

Dorothy Menasco

From: Daniels,Sonia C - AU [soniadaniels@att.com]
Sent: Monday, March 20, 2006 4:37 PM
To: Filings@psc.state.fl.us
Subject: Docket 050119 - AT&T's Response to Staff's 2nd Interrogatories
Attachments: AT&T's 2nd Resp. to Staff's Interr. 14-17.pdf

Re: Docket 050119

Attached for filing in the above-referenced docket is AT&T's Response to Staff's Second Set of Interrogatories (14-17). The cover letter, certificate of service and prehearing statement are a total of 11 pages. Parties to this docket are being served as indicated on the Certificate of Service.

Should you have any questions, please feel free to contact me.

<<AT&T's 2nd Resp. to Staff's Interr. 14-17.pdf>>

Sonia Daniels
Regulatory Specialist
AT&T External Affairs - Southern Region
1230 Peachtree
4th Floor
Atlanta, GA 30309
Phone: 404-810-8488
Fax: 281-664-9791

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH _____

DOCUMENT NUMBER-DATE
02497 MAR 20 08
FPSC-COMMISSION CLERK



Tracy Hatch
Senior Attorney
Law and Government Affairs
Southern Region

Suite 700
101 N. Monroe Street
Tallahassee, FL 32301
850-425-6360

March 20, 2006

BY ELECTRONIC FILING

Ms. Blanca Bayó, Director
The Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 050119/050125-TP

Dear Ms. Bayó:

Attached please AT&T's Notice of Serving Responses to Staff's Second Set of Interrogatories (14 - 17) in the above-referenced docket. Pursuant to the Commission's Electronic Filing Requirements, this version should be considered the official copy for purposes of the docket file. Copies of this document will be served on all parties via electronic and U.S. Mail.

Thank you for your assistance with this filing.

Sincerely yours,

s/ Tracy W. Hatch

Tracy W. Hatch

TWH/scd
Attachment
cc: Parties of Record

DOCUMENT NUMBER-DATE

02497 MAR 20 06

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint petition by TDS Telecom d/b/a TDS Telecom/Quincy Telephone; ALLTEL Florida, Inc.; Northeast Florida Telephone Company d/b/a NEFCOM; GTC, Inc. d/b/a GT Com; Smart City Telecommunications, LLC d/b/a Smart City Telecom; ITS Telecommunications Systems, Inc.; and Frontier Communications of the South, LLC ["Joint Petitioners"] objecting to and requesting suspension and cancellation of proposed transit traffic service tariff filed by BellSouth Telecommunications, Inc. DOCKET NO. 050119-TP

In re: Petition and complaint for suspension and cancellation of Transit Traffic Service Tariff No. FL2004-284 filed by BellSouth Telecommunications, Inc., by AT&T Communications of the Southern States, LLC. DOCKET NO. 050125-TP DATED: March 20, 2006

AT&T OF THE SOUTHERN STATES LLC'S NOTICE OF SERVING OBJECTIONS AND RESPONSES TO STAFF'S SECOND SET OF INTERROGATORIES (NOS. 14-17)

NOTICE IS HEREBY GIVEN that a true and correct copy of AT&T Communications of the Southern States, LLC's Responses to Staff's Second Set of Interrogatories (Nos. 14 - 17) to AT&T, which were served by Staff on February 24, 2006, was sent via U.S. mail to all parties to this docket on this date.

Respectfully submitted on 20th day of March 2006.

s/Tracy W. Hatch
TRACY W. HATCH, ESQ.
101 N. Monroe Street, Suite 700
Tallahassee, FL 32301
(850) 425-6360

Attorney for AT&T Communications of the Southern States, LLC

DOCUMENT NUMBER-DATE

02497 MAR 20 8

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
DOCKET NOS. 050119 and 050125-TP

I HEREBY CERTIFY that a copy of the foregoing has been furnished via U.S. Mail this 20th day of March 2006, the following parties of record:

Felicia R. Banks
Senior Attorney
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0863

Laura King
Division of Competitive Markets & Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0863

ALLTEL
Stephen B. Rowell/Bettye Willis
One Allied Drive, B5F11
Little Rock, AR 72202

ALLTEL Florida, Inc.
Mr. James White
6867 Southpoint Drive, N., Suite 103
Jacksonville, FL 32216-8005

Sprint
Susan S. Masterton
1313 Blair Stone Rd.
Tallahassee, FL 32301

BellSouth Telecommunications, Inc.
Nancy B. White/R. D. Lackey/M. Mays
c/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556

Competitive Carriers of the South, Inc.
Vicki Gordon Kaufman
c/o Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301

