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MICHAEL P. GOGGIN
General Attorney

00 APR -4 PM 4:41

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

RECORDS AND
REPORTING

April 4, 2000

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

Re: 991854-TP (Intermedia Arbitration)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Responses and Objections to Staff's Second Request for Production of Documents (No. 4), which we ask that you file in the above-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. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Michael P. Goggin
Michael P. Goggin (FW)

MPG/vf

cc: All parties of record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- WAW _____
- OTH _____

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[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
04127 APR-48
FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
Docket No. 991854-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

(*) Hand Delivery and (+) Federal Express this 4th day of April, 2000 to the following:

Signed Protective Agreement

Timothy Vaccaro (*)
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6181

Carl Jackson (+)
Senior Director
Intermedia Communications, Inc.
360 Interstate North Parkway
Suite 500
Atlanta, Georgia 30339

Scott Saperstein (+)
Senior Policy Counsel
Intermedia Communications, Inc.
3625 Queen Palm Drive
Tampa, Florida 33619
Ph. (813) 829-4093
Fax (813) 349-9802

Wiggins Law Firm
Charles J. Pellegrini (+) ##
2145 Delta Boulevard
Suite 200
Tallahassee, FL 32302
Tel. No. (850) 385-6007
Fax. No. (850) 385-6008


Michael P. Goggin

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re:) Docket No. 991854-TP
)
 Petition for Arbitration of the Interconnection)
 Agreement Between BellSouth Telecommunications,)
 Inc. and Intermedia Communications, Inc.)
 Pursuant to Section 252(b) of the)
 Telecommunications Act of 1996.)
 _____) Filed: April 4, 2000

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES AND
 OBJECTIONS TO STAFF'S SECOND REQUEST FOR PRODUCTION**

BellSouth Telecommunications, Inc. ("BellSouth"), files pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, its Responses to the Staff of the Florida Public Service Commission's ("Staff") Second Request for Production of Documents, dated March 15, 2000.

GENERAL OBJECTIONS AND RESPONSES

GENERAL OBJECTIONS

1. BellSouth objects to the requests for production of documents to the extent they seek to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth objects to the requests for production of documents to the extent they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. BellSouth objects to such requests for production of documents as being irrelevant, overly broad, unduly burdensome, and oppressive.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

3. BellSouth objects to each and every request for production of documents and instruction to the extent that such request for production of documents or instruction calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to each and every request for production of documents insofar as the request for production of documents is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Any answers provided by BellSouth in response to these requests for production of documents will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request for production of documents insofar as the request for production of documents is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will attempt to note in its responses each instance where this objection applies.

6. BellSouth objects to providing information to the extent that such information is already in the public record before the Commission.

7. BellSouth objects to each and every request for production of documents to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to §90.506, *Florida Statutes*. BellSouth also objects to each and every request for production of documents that would require the disclosure of customer specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that the Commission requests proprietary information that is not subject to

the “trade secrets” privilege or to §364.24, BellSouth will make such information available to the Commission at a mutually agreeable time and place subject to a Request for Confidential Classification.

8. BellSouth objects to the Commission's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

9. BellSouth objects to each and every request for production of documents, insofar as any of them is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

10. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to 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 has been identified in response to these requests for production of documents. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests for production of documents purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

GENERAL RESPONSES

1. With regard to Staff's definition of "document", BellSouth has made a diligent, good faith attempt to locate documents responsive to the scope of Staff's individual requests for documents.
2. In any instance in which BellSouth agrees to produce responsive documents, they will be produced at a mutually agreeable time and place.
3. The following Specific Responses are given subject to the above-stated General Responses and Objections, and the objections previously served and filed.

SPECIFIC RESPONSES AND OBJECTIONS TO REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 4: Please provide copies of all documents requested by Intermedia's First Request for Production of Documents to BellSouth served March 13, 2000, in this proceeding.

RESPONSE: See BellSouth's responses to Intermedia's First Request for Production of Documents filed April 3, 2000 attached hereto as Exhibit "A". BellSouth incorporates by reference the responses and objections made to Intermedia's discovery requests in Exhibit "A" in response to this request.

