objected to this interrogatory. Without waiving that objection, the FCCA states that with respect to the 5,938 rejects received from BellSouth for Florida customers from January 1, 2002 to December 12, 2002, 260 of the customers involved subsequently became MCI local customers. Again, some or all of these customers in fact may not have been receiving BellSouth DSL service and initially may have been rejected in error.

INTERROGATORY NO. 59: At page 3, lines 18 –20, of the rebuttal testimony of Sherry Lichtenberg, she refers to 5,233 rejects “because the customer had FastAccess service.” State the total number of Purchase Order Numbers (PONs) submitted to BellSouth in Florida over the same timeframe referred to in the rebuttal testimony.

RESPONSE: CONFIDENTIAL



INTERROGATORY NO. 60: Describe with particularity all facts and identify all documents that relate to the statement of Ms. Sherry Lichtenberg “BellSouth has acknowledged that in early 2001 it provisioned DSL service to 718 UNE-P customers.”

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that BellSouth provided the information upon which the FCCA relies in BellSouth's initial and supplemental responses to MCI's First Interrogatory No. 18 and First Document Request No. 1 in Georgia Docket No. 11901-U.

INTERROGATORY NO. 61: How many WorldCom, Inc. local service customers in Florida have some sort of broadband service, that provides the same or similar functions to BellSouth's FastAccess® service, and what percentage of WorldCom Inc.'s total local customers in Florida does this comprise?

RESPONSE: The FCCA has objected to this interrogatory. Without waiving its objections, the FCCA states that the MCI group that provides local service to Florida consumers does not sell DSL or broadband service to its customers, either by itself or in conjunction with any other MCI group or other company. MCI lacks knowledge as to whether its customers receive DSL or broadband service by other means.

INTERROGATORY NO. 62: On page 4 of her testimony, in speaking about providing FastAccess® service via resale, Ms. Lichtenberg states that “BellSouth should not be allowed to dictate ALECs’ business plans by preventing them from using the UNE-P service delivery method (or the delivery method of their choice) authorized by this Commission for a given segment of BellSouth’s retail customer base.” Does Ms. Lichtenberg concede that she is requesting the Florida Public Service Commission to dictate BellSouth’s business plan for its unregulated FastAccess® service? Is the answer is other than an unqualified affirmative, please provide a detailed explanation of Ms. Lichtenberg’s basis for distinguishing between what she claims BellSouth should not be allowed to do, and what the ALECs want the Florida Public Service Commission to do regarding BellSouth’s FastAccess® service business plan.

RESPONSE: The FCCA is requesting the Commission to require BellSouth to change its DSL policy, but only as it relates to BellSouth's provision of wholesale local voice service to ALECs. The Commission is charged with opening the Florida voice market to local competition, and thus it is entirely appropriate that the Commission should prevent BellSouth from using its inherited local voice monopoly to engage in anticompetitive practices that would serve to impair local voice competition.

INTERROGATORY NO. 63: At page 6 of her rebuttal testimony, Ms. Lichtenberg states, in pertinent part, that ALECs are willing to permit BellSouth to provide its DSL service over UNE loops at no cost to BellSouth. With regard to this statement, please state whether Ms. Lichtenberg has actually spoken to or communicated with any ALECs to ascertain the truth or accuracy of this statement and if she claims she has, please:

- i. Identify the ALECs with which she spoke or communicated regarding this matter, and state whether said ALECs specifically authorized Ms. Lichtenberg to make this representation.
- ii. Identify the person with whom she spoke or communicated.
- iii. Provide the date on which the communication occurred.
- iv. Provide a detailed description of what was said or communicated.

RESPONSE: The FCCA has objected to this interrogatory on the basis of the work product and attorney client privileges. Without waiving these objections, the FCCA responds that Ms. Lichtenberg has not spoken directly with any particular ALEC regarding this statement in the context of this case. Ms. Lichtenberg's testimony represents the FCCA position regarding the issues in the Complaint established before her testimony was prepared.

INTERROGATORY NO. 64: State whether the ALECs, if any, that authorized Ms. Lichtenberg to make this representation discussed the issue of whether the high frequency portion of the loop would be made available to BellSouth at no charge to BellSouth, as

Ms. Lichtenberg suggests at page 6 of her testimony. If this issue was discussed or otherwise touched upon in any way, please provide, in detail the substance of the discussion.

RESPONSE: The FCCA has objected to this interrogatory on the basis of the work product and attorney client privileges. Without waiving these objections, the FCCA states see response to Interrogatory No. 63.

INTERROGATORY NO. 65: If Ms. Lichtenberg has not in fact discussed this matter with all of the ALECs in Florida, or even all of the ALECs that are members of FCCA, will WorldCom, Inc. agree to make the high frequency portion of any UNE-P or UNE-L purchased from BellSouth available at no charge for BellSouth's use in providing FA Service to BellSouth's FA customers in the event that the Florida Public Service Commission orders BellSouth to provide FA service over such facilities?

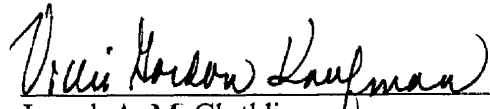
RESPONSE: The FCCA has objected to this interrogatory. Without waiving these objections, the FCCA states that Ms. Lichtenberg's testimony deals with UNE-P only. MCI agrees to make the high frequency portion of any UNE-P loop purchased from BellSouth available at no charge for BellSouth's use in provisioning FastAccess service to BellSouth customers.

INTERROGATORY NO. 66: Referring to the rebuttal testimony of Mr. Joseph Gillan, page 18, lines 6 –7, describe with particularity whether any FCCA members have explored partner[ing] with competing DSL providers.” Also, describe with particularity when “partner[ing] with competing DSL provides . . . ma[kes] sense.” State all facts and identify all documents that support your response.

RESPONSE: The FCCA has objected to this interrogatory.

INTERROGATORY NO. 67: Referring to the rebuttal testimony of Jay Bradbury, page 8, lines 9 – 11, is it AT&T's practice to provide discounts available when customers elect bundled service offerings generally available when the customer no longer purchases the entire bundle? State all facts and identify all documents that support your response.

RESPONSE: The FCCA has objected to this interrogatory.



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CERTIFICATE OF SERVICE

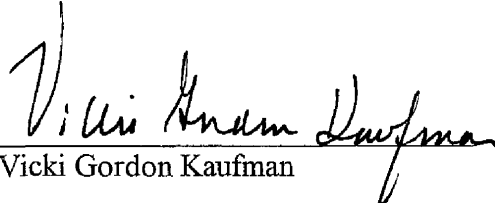
I HEREBY CERTIFY that a true and correct copy of the foregoing Responses to BellSouth Telecommunications, Inc.'s Third Set of Interrogatories (Nos. 37 - 67) have been furnished by (*) hand delivery, (**) electronic mail, or U. S. Mail this 15th day of January 2003, to the following:

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

(*) (**) Nancy White
(**) Meredith Mays
c/o Nancy Sims
BellSouth Telecommunications, Inc.
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Tallahassee, Florida 32301-1556

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