Paul Vickery
Division of Competitive Markets & Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0863

Kira Scott
Senior Attorney
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0863

Vicki Gordon Kaufman
Moyle Flanigan Katz Raymond & Sheehan
For MetroPCS California/Florida
118 N. Gadsden Street
Tallahassee, FL 32301

Neutral Tandem-Florida, LLC
Ronald W. Gavillet
One South Wacker, Suite 200
Chicago, IL 60606

Ausley Law Firm
J. Jeffry Wahlen
P.O. Box 391
Tallahassee, FL 32302

Blooston Law Firm
Benjamin H. Dickens, Esq.
2120 L Street, NW
Suite 300
Washington, DC 20037

Friend Law Firm
Charles V. Gerkin, Jr.
Three Ravinia Drive, Suite 1450
Atlanta, GA 30346

Frontier Communications of the South, Inc.
Ms. Angie McCall
300 Bland Street
Bluefield, WV 24701-3020

GT Com
Mr. Mark Beightol
P. O. Box 220
Port St. Joe, FL 32457-0220

ITS Telecommunications Systems, Inc.
Mr. Robert M. Post, Jr.
P. O. Box 277
Indiantown, FL 34956-0277

MetroPCS California/Florida, Inc.
8144 Walnut Hill Lane, Suite 800
Dallas, TX 75231

NEFCOM
Ms. Deborah Nobles
505 Plaza Circle, Suite 200
Orange Park, FL 32073-9409

NuVox Communications, Inc.
Susan J. Berlin
Two North Main Street
Greenville, SC 29601

Rutledge Law Firm
Ken Hoffman/Martin McDonnell/M. Rule
P.O. Box 551
Tallahassee, FL 32302-0551

Smart City Telecom
P. O. Box 22555
Lake Buena Vista, FL 32830-2555

Sprint Nextel (GA)
William R. Atkinson
Mailstop GAATLD0602
3065 Cumberland Circle SE
Atlanta, GA 30339

TDS Telecom/Quincy Telephone
Mr. Thomas M. McCabe
P. O. Box 189
Quincy, FL 32353-0189

Law Offices of Patrick K. Wiggins, P.A.
Patrick Wiggins
Post Office Drawer 1657
Tallahassee, FL 32302

Messer law Firm
Floyd R. Self
P.O. Box 1876
Tallahassee, FL 32302-1876

T-Mobile USA, Inc.
Michele K. Thomas
60 Wells Avenue
Newton, MA 02459

TDS Telecom/Quincy Telephone
Mr. Thomas M. CcCabe
P.O. Box 189
Quincy, FL 32353-0189

Troutman Law Firm
Charles F. Palmer
600 Peachtree Street, N.E.
Suite 5200
Atlanta, GA 30308-2216

Verizon Wireless (DC)
Elaine D. Critides
1300 I Street, N.W.
Suite 400 West
Washington, DC 20005

Tracy Hatch
Tracy Hatch

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint petition by TDS Telecom d/b/a TDS Telecom/Quincy Telephone; ALLTEL Florida, Inc.; Northeast Florida Telephone Company d/b/a NEFCOM; GTC, Inc. d/b/a GT Com; Smart City Telecommunications, LLC d/b/a Smart City Telecom; ITS Telecommunications Systems, Inc.; and Frontier Communications of the South, LLC ["Joint Petitioners"] objecting to and requesting suspension and cancellation of proposed transit traffic service tariff filed by BellSouth Telecommunications, Inc.

DOCKET NO. 050119-TP

In re: Petition and complaint for suspension and cancellation of Transit Traffic Service Tariff No. FL2004-284 filed by BellSouth Telecommunications, Inc., by AT&T Communications of the Southern States, LLC.

DOCKET NO. 050125-TP

DATED: March 20, 2006

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC'S RESPONSES TO STAFF'S SECOND SET OF INTERROGATORIES (NOS. 14 - 17)

AT&T Communications of the Southern States, LLC (hereinafter "AT&T"), pursuant to the *Order Establishing Procedure*, Order No. PSC-05-1206-PCO-TP, issued December 6, 2005 (hereinafter "*Procedural Order*"), Rule 28-106.206 of the Florida Administrative Code, and Rules 1.280 and 1.340 of the Florida Rules of Civil Procedure, submits the following Objections and Responses to Florida Public Service Commission Staff's (hereinafter "FPSC Staff") Second Set of Interrogatories to AT&T Communications of the Southern States, LLC. as follows:

GENERAL OBJECTIONS

AT&T makes the following general objections to the FPSC Staff's Second Set of Interrogatories to AT&T as follows.