Respectfully submitted this 4th day of April, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White
NANCY B. WHITE

MICHAEL P. GOGGIN

c/o Nancy Sims

150 South Monroe Street, #400

Tallahassee, Florida 32301

(305) 347-5555

R. Douglas Lackey
R. DOUGLAS LACKEY

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Legal Department

MICHAEL P. GOGGIN
General Attorney

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(305) 347-5561

April 3, 2000

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

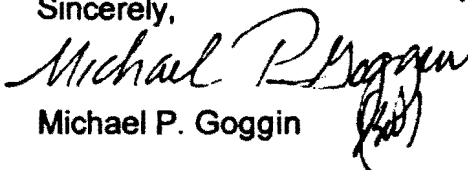
Re: 991854-TP (Intermedia Arbitration)

Dear Ms. 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 (Nos. 1 through 61), which we ask that you file in the above-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. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


Michael P. Goggin

MPG/vf

cc: All parties of record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

Exhibit A

**CERTIFICATE OF SERVICE
Docket No. 991854-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

(*) Hand Delivery and (+) Federal Express this 3rd day of April, 2000 to the following:


Signed Protective Agreement

Timothy Vaccaro (+)
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6181

Carl Jackson (+)
Senior Director
Intermedia Communications, Inc.
360 Interstate North Parkway
Suite 500
Atlanta, Georgia 30339

Scott Saperstein (+)
Senior Policy Counsel
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Wiggins Law Firm
Charles J. Pellegrini (*) ##
2145 Delta Boulevard
Suite 200
Tallahassee, FL 32302
Tel. No. (850) 385-6007
Fax. No. (850) 385-6008


Michael P. Goggin (1/10)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re:) Docket No. 991854-TP
)
Petition for Arbitration of the Interconnection)
Agreement Between BellSouth Telecommunications,)
Inc. and Intermedia Communications, Inc.)
Pursuant to Section 252(b) of the)
Telecommunications Act of 1996.)
_____) Dated: April 3, 2000

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

BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 28-106.206, *Florida Administrative Code*, and Rules 1.350 and 1.280, *Florida Rules of Civil Procedure*, files the following Responses and Objections to the First Request for Production of Documents served by Intermedia Communications, Inc. ("Intermedia") on March 13, 2000.

GENERAL OBJECTIONS AND RESPONSES

GENERAL OBJECTIONS

1. BellSouth objects to the requests for production of documents to the extent they seek to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth objects to the requests for production of documents to the extent they are intended to apply to matters other than Florida intrastate operations subject to the

jurisdiction of the Commission. BellSouth objects to such requests for production of documents as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request for production of documents and instruction to the extent that such request for production of documents or instruction calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to each and every request for production of documents insofar as the request for production of documents is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Any answers provided by BellSouth in response to these requests for production of documents will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request for production of documents insofar as the request for production of documents is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will attempt to note in its responses each instance where this objection applies.

6. BellSouth objects to providing information to the extent that such information is already in the public record before the Commission.

7. BellSouth objects to each and every request for production of documents to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to §90.506, *Florida Statutes*. BellSouth also objects to each and every request for production of documents that would require the disclosure of customer

specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that Intermedia requests proprietary information that is not subject to the "trade secrets" privilege or to §364.24, BellSouth will make such information available to Intermedia at a mutually agreeable time and place upon the execution of a confidentiality agreement, or subject to a Request for Confidential Classification.

8. BellSouth objects to Intermedia's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

9. BellSouth objects to each and every request for production of documents, insofar as any of them is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

10. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to 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 has been identified in response to these requests for production of documents. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests for production of documents purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

GENERAL RESPONSES

1. With regard to Intermedia's definition of "document", BellSouth has made a diligent, good faith attempt to locate documents responsive to the scope of Intermedia's individual requests for documents.
2. BellSouth does not believe it was Intermedia's intent to require BellSouth to produce again the same documents previously produced in other dockets, but to the extent it does, BellSouth objects on the basis that such a request would be unduly burdensome, oppressive, and unnecessary, and for these reasons is prohibited.
3. In any instance in which BellSouth agrees to produce responsive documents, they will be produced at a mutually agreeable time and place.
4. The following Specific Responses are given subject to the above-stated General Responses and Objections, and the objections previously served and filed.

SPECIFIC RESPONSES AND OBJECTIONS TO REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 1: Produce copies of all documents identified or referenced by BellSouth in response to Intermedia's First Set of Interrogatories.

