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Legal Department

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RECORDS AND  
REPORTING

February 15, 1999

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

Re: Docket Nos. 981642-TP and 981745-TP

Dear Mrs. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Responses and Objections to Intermedia Communications, Inc.'s First Request for Production of Documents, which we ask that you file in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me.

Sincerely,

*Bennett L. Ross* /m7H  
Bennett L. Ross

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CML *Stavrinja* \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 3 \_\_\_\_\_
- LIN 5 \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1 \_\_\_\_\_
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Enclosures

cc: All parties of Record  
M. M. Criser, III  
N. B. White  
William J. Ellenberg II

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**CERTIFICATE OF SERVICE**  
**Docket Nos. 981642-TP and 981745-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by  
Federal Express this 15th day of February, 1999 to the following:

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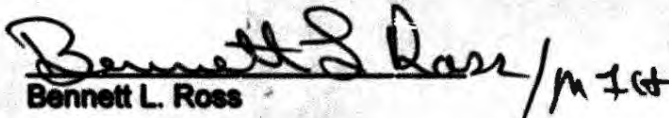
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Bennett L. Ross

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Intermedia Communications Inc. )  
For Arbitration with BellSouth Telecommunications, ) Docket No. 981642-TP  
Inc., Pursuant to the Telecommunications Act of 1996 )  
)  
In re: Petition by e.spire Communications, Inc. )  
And American Communication Services of Tampa, )  
Inc., American Communications Services of )  
Jacksonville, Inc. for Arbitration of an ) Docket No. 981745-TP  
Interconnection Agreement with BellSouth )  
Telecommunications, Inc. Pursuant to Section 252(b) )  
Of the Telecommunications Act of 1996 )  
\_\_\_\_\_ ) FILED: Feb. 15, 1999

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES AND  
OBJECTIONS TO INTERMEDIA COMMUNICATIONS, INC.'S  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.34C and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Responses and Objections to Intermedia Communications Inc.'s, First Request for Production of Documents.

**GENERAL OBJECTIONS**

BellSouth makes the following General Objections to Intermedia's First Request for Production of Documents:

1. BellSouth objects to each Request for Production to the extent that it seeks information protected from discovery by the attorney-client privilege and/or work product doctrine.

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2. BellSouth objects to the instructions to Intermedia's Request for Production to the extent Intermedia seeks to require BellSouth to produce documents in a form in which such documents are not maintained by BellSouth.

3. BellSouth has interpreted Intermedia's Request for Production to apply to BellSouth's regulated intrastate operations in Florida and will limit its responses accordingly. To the extent that any request is intended to apply to matters other than BellSouth's Florida intrastate operations, BellSouth objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

4. BellSouth objects to providing documents to the extent that such documents are already in the public record.

5. BellSouth is a large corporation with employees located in many different locations in Florida and other states. In the course of its business, BellSouth creates countless documents that are not subject to the Commission or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document will be provided in response to these Requests for Production. Rather, these responses will provide all the information obtained by BellSouth after a reasonable and diligent search conducted in connection with Intermedia's discovery requests. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the discovery requests purport to require more, BellSouth objects on the grounds that compliance would be unduly burdensome.

## **SPECIFIC RESPONSES**

1. Please provide copies of the most recent cost studies prepared by; or for BellSouth which show the recurring and non-recurring cost of providing each of the following types of local loops as an unbundled network element:

- a) 2-Wire Analog Voice Grade Loop(s)
- b) 4-Wire Analog Voice Grade Loop(s)
- c) 2-Wire ISDN Digital Grade Link(s) (BRI ISDN)
- d) 2-Wire ADSL - Compatible Loop(s)
- e) 2-Wire HDSL - Compatible Loop(s)
- f) 4-Wire HDSL - Compatible Loop(s)
- g) DS1 Loops
- h) S3 Loops
- i) OC3 Loops
- j) OC12 Loops
- k) OC48 Loops

**RESPONSE:** BellSouth has the following cost studies filed with the Florida Public Service Commission in the specified Dockets:

a) TSLRIC study for Unbundled 2-Wire Analog Voice Grade Loop filed in Docket Nos. 960833-TP/960846-TP/960916-TP.

b) TSLRIC study for Unbundled 4-Wire Analog Voice Grade Loop filed in Docket Nos. 960833-TP/960846-TP/960916-TP.

c) TSLRIC study for Unbundled 2-Wire ISDN Digital Grade Loop filed in Docket Nos. 960833-TP/960846-TP/960916-TP.

