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Legal Department

NANCY B. WHITE
General Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404)335-0710

October 3, 1996

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

RE: Docket No. 96033-TP; 960846-TP; 960916-TP

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Response in Opposition to AT&T's Motion to Compel Answers by BellSouth Telecommunications to AT&T's First Set of Interrogatories and First Request for Production of Documents. Please file these documents in the captioned 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 on the parties shown on the attached Certificate of Service.

ACK _____

AFR _____

ATP _____

CSG _____

CTD _____

EA _____

EL _____

EM _____

EO _____

EP _____

ES _____

EW _____

EX _____

OTH _____

Sincerely,

Nancy B. White (BZ)

Nancy B. White

Enclosures

cc: All Parties of Record
A. M. Lombardo
R. G. Beatty
W. J. Ellenberg

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10603 OCT-3 96

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petitions by AT&T)	
Communications of the Southern)	
States, Inc., MCI)	Docket No. 960833-TP
Telecommunications Corporation,)	
MCI Metro Access Transmission)	
Services, Inc., American)	Docket No. 960846-TP
Communications Services, Inc.)	
and American Communications)	
Services of Jacksonville, Inc.)	Docket No. 960916-TP
for arbitration of certain terms)	
and conditions of a proposed)	
agreement with BellSouth)	
Telecommunications, Inc.)	
concerning interconnection and)	Filed: October 3, 1996
resale under the)	
Telecommunications Act of 1996)	
)	

BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSE IN OPPOSITION TO
 AT&T'S MOTION TO COMPEL ANSWERS BY BELLSOUTH TELECOMMUNICATIONS
 TO AT&T'S FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS

BellSouth Telecommunications, Inc. ("BellSouth"), hereby files, pursuant to Rules 25-22.037(b), Florida Administrative Code, its Response in Opposition to AT&T's Motion to Compel Answers by BellSouth Telecommunications to AT&T's First Set of Interrogatories and First Request for Production of Documents and states the following:

INTERROGATORIES

1. Interrogatory No. 1: In this Interrogatory, AT&T requested a list of all grandfathered and obsolete services and the size of the market. BellSouth produced this information for BellSouth's operations in Florida. To the extent BellSouth used the term "obsolete" in its response, that term also includes

DOCUMENT NUMBER-DATE

10603 OCT-3 96

FPSC-RECORDS/REPORTING

grandfathered services. Thus, BellSouth answered this Interrogatory fully as to Florida.

2. AT&T claims that it requires this same information for other states in BellSouth's region. Such a request is inappropriate. AT&T is attempting to use Florida discovery to undertake a fishing expedition concerning information on other states. If AT&T feels it is in dire need of this information, AT&T can use the discovery process in these other states to obtain it. AT&T should not be allowed to do so in Florida. Moreover, AT&T claims that other states' information is required in order to determine which services are to be made available for resale. This information has already been provided by BellSouth both in its response and in its testimony.

3. Interrogatory No. 2: In this Interrogatory, AT&T requested a list of all existing Contract Service Arrangements, individual case base arrangements, and special assemblies, as well as the size of the market for each. In AT&T's Motion to Compel, AT&T states that it "merely asks BellSouth to provide information regarding the number of its Florida customers that are currently a party to such agreements." If AT&T's request has been limited by its Motion, BellSouth believes it can provide a response as to the number of Florida customers party to Contract Service Arrangements and Special Assemblies since January 1, 1995.

4. Interrogatory No. 3: In this Interrogatory, AT&T requested recurring and nonrecurring costs, for residence and business, for a list of 26 services (Document Request No. 6). BellSouth objected to providing information for states other than Florida for the reasons noted herein. BellSouth also objected on the grounds that the request was overly broad and irrelevant. BellSouth has conducted an avoided cost study in this docket that is presented in the testimony of Mr. Reid. This study develops the appropriate wholesale discount for purchase of BellSouth's retail services. Although AT&T claims it must know the costs incurred to provide the 26 individual services so that AT&T can determine the avoided costs, this is incorrect. There is a specific study provided by BellSouth devoted to this determination. Thus, it is not necessary to obtain that information by requesting costs of individual services.