RESPONSE: See BellSouth's Cost Study Filings in FPSC Docket Nos. 990691-TP, 960833-TP, 960846-TP, 960757-TP, and 971140-TP. These cost studies are extremely voluminous and are considered proprietary and will be made available at BellSouth Headquarters, 675 West Peachtree Street, Atlanta, GA upon the execution of the appropriate nondisclosure agreement.

REQUEST NO. 2: Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers which have adopted BellSouth's definition of "local traffic".

RESPONSE: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available. Subject to and without waiving the foregoing objections, BellSouth states that most interconnection agreements based on the BellSouth Standard Interconnection agreement contain BellSouth's definition of local traffic. Please see attached list containing pertinent agreements.

REQUEST NO. 3: Produce any and all Commission decisions which require BellSouth to pay reciprocal compensation for traffic terminated to Enhanced Service Providers ("ESPs") Internet Service Providers ("ISPs").

RESPONSE: BellSouth objects to this request for production on the grounds that it seeks the production of Commission decisions which are public record. BellSouth also objects to this request to the extent that it implies that ISP - bound traffic "terminates" at the ISP. Subject to and without waiving the foregoing objections, BellSouth has provided responsive docket numbers in response to Intermedia's 1st Set of Interrogatories, Item No. 13.

REQUEST NO. 4: Produce any and all Commission decisions which *do not* require BellSouth to pay reciprocal compensation for traffic terminated to ESPs/ISPs.

RESPONSE: BellSouth objects to this request for production on the grounds that it seeks the production of Commission decisions which are public record. BellSouth also objects to this request to the extent that it implies that ISP - bound traffic "terminates" at the ISP. Subject to and without waiving the foregoing objections, BellSouth states that it has received favorable decisions in the Louisiana KMC arbitration Docket No. U-23839 and South Carolina DeltaCom arbitration, Docket No. 1999-259-C. In addition, the Florida Public Service Commission has decided, in every arbitration since 1999 in which it was an issue, not to impose a reciprocal compensation requirement for ISP - bound traffic pending a determination from the FCC. See, e.g. Dckt. Nos. 990149-TP, 990691-TP and 990750-TP.

REQUEST NO. 5: Produce any and all pleadings, including petitions for appeal, petitions for reconsideration, applications for review, comments, briefs, and other documents, filed by BellSouth before a state commission, the FCC, or a court, in which BellSouth challenges the right of an ALEC to receive compensation for the transport and termination of ESP/ISP traffic.

RESPONSE: BellSouth objects to this request on the grounds that it is overbroad and unduly burdensome and seeks documents that are publicly available. BellSouth also objects to this request to the extent that it implies that ISP - bound traffic "terminates" at the ISP. Subject to and without waiving these objections, BellSouth identifies the following list of Florida dockets as being responsive to this request. See also, BellSouth's response to Intermedia's 1st Request for Production, Item No. 58.

<u>FPSC Docket No.</u>	<u>Title</u>
981008-TP	e.spire Complaint
990149-TP	MediaOne Arbitration
990691-TP	ICG Arbitration
990750-TP	ITC^Deltacom Arbitration
990874-TP	US LEC of Florida Complaint
991220-TP	Global NAPS Arbitration
991267-TP	Global NAPS Complaint
991534-TP	Intermedia Complaint
991605-TP	Time Warner Arbitration
991755-TP	MCI WorldCom Complaint
991854-TP	Intermedia Arbitration
991946-TP	ITC^DeltaCom Complaint

REQUEST NO. 6: Produce any and all FCC decisions which BellSouth contends require BellSouth to pay reciprocal compensation for the transport and termination of ESP/ISP traffic.

RESPONSE: BellSouth objects to this request to the extent that it implies that ISP - bound traffic "terminates" at the ISP. Subject to this objection, BellSouth responds as follows: There are no FCC orders or opinions which require BellSouth to pay reciprocal compensation for ESP/ISP-bound traffic.

REQUEST NO. 7: Produce any and all FCC decisions which BellSouth contends *do not* require BellSouth to pay reciprocal compensation for the transport and termination of ESP/ISP traffic.

RESPONSE: BellSouth objects to this request to the extent that it implies that ISP - bound traffic "terminates" at the ISP. Subject to this objection, BellSouth notes that there are numerous publicly available FCC Orders which hold that ESP/ISP - bound traffic is interstate access traffic. Examples of such documents are attached.