- d) Cost study filing in Docket Nos. 960833-TP/960846-TP/960916-TP/960757-TP/971140-TP, Cost Element A.6: 2-Wire ADSL Compatible Loop.
- e) Cost study filing in Docket Nos. 960833-TP/960846-TP/960916-TP/960757-TP/971140-TP, Cost Element A.7: 2-Wire HDSL Compatible Loop.
- f) Cost study filing Docket Nos. 960833-TP/960846-TP/960916-TP/960757-TP/971140-TP, Cost Element A.8: 4-Wire HDSL Compatible Loop.
- g) TSLRIC study for Unbundled 4-Wire DS1 Digital Grade Loop filed in Docket Nos. 961150-TP.
- h) Cost study filing in Docket Nos. 981642-TP/981745-TP, Cost Elements A.16.1, A.16.2, & A.16.199: High Capacity Unbundled Local Loop – DS3.
- i) Cost study filing in Docket Nos. 981642-TP/981745-TP, Cost Elements A.16.4, A.16.5, & A.16.499: High Capacity Unbundled Local Loop – OC3.
- j) Cost study filing in Docket Nos. 981642-TP/981745-TP, Cost Elements A.16.7, A.16.8, & A.16.799: High Capacity Unbundled Local Loop – OC12.
- k) Cost study filing in Docket Nos. 981642-TP/981745-TP, Cost Elements A.16.10, A.16.11 A.16.13, A.16.1099, & A.16.1399: High Capacity Unbundled Local Loop – OC48.

Items (a) to (g) above were submitted to the Florida Public Service Commission in support of the rates ordered by the Commission. Subject to the nondisclosure agreement executed by Intermedia, BellSouth will make these proprietary cost studies available for review at 3535 Colonnade Parkway, Birmingham, Alabama and will, if available, provide an electronic copy of the studies. Items (h) to (k) above were filed



with the Commission in this proceeding on February 4, 1999, copies of which were provided to Intermedia.

These costs are statewide average costs and pertain to all CLECs in the state of Florida. The studies utilize TSLRIC methodology, unless otherwise specified, with fixed costs identified as shared and common costs. Distance-related costs are not an output of the studies. However, the sampling procedures applied in the studies selected loops of varying distances. These loops were used in computation of average loop costs.

Studies based on five localities where Intermedia has requested interconnection at a disaggregated basis by exchange, switching center or density cell have not been performed.

2. Please provide the most recent cost studies prepared by or for BellSouth which show the recurring and non-recurring cost of providing analog and digital cross-connections required to connect an unbundled local loop to the Intermedia system and/or other telecommunications carrier systems. Please provide the complete working copy of each cost study, including a complete working copy of all computerized models involved in preparing the cost estimate with data intact; a complete set of workpapers with all special studies, data sources, data inputs and assumptions; and a complete set of cost study documentation.

**RESPONSE:** The most recent cost study was filed with the Commission in Docket Nos. 960833-TP/960846-TP/960916-TP/960757-TP/971140-TP, Cost Elements H.1: Physical Collocation and H.2: Virtual Collocation. A copy of this cost study is available for review at 3535 Colonnade Parkway, Birmingham, Alabama, subject to the protective agreement executed by Intermedia. BellSouth also will provide an electronic

copy of the proprietary studies. These costs are statewide average costs and pertain to all ALECs in the state of Florida.

3. Please provide the most recent cost studies prepared by or for BellSouth which show the recurring and non-recurring cost of providing channelization and/or multiplexing required to convert (a) voice-grade unbundled loops to DS-1 level for connection with the Intermedia and/or other telecommunications carrier point of interface and (b) DS-1 unbundled loops to DS-3 level for connection with the Intermedia and/or other telecommunications carrier point of interface. Please provide the complete working copy of all computerized models involved in preparing the cost estimate with data intact; a complete set of workpapers with all special studies, data sources, data inputs and assumptions; a complete set of cost study documentation.

