

ORIGINAL

Legal Department

Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

RECEIVED - FPSC
21 JAN 21 PM 4:35
COMMISSION
CLERK

January 21, 2004

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 030852-TP

Dear Ms. Bayó:

Today, BellSouth Telecommunications, Inc. served its First Request for Admissions, Third Interrogatories and Third Requests for Production of Documents to AT&T, in the above referenced docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B White
Nancy B. White *(RN)*

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey

AUS _____
CAF _____ 518816
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

RECEIVED & FILED

Man
FPSC-BUREAU OF RECORDS DOCUMENT NUMBER-DATE

00937 JAN 21 3

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
Docket No. 030852-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail, Hand Delivery* and FedEx® this 21st day of January 2004 to the following:

Adam Teitzman, Staff Counsel*
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Phone: (850) 413-6212
Fax: (850) 413-6250
ateitzma@psc.state.fl.us

Michael A. Gross
VP Reg. Affairs & Reg. Counsel
Florida Cable Telecomm. Assoc.
246 East 6th Avenue, Ste. 100
Tallahassee, FL 32303
Tel. No. (850) 681-1990
Fax. No. (850) 681-9676
mgross@fcta.com

Matthew Feil (+)®
Scott Kassman
FDN Communications
390 North Orange Avenue
Suite 2000
Orlando, FL 32801-1640
Tel. No. 407 835-0460
Fax No. 407 835-0309
mfeil@mail.fdn.com
skassman@mail.fdn.com

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

Mr. Charles E. Watkins+
1230 Peachtree Street, NE
19th Floor
Atlanta, GA 30309-3574
Phone: (404) 942-3492
Fax: (404) 942-3495
Represents Covad
gwatkins@covad.com
jbelle@covad.com

Nanette Edwards, Esq.+ ®
Director – Regulatory
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802
Tel. No. (256) 382-3856
Represent ITC^DeltaCom
nedwards@itcdeltacom.com

Ms. Donna C. McNulty+⊗
MCI WorldCom Communications, Inc.
1203 Governors Square Blvd.,
Suite 201
Tallahassee, FL 32301-2960
Phone No. 850- 219-1008
Fax No. 850 219-1018
Represents MCI WorldCom
donna.mcnulty@mci.com

De O'Roark, Esq. (+)
MCI WorldCom Communications, Inc (GA)
Six Concourse Parkway
Suite 3200
Atlanta, GA 30328
Represents MCI WorldCom
de.oroark@mci.com

Floyd Self, Esq.+ ⊗
Norman H. Horton, Esq.~ ⊗
Messer Caparello & Self
215 South Monroe Street, Suite 701
Tallahassee, FL 32301
Tel. No. (850) 222-0720
Fax. No. (850) 224-4359
Represents ITC^DeltaCom
Represents MCI
Represents KMC
Represents Xspedius~
fself@lawfla.com
nhorton@lawfla.com

Tracy Hatch, Esq. ⊗
AT&T
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
Tel. No. (850) 425-6364
thatch@att.com

Lisa A. Sapper+⊗
AT&T
1200 Peachtree Street, N.E.
Suite 8100
Atlanta, GA 30309
Tel. No. (404) 810-7812
lisariley@att.com

Marva Brown Johnson, Esq.
KMC Telecom III, LLC
1755 North Brown Road
Lawrenceville, GA 30043-8119
Tel. No. (678) 985-6261
Fax No.: (678) 985-6213
Represents KMC
marva.johnson@kmctelecom.com

Richard A. Chapkis (+)⊗
Kimberly Caswell
Verizon Florida, Inc.
One Tampa City Center
201 North Franklin Street (33602)
Post Office Box 110, FLTC0007
Tampa, Florida 33601-0110
Tel. No. (813) 483-2606
Fax. No. (813) 204-8870
Represents Verizon
Richard.chapkis@verizon.com

Susan S. Masterton, Esq. +⊗
Sprint-Florida, Inc.
Sprint Communications Co. L.P.
1313 Blair Stone Road
P.O. Box 2214
Tallahassee, FL 32316-2214
Tel. No. (850) 599-1560
Fax. No. (850) 878-0777
susan.masterton@mail.sprint.com

Jean Houck
Business Telecom, Inc.
4300 Six Forks Road
Raleigh, NC 27609
Tel. No. (919) 863-7325
jean.houck@btitelecom.net

Jake E. Jennings +
NewSouth Communications Corp
Two North Main Center
Greenville, SC 29601-2719
Tel. No.: 864 672-5877
Fax No.: 864 672-5313
jejennings@newsouth.com

Jon Moyle, Jr. ☉
Moyle Law Firm (Tall)
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301
Phone: (850) 681-3828
Fax: 681-8788
Represents NuVox Communications Inc.
Email: jmoylejr@moylelaw.com

Charles V. Gerkin, Jr.
Regulatory Counsel
Allegiance Telecom, Inc.
9201 North Central Expressway
Dallas, TX 75231
Phone: 469-259-4051
Fax: 770 234-5945
Cell: 770 855-0466
charles.gerkin@algx.com