REQUEST NO. 8: Produce any and all documents, including commission and court decisions, upon which BellSouth relies for the proposition that since ISP traffic is interstate and not local traffic, it is not subject to the reciprocal compensation obligations contained in Section 251 of the Communications Act.

RESPONSE: Responsive documents are attached. See also Declaratory Ruling attached to BellSouth's response to Intermedia's 1st Request for Production, Item No. 7.

REQUEST NO. 9: Produce any and all documents, including commission and court decisions, which BellSouth contends support the proposition that, for jurisdictional purposes, traffic must be judged by its end-to-end nature, and must not be judged by looking at individual components of a call.

RESPONSE: See Declaratory Ruling attached to BellSouth's response to Intermedia's 1st Request for Production, Item No. 7 and BellSouth's response to Intermedia's 1st Request for Production, Item No. 8.

REQUEST NO. 10: Produce any and all documents, including commission and court decisions, which BellSouth contends support the proposition that the interstate access connection that permits an ISP to communicate with its subscribers falls within the scope of exchange access and, accordingly, constitutes an access service as defined by the FCC.

RESPONSE: See Declaratory Ruling provided in response to Intermedia's 1st Request for Production, Item No. 7. Also see documents provided in response to Intermedia's 1st Request for Production, Item No. 8.

REQUEST NO. 11: Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers that exclude ISP traffic from reciprocal compensation.

RESPONSE: BellSouth objects to this request to the extent that it implies that ISP - bound traffic is local traffic. All interconnection agreements between BellSouth and other telecommunications carriers exclude ISP traffic from reciprocal compensation because reciprocal compensation applies only to local traffic. ISP traffic, by definition, is interstate, non-local traffic. In addition, most interconnection agreements based on the BellSouth Standard Interconnection Agreement expressly exclude ISP traffic from reciprocal compensation. Please see list attached to BellSouth's response to Intermedia's 1st Request for Production, Item No. 2.

REQUEST NO. 12: Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers that provide for reciprocal compensation at *elemental* rates.

RESPONSE: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.

REQUEST NO. 13: Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers that provide for reciprocal compensation at *composite* rates.

RESPONSE: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.

REQUEST NO. 14: Produce any and all documents, including diagrams, schematics, or illustrations showing the manner in which BellSouth terminates local calls, including ISP calls, originated by other telecommunications carriers.

RESPONSE: BellSouth objects to this request to the extent that it implies that ISP - bound traffic is local traffic. In addition, BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, BellSouth's General Subscriber Service Tariff (GSST), Section A3, describes the regulations associated with BellSouth's local service offerings. However, most networks route public switched traffic based primarily on the digits dialed and associated signaling information. When an originating call is dialed that appears local to the originating switch, it will be routed to the switch serving the NPA/NXX of the dialed number. However, there are non-local calls that appear local to the originating switch, such as originating Feature Group A (FGA) and ISP-bound traffic. For example, ISP traffic is normally 7-digit dialed (or 10-digit dialed depending on the NPA exhaust conditions) by the originating end user and appears to the network equipment as a local call in the same manner as originating Feature Group A switched access calls or IP Telephony switched access calls. The originating network cannot distinguish these interstate access calls from true local calls from either a switching or trunking perspective unless they are assigned to unique, dedicated NPA/NXXs. Since there are no technical ways to differentiate 7-digit dialed switched access calls from true 7-digit dialed local calls, the network must treat them the same when being delivered to the same Intermedia location. Therefore, neither the digits dialed nor the trunk group over which a call is routed is determinative of the nature of the traffic carried. Nor can the BellSouth network determine where the call is delivered once the call is handed off to Intermedia.

However, BellSouth does route 7-digit dialed calls destined to Intermedia differently than BellSouth does for its own purposes. For example, on 7-digit dialed calls between BellSouth end users, BellSouth normally routes those calls directly between BellSouth end office switches, thereby utilizing only two Class 5 end office switches and minimum transport facilities. However, since Intermedia and other ALECs have elected to deploy their networks using centralized switches and may have only one Point of Interface for a LATA, BellSouth must first route the 7-digit calls to a BellSouth tandem switch using the BellSouth network, switch the

calls through the tandem, then route to a trunk group connected to Intermedia's end office switch. This adds considerable network switching (both the originating end office and a tandem switch) and transport costs to BellSouth. Additionally, whereas BellSouth has distributed Internet traffic on a web of transport facilities directly between BellSouth end offices to avoid network congestion, this is not the case with Internet traffic delivered to Intermedia and most other ALECs. Concentrating traffic (particularly Internet traffic) to a small number of Points of Interfaces in a given LATA results in significant traffic congestion at the tandem switches and uneconomical use of transport facilities. See attached illustrations.