**RESPONSE:** See BellSouth's cost study filing in Docket Nos. 981642-TP/981745-TP, Cost Element A.3: Loop Channelization and Central Office Interface. These costs are statewide average costs and pertain to all ALECs in the state of Florida.

4. Please provide the most recent cost studies prepared by or for BellSouth which show the recurring and non-recurring cost of providing interoffice transport to Intermedia or other telecommunications carriers as may be required to transport traffic from BellSouth's end office where unbundled loops are ordered to another BellSouth end office or tandem switch. To the extent cost studies for higher bandwidth interoffice transport are available, please provide same separately. Please provide the complete working copy of all computerized models involved in preparing the cost estimate with



**data intact; a complete set of workpapers with all special studies, data sources, data inputs and assumptions; a complete set of cost study documentation.**

**RESPONSE: See BellSouth's cost study filing in Docket Nos. 931642-TP/981745-TP, Cost Element Elements D.3: Interoffice Transport: Dedicated – DS0 – 56/64 Kbps, D.6: Interoffice Transport – Dedicated – DS3, D.7: Interoffice Transport – Dedicated – OC3, D.8: Interoffice Transport – Dedicated – OC12, D.9: Interoffice Transport – Dedicated – OC48.**

**The most recent cost studies are: (1) BellSouth's TSLRIC study for Special Access Voice Grade Service – Interoffice Channel Voice – Unbundled Exchange Access filed with the Commission in Docket Nos. 961150-TP; and (2) BellSouth's cost study filing in Docket Nos. 960833-TP/960846-TP/960916-TP/960757-TP/971140-TP, Cost Element D.4: Interoffice Transport – Dedicated – DS1. These cost studies are available for review at 3535 Colonnade Parkway, Birmingham, Alabama subject to the protective agreement executed by Intermedia. BellSouth also will provide an electronic copy of the proprietary studies.**

**These costs are statewide average costs and pertain to all ALECs in the state of Florida.**

**5. Please provide the most recent cost studies prepared by or for BellSouth relating to local traffic transport and termination (including end office switching, transport and tandem switching). Please provide the complete working copy of each cost study, including a complete working copy of all computerized models involved in preparing the cost estimate with data intact; a complete set of workpapers with a. special studies,**

data sources, data inputs and assumption; and a complete set of cost study documentation.

**RESPONSE:** The other most recent cost studies are: (1) BellSouth's TSLRIC study for Unbundled Local Usage filed in Docket Nos. 961150-TP; and (2) BellSouth's cost study filing in Docket Nos. 960833-TP/960846-TP/960916-TP/960757-TP/971140-TP, Cost Element D.5: Local Channel – Dedicated. These cost studies are available for review at 3535 Colonnade Parkway, Birmingham, Alabama subject to the protective agreement executed by Intermedia. BellSouth also will provide an electronic copy of the proprietary studies.

6. Please provide each cost study prepared by or for BellSouth or any of its affiliates for services utilizing the network components included in the network elements identified below. The materials sought includes a complete working copy of all computerized cost study modules with data intact; a complete set of workpapers including all special studies, data inputs and data sources used; a complete set of cost study documentation.

- a) 2 or 4 wire analog voice grade loops
- b) ISDN digital grade loops
- c) xDSL compatible loops
- d) DS0, DS1 or DS3 loops
- e) OC3, OC12 or OC48 loops
- f) Local channels
- g) DS1, DS3, OC3, OC12, OC48 interoffice transport

**RESPONSE:** BellSouth objects to this Request for Production to the extent it seeks information concerning the cost of BellSouth's retail services, which is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to

arbitrate rates for certain unbundled network elements, the costs BellSouth incurs in connection with its retail services is irrelevant to this issue because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in South Carolina*, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); *In re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan*, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).

Subject to this objection, and without waiving this objection, the latest version of the cost studies for the requested unbundled network elements are available for review at 675 West Peachtree Street, Atlanta, Georgia or 3535 Colonnade Parkway, Birmingham, Alabama subject to the nondisclosure agreement executed by Intermedia.