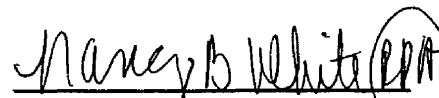
Terry Larkin
Allegiance Telecom, Inc.
700 East Butterfield Road
Lombard, IL 60148
Phone: (630) 522-6453
terry.larkin@algx.com

Jorge Cruz-Bustillo +
Assistant General Counsel
Supra Telecommunications
2620 S.W. 27th Avenue
Miami, Florida 33133
Tel. No. (305) 476-4252
Fax. No. (305) 443-1078
jorge.cruz-busitillo@stis.com

Jonathan Audu
Manager, Regulatory Affairs
Supra Telecommunications
1311 Executive Center Drive
Suite 220
Tallahassee, FL 32301-5027
Tel. No. (850) 402-0510
Fax. No. (850) 402-0522
Email: jonathan.audu@stis.com

AT&T by E-Mail only:
soniadaniels@att.com

Bo Russell ☉
Nuvox Communications Inc.
301 North Main Street
Greenville, SC 29601-2171
Phone: (864) 331-7323
Email: brussell@nuvox.com


Nancy B! White

(+) signed protective agreement
(*) via Hand Delivery
(☉) via FedEx

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)	
From Federal Communications Commission)	Docket No. 030852-TP
Triennial UNE review: Location Specific-Review)	
For DS1, DS3, and Dark Fiber Loops and)	Filed: January 21, 2004
Route-Specific Review for DS1, DS3, and Dark)	
Fiber Transport)	
_____)	

**BELLSOUTH TELECOMMUNICATIONS, INC.'S FIRST
REQUEST FOR ADMISSIONS, THIRD INTERROGATORIES (24 – 29) AND THIRD
REQUESTS FOR PRODUCTION OF DOCUMENTS (8) TO AT&T**

BellSouth Telecommunications, Inc. ("BellSouth"), hereby serves the following discovery to AT&T.

DEFINITIONS

1. "BellSouth" means BellSouth Telecommunications, Inc., and its subsidiaries, their present and former officers, employees, agents, representatives, directors, and all other persons acting or purporting to act on behalf of BellSouth Telecommunications, Inc.

2. The terms "you" and "your" refer to AT&T.

3. AT&T means AT&T Communications of the Southern States, LLC its predecessors in interest, parent(s), subsidiaries, affiliates, present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of AT&T.

4. The term "person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

5. The term "document" shall have the broadest possible meaning under applicable law. "Document" means every writing or record of every type and description that is in the possession, custody or control of AT&T including, but not limited to, correspondence, memoranda, drafts, work papers, summaries, stenographic or handwritten notes, studies,

DOCUMENT NUMBER-DATE
00937 JAN 21 04
FPSC-COMMISSION CLERK

publications, books, pamphlets, reports, surveys, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to, electronic mail files; and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original. The term "document" further includes, by way of illustration and not limitation, schedules, progress schedules, time logs, drawings, computer disks, charts, projections, time tables, summaries of other documents, minutes, surveys, work sheets, drawings, comparisons, evaluations, laboratory and testing reports, telephone call records, personal diaries, calendars, personal notebooks, personal reading files, transcripts, witness statements and indices.

6. The term "communication" means any oral, graphic, demonstrative, telephonic, verbal, electronic, written or other conveyance of information, including, but not limited to, conversations, telecommunications and documents.

7. The term "referring or relating to" means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.

8. "And" and "or" as used herein shall be construed both conjunctively and disjunctively and each shall include the other whenever such construction will serve to bring within the scope of these discovery requests any information that would otherwise not be brought within their scope.

9. The singular as used herein shall include the plural, and vice versa, and the masculine gender shall include the feminine and the neuter.

10. "Identify" or "identifying" or "identification" when used in reference to a natural person means to state:

- a) the full legal name of the person;
- b) the name, title and employer of the person at the time in question;
- c) the present or last known employer of such person;
- d) the present or last known home and business addresses of the person; and
- e) the present home address.

11. "Identify" or "identifying" or "identification" when used in reference to a person other than a natural person means to state:

- a) the full name of the person and any names under which it conducts business;
- b) the present or last known address of the person; and
- c) the present or last known telephone number of the person.

12. "Identify" or "identifying" or "identification" when used in reference to a document means to provide with respect to each document requested to be identified by these discovery requests a description of the document that is sufficient for purposes of a request to produce or a subpoena duces tecum, including the following:

- a) the type of document (e.g., letter, memorandum, etc.);
- b) the date of the document;
- c) the title or label of the document;
- d) the Bates number or other identifier used to number the document for use in litigation;
- e) the identity of the originator;
- f) the identity of each person to whom it was sent;
- g) the identity of each person to whom a copy or copies were sent;
- h) a summary of the contents of the document;

- i) the name and last known address of each person who presently has possession, custody or control of the document; and
- j) if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and, if so, state the circumstances surrounding the authorization for each such disposition and the date of such disposition.