REQUEST NO. 15: Produce any and all documents, including diagrams, schematics, or illustrations showing the manner in which other telecommunications carriers terminate local calls, including ISP calls, originated by BellSouth.

RESPONSE: BellSouth objects to this request to the extent that it implies that ISP - bound traffic is local traffic. BellSouth also objects to this request for production on the grounds that it is vague, overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the aforementioned objections, see BellSouth's response to Intermedia's 1st Request for Production, Item No. 14.

REQUEST NO. 16: Produce a diagram, illustration, or schematic of BellSouth's network in Florida showing how its central offices are interconnected.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, see attached illustration.

REQUEST NO. 17: Produce a diagram, schematic, or illustration of BellSouth's circuit-switched network in Florida showing how its circuit-switched network is interconnected with the circuit-switched networks of other telecommunications carriers with whom it interconnects.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, see BellSouth's response to Intermedia's 1st Request for Production, Item No. 16.

REQUEST NO. 18: Produce a diagram, schematic, or illustration of BellSouth's packet-switched network in Florida showing how its packet-switched network is interconnected with the packet-switched networks of other telecommunications carriers with whom it has interconnection agreements.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, see attached illustration.

REQUEST NO. 19: Produce any and all documents demonstrating that Intermedia's switches do not serve geographic areas comparable to BellSouth's tandems.

RESPONSE: Other than the maps filed by Intermedia in this proceeding, BellSouth does not possess any documents illustrating whether or not Intermedia's end office switches serve geographic areas comparable to BellSouth's tandem switches. BellSouth contends that the maps provided by Intermedia do not meet the burden of proof concerning the geographic areas served by Intermedia's end office switches.

REQUEST NO. 20: Produce any and all documents demonstrating that Intermedia's switches do not perform a tandem function.

RESPONSE: Except as discussed in BellSouth's responses to Intermedia's Interrogatory Items 11 and 19, BellSouth is without specific knowledge to know whether or not Intermedia's switches perform tandem switch functions. BellSouth has created the attached schematic that demonstrates its understanding of how Intermedia's end office switches function. However, it should be noted that Intermedia has the burden of proof on this issue. BellSouth reserves the right to supplement this response.

REQUEST NO. 21: Produce any and all documents demonstrating that Intermedia's switch is not providing a common transport or tandem function, but is switching traffic through its end office for delivery of that traffic from that switch to the called party's premises.

RESPONSE: BellSouth is not in possession of such documents. However, BellSouth's Florida Switched Access tariff, Section 6.1, defines the various access interconnection functions and rate elements that have been well established. Tandem switches, among other things, switch traffic between other switches (i.e., trunk to trunk). Common transport transports traffic between a tandem switch and an end office switch. Common transport is not "loop" transport from the line side of the end office to the end user premise.

REQUEST NO. 22: Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch serves an area comparable to that served by BellSouth's tandem switch.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and seeks the production of Commission decisions which are public record.

REQUEST NO. 23: Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch provides the same functionality as that provided by BellSouth's tandem switch.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overbroad and unduly burdensome and seeks the production of Commission decisions which are on public record.

REQUEST NO. 24: Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch *does not* serve an area comparable to that served by BellSouth's tandem switch.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overbroad and unduly burdensome and seeks the production of Commission decisions which are on public record.

REQUEST NO. 25: Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch *does not* provide the same functionality as that provided by BellSouth's tandem switch.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and seeks the production of Commission decisions which are on public record.

REQUEST NO. 26: Produce any and all cost studies underlying BellSouth's reciprocal compensation charges.

RESPONSE: See the cost elements for the transport and termination of local traffic filed for unbundled network elements in the cost studies provided in BellSouth's response to Intermedia's 1st Request for Production, Item Nos. 1 and 42.

REQUEST NO. 27: Produce any and all Commission decisions which address the rates for virtual and physical collocation, including but not limited to, space preparation/conditioning charges.

RESPONSE: BellSouth objects to this request for production on the grounds that it seeks the production of Commission decisions which are on file with the Florida Public Service Commission and thus are public record.