7. For Interrogatory No. 1, please provide all cost studies which identify the non-recurring costs associated with switching an existing BellSouth local exchange customer to Intermedia. Please provide the complete working copy of each cost study, including a complete working copy of all computerized cost study modules with data intact; a complete set of workpapers including all special studies, data inputs and data sources used; a complete set of cost study documentation.

**RESPONSE:** See response to POD Item No. 1.



8. Please provide all cost studies which identify the costs of the activities in BellSouth's response to interrogatory No. 2. Please provide the complete working copy of each cost study, including a complete working copy of all computerized models involved in preparing the cost estimate with data intact; a complete set of workpapers with all special studies, data inputs and data sources used; a complete set of cost study documentation.

**RESPONSE:** See response to POD Item No. 1.

9. Please provide copies of any written explanations which describe the manner in which BellSouth's existing non-recurring charges (NRCs) for local exchange service were established. Also provide any cost studies which have been prepared by or on behalf of BellSouth to support those NRCs.

**RESPONSE:** BellSouth objects to this request on grounds that the information requested is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to arbitrate the nonrecurring rates for certain unbundled network elements, the charges a customer pays when it changes long distance carriers, the charges a BellSouth retail customer pays or the cost to BellSouth of providing service to a retail customer are irrelevant because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rod 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934*, as

*amended, to Provide In-Region, InterLATA Services in South Carolina, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); In re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).*

10. Provide any cost studies which have been prepared to support the NRC that BellSouth assesses when a customer elects to change its presubscribed long distance carrier.

**RESPONSE:** BellSouth objects to this request on grounds that the information requested is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to arbitrate the nonrecurring rates for certain unbundled network elements, the charges a customer pays when it changes long distance carriers, the charges a BellSouth retail customer pays or the cost to BellSouth of providing service to a retail customer are irrelevant because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in South Carolina*, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); *in re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide*

*In-Region, InterLATA Services in Michigan*, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).

11. Please provide copies of any documents in the possession of BellSouth relating to the ability or advisability of multiple telecommunications carriers which are collocated in the same BellSouth central office cross-connecting with one another.

**RESPONSE:** The documents responsive to this request are BellSouth's Standard Collocation Agreement and the BellSouth Collocation Handbook, copies of which already have been provided to Intermedia. These documents also are available on BellSouth's website, <http://www.interconnection.bellsouth.com/>

12. Please provide a complete copy of the most recently conducted cost study for each service offered pursuant to BellSouth's authority to enter into contract service arrangements. If the cost information produced by BellSouth drew from other cost studies, please provide the complete cost study drawn upon. (For instance, if a service offered through contract includes DS1 transport and the cost information developed drew upon the results of an earlier conducted DS1 transport study.) Please provide the complete working copy of each cost study, including a complete working copy of all computerized modules involved in preparing the cost estimate with data intact; a complete set of workpapers including all special studies, data sources, data inputs and assumptions; and a complete set of cost study documentation.

**RESPONSE:** BellSouth objects to this Request for Production on grounds that it seeks documents concerning the cost of BellSouth's retail services, which are not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to



arbitrate rates for certain unbundled network elements, the costs BellSouth incurs in connection with its retail services is irrelevant to this issue because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in South Carolina*, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); *In re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan*, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).

13. Please provide any and all studies relating to loop conditioning charges imposed by BellSouth, and identify the pricing methodology used.

**RESPONSE:** See BellSouth's cost study filing in Docket Nos. 981642-TP/981745-TP, Cost Elements A.13: 2-Wire Copper Loops and A.14: 4-Wire Copper Loops.

14. Please provide copies of any and all documents relating to studies, evaluations, and/or analyses with respect to Spectrum Management.

**RESPONSE:** BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place.

15. If the response to Interrogatory No. 16 is in the affirmative, for each item enumerated, please provide the relevant cost study.

**RESPONSE:** BellSouth objects to this Request for Production on grounds that it seeks documents concerning the cost of BellSouth's retail services, which are not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to arbitrate rates for certain unbundled network elements, the costs BellSouth incurs in connection with its retail services is irrelevant to this issue because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in South Carolina*, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); *In re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan*, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).