5. Interrogatory No. 4: In this Interrogatory, AT&T requested the current TSLRIC for all states in the BellSouth region for certain elements of switched and special access service. BellSouth objected to providing information for states other than Florida for the reasons noted herein. AT&T claims it needs information from other states to determine if there are "disparities between the methodologies relied upon in the various states." There is no such disparity. Moreover, BellSouth objected to this Interrogatory on the grounds of relevancy. The

TSLRIC of Special and Switched Access are not points of contention in this docket.

6. Interrogatory Nos. 7 and 43a: In Interrogatory No. 7, AT&T requested 1995 costs for certain accounts. Although BellSouth asserted that this information was proprietary, BellSouth did provide this information to AT&T pursuant to the Protective Agreement. In Interrogatory No. 43a, AT&T requested the actual cable price per sheath foot. Again, although BellSouth asserted that this information was proprietary, BellSouth referred AT&T to Tab B of the Unbundled Loop cost study (which is in AT&T's possession) for this information. Thus, BellSouth is unsure as to the nature of AT&T's complaint with regard to these interrogatories.

7. Interrogatory No. 15: In this Interrogatory, AT&T requested 1995 non-recurring costs and revenues for Florida. BellSouth objected on the grounds that such information was not relevant. AT&T claims that it needs this information in order to assess whether BellSouth is correct in determining that non-recurring costs are not subject to a wholesale discount. BellSouth refers AT&T to Exhibit WSR-3 to Mr. Reid's testimony which includes nonrecurring costs and revenues in determining the wholesale discount.

8. Interrogatory Nos. 37, 41, 42 and 49: In Interrogatory No. 37, AT&T requested the identity of any retail

service where the retail price is below TSLRIC. BellSouth objected to this request on the basis that this information was not relevant and is overly broad. AT&T claims that such information is "crucial to understanding the costs BellSouth incurs" in providing service in Florida. AT&T already has that information. It is contained in the various cost studies filed in connection with this docket.

9. In Interrogatory No. 41, AT&T requested BellSouth's most recent authorized rate of return for each state in BellSouth's region. BellSouth objected to this Interrogatory concerning states other than Florida for the reasons herein noted. Moreover, this information is a matter of public record, easily available to AT&T. AT&T claims it requires this information in order to determine the rate of return used in BellSouth's TSLRIC studies. These studies (which are in AT&T's possession) clearly state the rate of return used by BellSouth.

10. Interrogatory No. 42 requested specific information concerning an unbundled loop cost study filed by BellSouth with the Louisiana Public Service Commission. BellSouth objected on the grounds that this request was not relevant to the instant docket. BellSouth has provided a Florida specific unbundled loop cost study, a copy of which is in AT&T's possession. Moreover, BellSouth's witness on this cost study has been the subject of a deposition, at which AT&T participated. Interrogatory No. 49

requested cost component information for this same Louisiana study. For the same reasons listed above in response to Interrogatory No. 42, BellSouth believes such information is not relevant to this docket.

11. Interrogatory Nos. 16, 17, 18, 19, 20, 21, 22, 23 24, 25, 26, and 28: In Interrogatory Nos. 16, 17, 22, 24, and 26, AT&T requested the identity (not a list, as contained in AT&T's Motion) and description of cost categories associated with certain studies. AT&T complains that BellSouth's answers are inadequate. While BellSouth disagrees, BellSouth refers AT&T to the cost studies provided in this docket, as well as the testimony of Daonne Caldwell. With regard to Interrogatory Nos. 18, 19, 20, 21, 23, 25, and 28, AT&T requested either BellSouth's definition of certain terms or requested BellSouth to identify differences in terms. AT&T claims BellSouth's responses are inadequate. BellSouth asserts that it has responded to these interrogatories to the best of its abilities and can provide nothing further.

12. Interrogatory Nos. 34a, 36, 43b and 43d: Interrogatory 34a requested the rate elements and rate levels of unbundled network elements. BellSouth referred AT&T to existing tariffs that contain this information. Such tariffs have rate support when filed. Interrogatory No. 36 requests the method by which contribution to joint and common costs were developed.

BellSouth provided that information. With regard to Interrogatory No. 43b, BellSouth agrees to supply additional information. With regard to Interrogatory No. 43d, BellSouth has no calculation or algorithms responsive to the question.