REQUEST NO. 28: Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers which reflect the space preparation rates purportedly established by the Commission in Order No. PSC-98-0604-FOF-TP, dated April 29, 1998.

RESPONSE: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. In addition, BellSouth objects to this request for production on the grounds that it seeks the production of documents which are on file with the Florida Public Service Commission and thus are public record.

REQUEST NO. 29: Produce any and all cost studies underlying BellSouth's collocation charges.

RESPONSE: See BellSouth's response to Intermedia's 1st Request for Production, Item No. 1. In addition, on March 21 BellSouth filed a tariff for Physical Expanded Interconnection Service (PEIS) for Florida. These cost studies are considered proprietary and will be made available at BellSouth Headquarters, 675 West Peachtree Street, Atlanta, GA upon the execution of the appropriate nondisclosure agreement.

REQUEST NO. 30: Produce copies of all effective interconnection agreements between BellSouth and other telecommunications carriers in Florida which provide for virtual-to-physical collocation conversions.

RESPONSE: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.

REQUEST NO. 31: Produce copies of all firm order confirmations and similar documents in which BellSouth authorizes the conversion of virtual collocation arrangements to physical collocation arrangements without requiring the relocation of the requesting carrier's virtually collocated equipment.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of customer proprietary information which cannot be disclosed by BellSouth.

REQUEST NO. 32: Produce any and all cost studies underlying BellSouth's charges for converting virtual collocation to physical collocation, including the physical collocation application fee.

RESPONSE: BellSouth objects to this request to the extent that it implies that the charges for physical collocation should differ among ALECs based on whether an ALEC previously had a virtual collocation arrangement. Subject to this objection, see BellSouth's response to Intermedia's 1st Request for Production, Item No. 1. In addition, on March 21 BellSouth filed a tariff for Physical Expanded Interconnection Service (PEIS) for Florida. These cost studies are considered proprietary and will be made available at BellSouth Headquarters, 675 West Peachtree Street, Atlanta, GA upon the execution of the appropriate nondisclosure agreement.

REQUEST NO. 33: Produce any and all interconnection agreements between BellSouth and other telecommunications carriers which prohibit the carriers from assigning NPA/NXXs outside the BellSouth local calling area where the NPA/NXXs are homed.

RESPONSE: NPA/NXXs are assigned to established rate centers approved by state Commissions, not to "local calling areas". The NPA/NXX network homing arrangements reflect the NPA/NXX rate center assignments. This is required for numerous reasons, three of which are: 1) telecommunication companies rate their originating traffic for end user billing based upon NPA/NXX rate center assignments as listed in the national Business Rating Input Data Base System (BRIDS), 2) efficient network utilization, and 3) Local Number Portability traffic routing purposes. To do otherwise would result in incorrect end user billing, inefficient use of the telecommunications network, and mis-routing of Local Number Portability traffic. Since there is no need to establish an agreement with other telecommunications carriers prohibiting the

carriers from incorrectly homing their NPA/NXXs, no such agreements exist.

REQUEST NO. 34: Produce all documents that support or refer or relate to the recurring and nonrecurring rates you contend Intermedia should pay for frame relay elements necessary to provide packet-switched services in Florida, including the User-to-Network Interface (UNI), Network-to-Network Interface (NNI), and the Data Link Control Identifiers (DLCI) and Committed Information Rates (CIR).

RESPONSE: Although BellSouth has performed UNE cost studies for Frame Relay, the FCC's UNE Remand Order has specified that Frame Relay should not be unbundled. Nevertheless, see BellSouth's Cost Study Filings in FPSC Docket No. 990691-TP provided in Intermedia's 1st Request for Production, Item No. 1.

REQUEST NO. 35: Produce all documents that refer or relate to any request by telecommunications carriers, other than Intermedia, to provide them with an Enhanced Extended Link (EEL), as well as all documents referring or relating to BellSouth's response to any such request.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 36: Produce copies of interim or final decisions in arbitration proceedings under Section 252 of the Communications Act or in any other proceeding under the Communications Act that address the issue of whether BellSouth should or should not provide EEL to requesting carriers.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, BellSouth identifies the following Florida docket as being responsive to this request.

<u>FPSC Docket No.</u>	<u>Title</u>
990750-TP	ITC^DeltaCom Arbitration

REQUEST NO. 37: Produce copies of all interconnection agreements between BellSouth and other telecommunications carriers (other than Intermedia) under Section 252 of the Communications Act, whether the interconnection agreement was reached through voluntary negotiations or compulsory arbitration.