Subject to this objection, and without waiving this objection, the latest version of the cost studies for the requested unbundled network elements are available for review at 675 West Peachtree Street, Atlanta, Georgia subject to the nondisclosure agreement executed by Intermedia.

16. Please provide a complete copy of any cost studies prepared by or on behalf of BellSouth with respect to the ADSL Service referenced in BellSouth's FCC Transmittal No. 476 (dated Aug. 18, 1998). Please provide a complete copy of the

ADSL service cost studies. Please provide the complete working copy of each cost study, including a complete working copy of all computerized modules involved in preparing the cost estimate with data intact; a complete set of workpapers with all special studies, data sources, data inputs and assumptions; and a complete set of cost study documentation.

**RESPONSE:** BellSouth objects to this Request for Production to the extent it seeks information concerning the cost of BellSouth's retail services, which is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to arbitrate rates for certain unbundled network elements, the costs BellSouth incurs in connection with its retail services is irrelevant to this issue because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in South Carolina*, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); *In re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan*, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).

17. Please provide any cost studies prepared by or on behalf of BellSouth relating to Frame Relay. Please provide the complete working copy of each cost study,



including a complete working copy of all computerized modules involved in preparing the cost estimate with data intact; a complete set of workpapers with all special studies, data sources, data inputs and assumptions; and a complete set of cost study documentation.

**RESPONSE:** BellSouth objects to this Request for Production to the extent it seeks information concerning the cost of BellSouth's retail services, which is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to arbitrate rates for certain unbundled network elements, the costs BellSouth incurs in connection with its retail services is irrelevant to this issue because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in South Carolina*, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); *In re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan*, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).

Subject to this objection, and without waiving this objection, see BellSouth's cost study filing in Docket Nos. 981642-TP/981745-TP, Cost Element N.1: Unbundled Packet Switching Frame Relay Service.

18. Please provide copies of all cost studies and models identified in response to Interrogatory No. 17, including workpapers special studies, and other documentation.

**RESPONSE:** See response to Interrogatory Item No. 17.

19. Please provide copies of any frame relay interconnection arrangements that BellSouth has executed with any other provider of frame relay services. For purposes of this request, a frame relay interconnection agreement is any agreement that contains provisions related to the connection of one or more of BellSouth's frame relay switches in, or serving customers in, Florida to one or more frame relay switches of the other provider for the transport of frame relay traffic from one frame relay switch to another. "Frame relay interconnection agreements" are limited to such agreements entered into by BellSouth since February 6, 1996 and includes any such agreement whether or not submitted to the Commission for approval under the 1934 Act, as amended.

**RESPONSE:** BellSouth objects to this Request for Production to the extent it seeks copies of agreements other than those between BellSouth and ALECs entered into under Section 252 of the Telecommunications Act of 1996 ("1996 Act").

Because this proceeding is an arbitration under Section 252 of the 1996 Act, other agreements are not relevant to the issues in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to this objection, and without waiving this objection, the information responsive to this request is contained in the agreements between BellSouth and ALECs pursuant to Section 252 of the Act of 1996, which are on file with the

Commission and are available on BellSouth's website, <http://www.interconnection.bellsouth.com>

20. Please provide any and all documents relating to cost studies prepared by or on behalf of BellSouth relating to BellSouth's reciprocal compensation rate for the transport and termination of local traffic in 1996.

**RESPONSE:** BellSouth's rates and rate structure in 1996 for reciprocal compensation varied, depending on the outcome of the negotiations between the Parties. The rates and structure have changed since 1996. These changes were also based on negotiations between the Parties. All downward changes were based on arbitration decisions, which were cost supported. Such cost support filed by BellSouth in these arbitrations is available through the Public Service Commission. The rates and rate structure in 1996 of BellSouth's reciprocal compensation varied, depending on the outcome of the negotiations between the Parties. The present rates are based on the MCI and AT & T Arbitration orders.

21. Please provide any cost studies relating to the transport and termination of ISP-bound traffic and other types of local traffic.

**RESPONSE:** Since BellSouth does not consider ISP traffic to be local, a cost comparison to local traffic is not appropriate.