REQUEST FOR PRODUCTION OF DOCUMENTS

13. Objection to Request No. 4: In Request No. 4, AT&T requested documents "referring to relating in any way" to services that BellSouth has not agreed to offer for resale. BellSouth objected to this request on the basis that the request was overbroad. The request is not limited by or specific to scope, subject, place or time. Instead, it is an open ended demand for every scrap of paper that even mentions these services. If AT&T would care to tailor its request, perhaps BellSouth would be able to respond.

14. Objection to Request No. 7: Request No. 7 requested all documents referring or relating to the TSLRIC or LRIC of providing switched and special access service. For the reasons listed in response to Interrogatory No. 4, BellSouth believes this request is not relevant to the issues in this docket.

15. Objection to Request No. 21: Request No. 21 requested information given to BAPCO sales personnel. BellSouth has no such documents in its possession, custody, or control. BellSouth would suggest AT&T seek such information directly from BAPCO.

16. Objection to Request No. 42: Request No. 42 seeks documents "referring or relating in any way" to the wholesale resale market for telecommunications service. BellSouth objected to this request on the basis that the request was overbroad and not relevant to the issues in this docket. The request is not limited by or specific to scope, subject, place, or time. Instead, it is an open-ended demand for every scrap of paper that even mentions the wholesale resale market. If AT&T would care to tailor its request, perhaps BellSouth would be able to respond.

17. Objection to Request No. 43: Request No. 43 seeks "documents referring or relating in any way" to costs incurred in developing the wholesale market for telecommunications service. BellSouth objected to this request on the basis that the request was overbroad and not relevant to the issues in this docket. The request is not limited by or specific to scope, subject, place, or time. Instead, it is an open-ended demand for every scrap of paper that even mentions the wholesale resale market. If AT&T would care to tailor its request, perhaps BellSouth would be able to respond.

18. Objection to Request No. 47: Request No. 47 seeks all documents relating to Interrogatory Nos. 34-40. To the degree that BellSouth responded to these specific interrogatories, BellSouth provided responsive documents. To the extent BellSouth

objected to these interrogatories, BellSouth stands by these objections.

19. Objection to Request No. 51: Request No. 51 seeks all documents relating to a cost study submission by BellSouth to the Louisiana Public Service Commission. If AT&T seeks this specific information for Florida, BellSouth will supply it. BellSouth objects to providing information concerning states other than Florida for the reasons noted herein.

WHEREFORE, BellSouth respectfully requests the entry of an order denying AT&T's Motion in its entirety.

Respectfully submitted this 3rd day of October, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty (BL)

ROBERT G. BEATTY

J. PHILLIP CARVER

c/o Nancy Sims

150 South Monroe Street, #400

Tallahassee, Florida 32301

(305)347-5555

William J. Ellenberg II (BL)

WILLIAM J. ELLENBERG II

NANCY B. WHITE

675 West Peachtree Street, #4300

Atlanta, Georgia 30375

(404)335-0710

CERTIFICATE OF SERVICE

DOCKET NO. 960833-TP

DOCKET NO. 960846-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Federal Express this 3rd day of October, 1996 to the following:

Tracy Hatch
AT&T Communications of the
Southern States, Inc.
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
(904)425-6364
(904)425-6343 (fax)

Donna Canzano
Florida Public Service
Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
(904)413-6204

Robin D. Dunson, Esq.
1200 Peachtree Street, NE
Promenade I, Room 4038
Atlanta, GA 30309
(404)810-8689

Mark A. Logan, Esq.
Brian D. Ballard, Esq.
Bryant, Miller & Olive, P.A.
201 S. Monroe Street
Tallahassee, FL 32301
(904)222-8611

Richard D. Melson, Esq.
Hopping Green Sams & Smith
123 South Calhoun Street
Tallahassee, FL 32314
(904)222-7500

Nancy B. White (SL)

CERTIFICATE OF SERVICE
DOCKET NO. 960916-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express this 3rd day of October, 1996 to the following:

Staff Counsel
Florida Public Service
Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Floyd R. Self, Esq.
Norman H. Horton, Jr., Esq.
Messer, Caparello, Madsen,
Goldman & Metz, P.A.
215 South Monroe Street
Suite 701
Tallahassee, FL 32302-1876
(904) 222-0720

Brad Mutschelknaus
Kelley Drye & Warren, L.L.P.
Suite 500
1200 19th Street, N.W.
Washington, D.C. 20036

Nancy B. White (BZ)