RESPONSE: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available. Subject to and without waiving the foregoing objections, attached is a list of the pertinent interconnection agreements.

REQUEST NO. 38: Produce all documents upon which BellSouth intends to rely or introduce into evidence at the hearing on this matter.

RESPONSE: Documents responsive to this request have been provided with the testimony filed in this docket and documents provided in response hereto. BellSouth reserves the right to introduce additional documents at the hearing for purposes of rebuttal or impeachment.

REQUEST NO. 39: Identify any and all cost studies, evaluations, reports, analyses, proposals, recommendations, and similar documents prepared by BellSouth or on behalf of BellSouth concerning any issue raised by BellSouth in this proceeding.

RESPONSE BellSouth does not have any cost studies that meet this definition that are not already identified. See BellSouth's response to Intermedia's 1st Request for Production, Item No. 1

REQUEST NO. 40: Produce all documents that refer, reflect, or describe the network architecture used by BellSouth to deliver traffic to Internet Service Providers (ISPs).

RESPONSE: BellSouth objects to this request for production on the grounds that the information requested is vague, overly broad, unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, see documents attached to BellSouth's response to Intermedia's 1st Request for Production of Documents, Item No. 14.

REQUEST NO. 41: Produce any and all cost studies prepared by or on behalf of BellSouth relating to Frame Relay.

RESPONSE: BellSouth objects to this request for production on the grounds that it seeks the production of cost studies for BellSouth's retail services, the production of which is not relevant to the issues in this arbitration, nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 42: Produce any and all cost studies supporting or referring or relating to BellSouth's recurring and nonrecurring charges for the unbundled network elements identified by the FCC in the *UNE Remand Order*.

RESPONSE: BellSouth filed UNE cost studies in FPSC Docket Nos. 990691-TP, 960833-TP, 960846-TP, 960757-TP, and 971140-TP. Additional UNE cost studies were filed in FPSC Docket Nos. 960916-TP, 961150-TP, 981642-TP and 981745-TP (Intermedia should have these cost studies), 990149-TP, and 990750-TP. These studies are consistent with the FCC's UNE definitions prior to the UNE Remand Order.

BellSouth recently filed an Operational Support Systems Cost Study in FPSC Docket No. 991947-TP. This filing is consistent with the UNE Remand Order. BellSouth is preparing cost studies consistent with the UNE Remand Order that will be filed in FPSC Docket Nos. 990649-TP. This comprehensive filing will include the cost elements identified in the UNE Remand Order.

These cost studies are considered proprietary and will be made available at BellSouth Headquarters, 675 West Peachtree Street, Atlanta, GA upon the execution of the appropriate nondisclosure agreement.

REQUEST NO. 43: Produce any and all cost studies supporting or referring or relating to BellSouth's recurring and nonrecurring charges for existing combinations of UNEs, including the EEL, identified by the FCC in the *UNE Remand Order*.

RESPONSE: See BellSouth's responses to Intermedia's 1st Request for Production, Item Nos. 1 and 42.

REQUEST NO. 44: Produce any and all documents that relate or refer to BellSouth's provisioning of access to packet switching capabilities on an unbundled basis.

RESPONSE: BellSouth objects to this request for production on the grounds that the information requested is unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 45: Produce any and all documents that relate or refer to BellSouth's provisioning of existing combinations of network elements, including the EEL.

RESPONSE: BellSouth objects to this request for production on the grounds that the information requested is unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection, BellSouth responds as follows: Responsive documents are attached.

REQUEST NO. 46: Produce any and all documents that relate or refer to BellSouth's provisioning of interoffice transmission facilities, including high-capacity transport and dark fiber.

RESPONSE: BellSouth objects to this request for production on the grounds that the information requested is unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection, BellSouth responds as follows: Responsive documents are attached.

REQUEST NO. 47: Produce any and all documents that relate or refer to BellSouth's provisioning of unbundled access to Frame Relay UNEs, including UNI, NNI, DLCI and CIR.

RESPONSE: BellSouth objects to this request for production on the grounds that the information requested is unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth is not required by the Act nor by the FCC rules to provide access to frame relay or advanced services on an unbundled basis. Therefore, BellSouth does not provide or intend to provide frame relay or advanced services as UNEs.