22. For each collocation construction job that has been completed or closed by the BellSouth network organization, please provide a detailed explanation of the work and equipment BellSouth performed and provided (including work BellSouth from third parties) and an analysis of the costs BellSouth has incurred using the elements included in the BellSouth tariff. In addition, please reconcile this explanation and



analysis with [per book costs using] the invoices, time sheets, and other documents describing the costs BellSouth actually incurred. Please also provide the study or the estimates of required time and tasks upon which BellSouth based its quotes to CLECs.

**RESPONSE:** BellSouth objects to this Request for Production on grounds that it is overly broad and unduly burdensome. To date, BellSouth has completed more than 100 physical and virtual collocation arrangements in Florida and approximately 500 in the region. In order to provide the documents requested, BellSouth would have to consult seven different Network organizations, two or more BellSouth Network contractors, and three or more property management contractors (depending on the scope of the work). Based on input from these participants, who are involved in the various aspects of the work associated with collocation, BellSouth conservatively estimates that it would require in excess of 2,000 man-hours to provide the requested information just for those collocation projects completed in Florida. Furthermore, the individuals who would have to gather these documents are the same individuals responsible for fulfilling active, in-progress collocation requests for BellSouth's ALEC customers. To impose such onerous discovery burdens upon these individuals would impede BellSouth's ability to timely fulfill its collocation obligations to these ALECs.

BellSouth also objects to this Request for Production to the extent it seeks information about the work performed by BellSouth to permit ALECs other than Intermedia to collocate on BellSouth's premises. Such information would tend to reveal the marketing and network plans of Intermedia's competitors, including the types of facilities such competitors have elected to deploy to service their customers and the locations where they intend to compete. Although the Commission has been asked to

arbitrate certain issues concerning the rates, terms, and conditions that should apply when Intermedia physically collocates on BellSouth's premises, Intermedia should not be permitted to delve into trade secret and other confidential commercial information of Intermedia's competitors. See *Everco Industries, Inc. v. OEM Products Co.*, 362 F. Supp. 204, 206 (N.D. Ill. 1973) (rejecting open-ended discovery request for company's confidential documents, recognizing that confidential documents should not be disclosed between business competitors absent sufficient cause).

23. Please provide all nonrecurring cost studies performed in the last five years pertaining to unbundled loops or to any service that includes the loop (e.g., local residential or local business).

**RESPONSE:** BellSouth objects to this Request for Production to the extent it seeks information concerning the cost of BellSouth's retail services, which is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to arbitrate rates for certain unbundled network elements, the costs BellSouth incurs in connection with its retail services is irrelevant to this issue because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide in-Region, InterLATA Services in South Carolina*, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); *In re:*

*Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).*

Subject to this objection, and without waiving this objection, please refer to response to POD No. 4 for cost studies pertaining to unbundled loops filed in recent Dockets.

24. Please provide the most recent cost study corresponding to each service identified in Interrogatory No. 54. For each study, identify the date prepared, the purpose of the study (e.g., to be presented in a Commission proceeding, used in conjunction with a CSA, etc.), the cost methodology (LRIC, TSLRIC, TSLRIC, etc.). Also, please provide workpapers relevant to these studies.

**RESPONSE:** BellSouth objects to this Request for Production to the extent it seeks information concerning the cost of BellSouth's retail services, which is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Although the Commission has been asked to arbitrate rates for certain unbundled network elements, the costs BellSouth incurs in connection with its retail services is irrelevant to this issue because, as the Federal Communications Commission has repeatedly held, unbundled network elements do not have a retail analogue. See *In re: Application of BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket 98-121, 13 FCC Rcd 20599 ¶ 87 (Oct. 13, 1998); See *In re: Application of BellSouth Corp., et al. Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services In*



**South Carolina, CC Docket 97-208, 13 FCC Rcd 539 ¶ 98 (Dec. 24, 1997); In re: Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan, CC Docket 97-137, 12 FCC Rcd 20543 ¶ 141 (Aug. 19, 1997).**

**Respectfully submitted this 15th day of February, 1999.**

**BELLSOUTH TELECOMMUNICATIONS, INC.**

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