13. "Identify," "identifying" or "identity" when used in reference to a communication means to state the date of the communication, whether the communication was written or oral, the identity of all parties and witnesses to the communication, the substance of what was said and/or transpired and, if written, the identity of the document(s) containing or referring to the communication.

14. "Business case" refers to any undertaking that analyzes or evaluates, among other things, the business value to be realized, the tangible and intangible benefits, the effect on business processes and people's jobs, the financials, the technology to be applied, and the risks, potential problems and rewards of a particular course of action. It is the process that would be undertaken prior to going into a particular business, or before undertaking a particular course of action in order to determine whether the actions taken would provide a positive business benefit, when balanced against the potential problems that might be incurred.

15. "ILEC" refers to Incumbent Local Exchange Carrier.

16. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

17. “IRU” refers to an indefeasible right of use, or a type of arrangement that conveys a right that cannot be arbitrarily changed or altered.

18. “Dark fiber” refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.

19. “Dark fiber transport” refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.

20. “Optronics” refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.

21. “Loop” refers to a transmission facility between a distribution frame (or its equivalent) and the loop demarcation point at an end-user customer premises. This definition is intended to include facilities between a switch, wire center, collocation, or point of interconnection and a customer’s premises and is inclusive of both transmission facilities between an incumbent LEC central office and transmission facilities between non-ILEC wire centers and switches.

22. “DSO” refers to Digital Signal, level zero.

23. “DS1” refers to Digital Signal, level 1.

24. “MSA” refers to Metropolitan Statistical Area.

25. A “qualifying service” is a service as defined in 47 C.F.R. §51.5, as that rule is currently set forth in connection with the FCC’s Triennial Review Order (TRO).

26. “High capacity” refers to transmission and loop facilities with a total digital signal speed of DS1 or higher.

27. “CLLI code” refers to the Common Language Location Identifier that identifies a specific physical location or specific piece of equipment at a physical location.

GENERAL INSTRUCTIONS

1. If you contend that any response to any Interrogatory may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege or basis, please state the following with respect to each such response in order to explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim:

- a) the privilege asserted and its basis;
- b) the nature of the information withheld; and
- c) the subject matter of the document, except to the extent that you claim it is privileged.

2. These discovery requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These discovery requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documents may be obtained.

3. If any Interrogatory cannot be answered in full, answer to the extent possible and specify the reasons for your inability to answer fully.

4. These interrogatories are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these interrogatories subsequently become known.

5. For each Interrogatory, provide the name of the company witness(es) or employee(s) responsible for compiling and providing the information contained in each answer.

6. To the extent AT&T has previously provided a response to any Interrogatory, which prior response is responsive to any of the following Interrogatories, in Florida or any other state in proceedings in which BellSouth and AT&T are parties, AT&T need not respond to such

Interrogatory again, but rather may respond to such Interrogatory by identifying the prior response to such Interrogatory by state, proceeding, docket number, date of response, and the number of such response. If such prior response does not respond to the Interrogatory contained below in its entirety, you should provide all additional information necessary to make your answers to these Interrogatories complete.

ADMISSONS AND INTERROGATORIES

24. Please admit that AT&T has deployed high capacity transport facilities to each of the central offices (identified by CLLI code) listed in the confidential attachment to this discovery.

25. Please admit that AT&T can route or transport traffic using AT&T's own facilities between any pair of central offices to which it has deployed high capacity transport facilities. This includes routing or transporting traffic directly between the central offices or indirectly through an intermediate aggregation point, such as AT&T's switch or the switch of another CLEC.

26. Please admit that AT&T has fiber based collocation arrangements at the central offices (identified by CLLI code) listed in the confidential attachment to this discovery.

27. If AT&T has denied any of the previous Requests for Admissions, state all facts and identify all documents that support such denial.

28. If AT&T has admitted any portion of Request for Admission 24, please describe with particularity the nodes or termination points along the route.

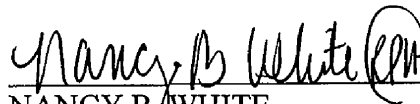
29. If AT&T has deployed any high capacity loop facilities in any of the Southeastern states, please provide the percentage of buildings where AT&T installed its own inside wiring, the percentage of buildings where AT&T is leasing inside wiring from another carrier, including the ILEC, and the percentage of buildings where AT&T is using inside wiring owned by the building

owner. In each of these situations, please describe with specificity the cost paid for installing or leasing the inside wire in buildings.

REQUESTS FOR PRODUCTION

8. Produce any documents identified above.

Respectfully submitted this 21st day of January 2004.



NANCY B. WHITE

c/o Nancy Sims

Suite 400

150 South Monroe Street

Tallahassee, FL 32301

(305) 347-5558



R. DOUGLAS LACKEY

ANDREW D. SHORE

MEREDITH E. MAYS

Suite 4300

675 W. Peachtree St., NE

Atlanta, GA 30375

(404) 335-0750