REQUEST NO. 48: Produce any and all documents that relate or refer to BellSouth's provisioning of Multiple Tandem Access (MTA).

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. In addition, BellSouth objects to this request as it would require that disclosure of customer proprietary and business proprietary information. Subject to and without waiving the foregoing objections, see attached 3Q99 standard interconnection agreement, section 3, paragraph 1.9 attached. This document is sufficient to show the manner in which BellSouth's MTA is offered.

REQUEST NO. 49: Produce any and all cost studies underlying BellSouth's proposed compensation for the use of BellSouth's circuit between the parties' frame relay switches.

RESPONSE: BellSouth objects to this request for production on the grounds that it seeks the production of cost studies for BellSouth's retail services, the production of which is not relevant to the issues in this arbitration, nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, BellSouth does not have any documents responsive to this request.

REQUEST NO. 50: Produce any and all cost studies underlying BellSouth's proposed compensation for the parties' use of frame relay NNI ports.

RESPONSE: BellSouth objects to this interrogatory on the grounds that it seeks the production of cost studies for BellSouth's retail services, the production of which is not relevant to the issues in this arbitration, nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, BellSouth does not have any documents that are responsive to this request.

REQUEST NO. 51: Produce any and all cost studies underlying BellSouth's proposed compensation for the PVC segment between the parties' frame relay switches.

RESPONSE: BellSouth does not have any documents responsive to this request.

REQUEST NO. 52: Produce any and all cost studies underlying BellSouth's proposed compensation between the parties for local PVCs.

RESPONSE: BellSouth does not have any documents responsive to this request.

REQUEST NO. 53: Produce any and all cost studies underlying BellSouth's proposed compensation between the parties for interLATA PVCs.

RESPONSE: BellSouth does not have any documents responsive to this request.

REQUEST NO. 54: Produce any and all cost studies underlying BellSouth's proposed compensation between the parties for requests to change a PVC segment or PVC service order record.

RESPONSE: BellSouth does not have any documents responsive to this request.

REQUEST NO. 55: Produce any and all cost studies underlying BellSouth's charges for Frame Relay interconnection.

RESPONSE: BellSouth does not have any documents responsive to this request.

REQUEST NO. 56: Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court in which BellSouth challenges the requirement to provide access to the UNEs, including combinations of UNEs, identified by the FCC in the *UNE Remand Order*.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth also objects to the extent that this request seeks the production of publicly available documents. Subject to these objections, BellSouth notes that the following dockets included issues that also were discussed in the UNE Remand Order.

<u>FPSC Docket No.</u>	<u>Title</u>
990691-TP	ICG Arbitration
990750-TP	ITC^DeltaCom Arbitration
991854-TP	Intermedia Arbitration

REQUEST NO. 57: Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court in which BellSouth challenges the requirement to provide collocation as required by the FCC in the *Advanced Services Order*.

RESPONSE: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth also objects to the extent that this request seeks the production of publicly available documents. BellSouth also objects to the extent that Intermedia implies that BellSouth's positions with respect to collocation requirements in this docket are inconsistent with the FCC's *Advanced Services Order*. Subject to and without waiving the foregoing objections, representative responsive documents are attached.

REQUEST NO. 58: Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court in which BellSouth challenges the requirement to pay reciprocal compensation for ISP-bound traffic.

RESPONSE: BellSouth objects to this request to the extent that it calls for publicly available documents. As examples of BellSouth's consistent opposition to the treatment of ISP - bound traffic as local, BellSouth responds as follows: Representative documents are attached.

REQUEST NO. 59: Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court in which BellSouth challenges the requirement to interconnect with other telecommunications carriers.

RESPONSE: BellSouth has not challenged its obligation to interconnect with other telecommunications carriers.

REQUEST NO. 60: Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court challenging a telecommunications carrier's request for Frame Relay interconnection.

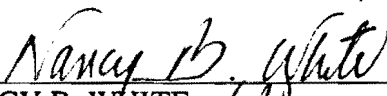
RESPONSE: BellSouth has not challenged its obligation to interconnect its frame relay network with other telecommunications carriers upon request.

REQUEST NO. 61: Produce copies of all arbitration decisions under Section 252 involving BellSouth in Florida.


RESPONSE: BellSouth objects to this request for production on the grounds that it seeks the production of Commission decisions which are on file with the Florida Public Service Commission and thus are public record.

Respectfully submitted this 3rd day of April, 2000.

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