A. AT&T objects to the FPSC Staff's Second Set of Interrogatories to AT&T to the extent that the Interrogatories are overly broad, unduly burdensome, irrelevant, oppressive and not reasonably calculated to lead to the discovery of admissible evidence pursuant to the

Procedural Orders, Rule 28-106.206 of the Florida Administrative Code, and Rules 1.280 and 1.340 of the Florida Rules of Civil Procedure.

B. AT&T objects to the FPSC Staff's Second Set of Interrogatories to AT&T to the extent that the Interrogatories purport to seek discovery of information protected by attorney/client privilege, the accountant/client privilege, the work product doctrine or any other applicable privilege.

C. AT&T objects to the FPSC Staff's Second Set of Interrogatories to AT&T to the extent that the Interrogatories purport to seek discovery of information and/or materials containing the mental impressions, conclusions, opinions or legal theories of any attorney or other representative of AT&T concerning the subject of the proceeding and prepared and developed in anticipation of litigation pursuant to Rule 1.280(b)(3) of the Florida Rules of Civil Procedure.

D. AT&T objects to the FPSC Staff's Second Set of Interrogatories to AT&T to the extent that the Interrogatories purport to impose discovery obligations on AT&T inconsistent with, or beyond the scope of, what is permitted under the *Procedural Orders* and applicable Florida law.

E. AT&T objects to the FPSC Staff's Second Set of Interrogatories to AT&T to the extent that the Interrogatories purport to seek discovery of matters other than those subject to the jurisdiction of the Commission pursuant to Florida Administrative Code and Florida Statutes.

F. AT&T objects to the FPSC Staff's Second Set of Interrogatories to AT&T to the extent that the Interrogatories purport to seek disclosure of information that is proprietary confidential information or a "trade secret" without the issuance of an appropriate Protective Order or Confidential Classification as outlined by the *Procedural Orders*, §364.183 of the Florida Statutes, §90-506 of the Florida Statutes, and Rule 25-22.006.

G. AT&T objects to all Interrogatories which require the disclosure of information which already is in the public domain or otherwise on record with the Commission or the FCC.

Subject to the foregoing and without waiver, AT&T hereby responds as follows:

RESPONSES:

INTERROGATORY NO. 14: If the FPSC determines that it should establish the specific terms and conditions to address the scenario outlined in Issue 5, what specific terms and conditions would AT&T recommend the FPSC adopt?

RESPONSE:

The FPSC should not establish the specific terms and conditions that govern the relationship between an originating carrier and the terminating carrier, where BellSouth is providing transit service and the originating carrier is not interconnected with, and has no interconnection agreement with, the terminating carrier. It is up to the parties to determine the type of reciprocal compensation arrangement and appropriate terms and conditions of their relationship.

INTERROGATORY NO. 15: If the FPSC determines that it should establish the specific terms and conditions to address the scenario outlined in Issue 8, what specific terms and conditions would AT&T recommend the FPSC adopt?

RESPONSE:

The FPSC should not unilaterally establish the terms and conditions that govern the relationship between BellSouth and a terminating carrier, where BellSouth is providing transit service and the originating carrier is not interconnected with, and has no interconnection agreement with, the terminating carrier. The negotiated interconnection agreement between the parties should govern. The law requires the originating carrier to pay the terminating carrier and the transit provider is not responsible for payment to the terminating carrier.

INTERROGATORY NO. 16: If the FPSC determines that it should establish the specific terms and conditions to address the scenario outlined in Issue 9, what specific terms and conditions would AT&T recommend the FPSC adopt?

RESPONSE:

The FPSC should not unilaterally establish the terms and conditions of transit traffic between the transit service provider and the Small LECs that originate and terminate transit traffic. Existing law already provides for the originating carrier, when utilizing a tandem transit provider to deliver its traffic to another carrier for termination should compensate the transiting provider and the terminating provider.

INTERROGATORY NO. 17: Please refer to the rebuttal testimony of AT&T's witness Guepe, page 4, lines 14- 23. Please identify the docket number the Northeast Florida Telephone Company and New Cingular Wireless agreement was filed in.

RESPONSE:

Docket No. 050843

AT&T's Response to Staff's
Second Interrogatories Nos. 14-17
March 20, 2006

Respectfully submitted,

s/ Tracy W. Hatch

Tracy W. Hatch

Suite 700

101 North Monroe Street

Tallahassee, FL 32301

850/425-6361

Attorney for AT&T COMMUNICATIONS OF
THE SOUTHERN STATES, LLC.