REDACTED

ATTACHMENT B

Florida Digital Network, Inc.
FPSC Docket No. 020119-TP/020578-TP
Request for Confidential Classification
December 12, 2002

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH PREFILED REBUTTAL EXHIBITS JAR-5 AND JAR-6, FILED NOVEMBER 25, 2002, IN FPSC DOCKETS NOS. 020119-TP AND 020578-TP.

TWO REDACTED COPIES

ORIGINAL

BellSouth Telecommunications, Inc.
FPSC Docket Nos. 020119/020578-TP
Rebuttal Exhibit JAR-5
November 25, 2002

PROPRIETARY

Rebuttal Exhibit JAR-5

Florida Digital Networks, Inc.'s November 6, 2002 Response to Document Request No. 31 to BellSouth's First Request for Production of Documents (Nos. 1-31) in FPSC Docket Nos. 020119/020578-TP

(43 pages)

Florida Digital Network (FDN)
TX230
Mr. Matthew Feil – Legal Counsel
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1. Yes, FDN is providing business service to customers in Florida.

1a. N/A, FDN does not provide residential service to customers in Florida.

1b. [redacted]

FDNs current "**basic local service**" rates for businesses in Florida are:

*BellSouth Territory**

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 12	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 11	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 10	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 9	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 8	$29.71	$29.71	$29.01	$27.96
Flat Rate Business Line RG7	$28.86	$28.86	$28.18	$27.16
Flat Rate Business Line RG6	$28.01	$28.01	$27.35	$26.36
Flat Rate Business Line RG5	$26.31	$26.31	$25.69	$24.76
Flat Rate Business Line RG4	$25.46	$25.46	$24.86	$23.96

*Sprint Territory**

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 6	$21.65	$21.65	$21.14	$20.38
Flat Rate Business Line RG 3	$17.04	$17.04	$16.64	$16.04

*Verizon Territory**

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 5	$25.42	$25.42	$24.82	$23.92

*All territories have a $50.00 installation charge for each line.

2. Yes, FDN is currently supporting multi-line business users, mandatory 900 blocking, and bundled service offerings.

2a. N/A, FDN does not provide residential service to customers in Florida.

2b. FDN provides other forms of local service, such as, multi-line business users, a mandatory 900 blocking scheme, and bundled service offering, "Complete Voice for Business." The mandatory 900 blocking scheme consists of the following: 976, 1+ 976 and 1 + 900 numbers. Complete Voice for Business – Standard provides a business with a touch-tone access line (1FB) and unlimited calling to all exchanges within the customer's basic local calling area and an unlimited number of compatible calling features. Complete Voice for Business – Wide Area Calling provides a business with a touch-tone access line (1FB) and unlimited calling to all exchanges within the pre-determined geographic area and an unlimited number of compatible calling features.

900 Blocking

Mandatory 900 blocking is provided at no cost to all FDN customers.

Multi-Line Business Users

*BellSouth Territory**

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 12	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 11	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 10	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 9	$31.41	$31.41	$30.67	$29.56
Flat Rate Business Line RG 8	$29.71	$29.71	$29.01	$27.96
Flat Rate Business Line RG7	$28.86	$28.86	$28.18	$27.16
Flat Rate Business Line RG6	$28.01	$28.01	$27.35	$26.36
Flat Rate Business Line RG5	$26.31	$26.31	$25.69	$24.76
Flat Rate Business Line RG4	$25.46	$25.46	$24.86	$23.96

*Sprint Territory**

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 6	$21.65	$21.65	$21.14	$20.38
Flat Rate Business Line RG 3	$17.04	$17.04	$16.64	$16.04

*Verizon Territory**

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 5	$25.42	$25.42	$24.82	$23.92

*All territories have a $50.00 installation charge for each line.

Complete Voice for Business - Standard Package*

*BellSouth, Sprint and Verizon Territories**

Description	One Year Term	Two Year Term	Three Year Term
1 Line Package	$44.20	$43.16	$37.60
2 Line Package	$79.90	$78.02	$75.20
3 Line Package	$120.70	$117.86	$113.60
4 Line Package	$150.45	$146.91	$141.60
5 Line Package	$185.30	$180.94	$174.40
6 Line Package	$205.70	$200.86	$193.60
7 Line Package	$233.75	$228.25	$220.00
8 Line Package	$261.80	$255.64	$246.40
9 Line Package	$289.85	$283.03	$272.80

Complete Voice for Business - Wide Area Calling Package*

*BellSouth, Sprint and Verizon Territories**

Description	One Year Term	Two Year Term	Three Year Term
1 Line Package	$41.95	$40.95	$39.95
2 Line Package	$83.90	$81.90	$79.90
3 Line Package	$125.85	$122.85	$119.85
4 Line Package	$167.80	$163.80	$159.80
5 Line Package	$209.75	$204.75	$199.75
6 Line Package	$251.70	$245.70	$239.70
7 Line Package	$293.65	$286.65	$279.65
8 Line Package	$335.60	$327.60	$319.60
9 Line Package	$377.55	$368.55	$359.55

*All territories have a $50.00 installation charge for each line.

Complete Voice for Business – Features

Call Block	Distinctive Ring I
Call Forward Busy Line	Distinctive Ring II
Call Forward Don't Answer	Enhanced Caller ID with ACRJ
Call Forward Don't Answer w/Ring Control	**Hunting***
Call Forwarding Variable	Message Waiting Indicator
Call Return	Preferred Call Forwarding
Call Selector	Remote Access to Call Forwarding Variable
Call Tracing	Repeat Dialing
Call Waiting	Speed Calling 8
Caller ID Basic	Speed Calling 30
Caller ID Deluxe	Surrogate Client Number
CREX4†	Three-way Calling
CREXN†	Three-way Calling with Transfer
CREX6†	

*Hunting is included at no charge for any customer with a 2-line or larger Complete Voice for Business package.

3. No, FDN does not actively market local services to Florida residential customers.

3a. FDN does not actively market local services to Florida residential customers because of the minimal margins available to a facilities-based or reseller CLEC. As a facilities-based CLEC, the UNE loop (installation and monthly recurring charges) is price-positioned to discourage entry into the residential market.

3b. N/A, FDN does not actively market local services to Florida residential customers.

3c. N/A, FDN does not actively market local services to Florida residential customers.

3d. N/A, FDN does not actively market local services to Florida residential customers.

4. Yes, FDN does provide xDSL. As of July 31, 2002, FDN provides IDSL in the following exchanges:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

5. No, FDN is not offering voice over DSL (VoDSL) service.

6. FDN uses the following delivery methods to provide telephone services to Florida businesses:
   Interconnection, Unbundled Network Elements, Special Access T1s, EEL T1s, MetroLAN T1s and Facility Based

6a. N/A. FDN does not resale telephone services to residential customers.

6b. N/A. FDN does not resale telephone services to business customers.

6c. FDN obtains the following types of unbundled network elements from the incumbent LEC:

Key
BellSouth: TY = SL1, 2 wire voice grade loop
BellSouth: LY = SL2, 2 wire voice grade loop
Sprint: UC = 2 wire voice grade loop
Verizon: TX =2 wire voice grade loop
Verizon: TY =2 wire voice grade loop

RATE CENTER	UNE	RATE CENTER	UNE	RATE CENTER	UNE	RATE CENTER	UNE

Key
BellSouth: EEL = EEL T1
BellSouth: SA = Special Access T1
BellSouth: UNE = UNE T1
Sprint: SA = Special Access T1
Sprint: UNE = UNE T1
Verizon: EEL = EEL T1
Verizon: MetroLAN = MetroLAN T1
Verizon: SA = Special Access T1
Verizon: UNE = UNE T1

RATE CENTER	T1	RATE CENTER	T1	RATE CENTER	T1	RATE CENTER	T1

6d. The following represents the quantity of unbundled local loops and T1s FDN obtains from the incumbent LECs:

Key
BellSouth: TY = SL1, 2 wire voice grade loop
BellSouth: LY = SL2, 2 wire voice grade loop
Sprint: UC = 2 wire voice grade loop
Verizon: TX =2 wire voice grade loop
Verizon: TY =2 wire voice grade loop

RATE CENTER	UNE QTY	RATE CENTER	UNE QTY	RATE CENTER	UNE QTY	RATE CENTER	UNE QTY

Key
BellSouth: EEL = EEL T1
BellSouth: SA = Special Access T1
BellSouth: UNE = UNE T1
Sprint: SA = Special Access T1
Sprint: UNE = UNE T1
Verizon: EEL = EEL T1
Verizon: MetroLAN = MetroLAN T1
Verizon: SA = Special Access T1
Verizon: UNE = UNE T1

RATE CENTER	T1	QTY	RATE CENTER	T1	QTY	RATE CENTER	T1	QTY

RATE CENTER	T1	QTY

6e. FDN is not serving any access lines through UNE Platform.

6f. In Florida, FDN deploys the following types of facilities to provide local telephone services: Nortel DMS500 voice (circuit-based) switches, OC-3, OC-12 and OC-48 and NGDLC (Nortel Access Node).

FDN deploys Nortel DMS500 switches in Fort Lauderdale, Jacksonville, Orlando and Tampa.

FDN uses multiple OC-3s for long haul transport to hub remote locations to Orlando. Fort Lauderdale, Jacksonville and Tampa equipment use multiple OC-3s that connect to Orlando equipment. Daytona Beach uses one OC-3 to hub to the Jacksonville DMS500 and Tampa has one OC-3 used to support end user T1s in that market.

FDN uses OC-12 for local interconnection with the incumbent LEC in the Fort Lauderdale, Jacksonville, Miami and Orlando markets.

FDN uses OC-48 for local interconnection with the incumbent LEC in the Fort Lauderdale, Jacksonville, Miami, Orlando and Tampa markets.

NGDLCs are deployed in all markets FDN serves. Specifically, the following LSOs are NGDLC capable:

6g. FDN does not provide local service to residential customers. The number of access lines provisioned solely over company-owned facilities is zero. FDN provisions all loops onto its own network using the incumbent LECs UNE loops.

6h. FDN does not sell business lines to Internet service providers (ISPs).

6i. The number of business access lines, by exchange, FDN provides to voicemail service providers are zero. FDN provides voice mail to its own customers, but does not sell access lines to other voice mail providers.

7a. N/A. FDN does not resale telephone services to residential customers.

7b. N/A. FDN does not resale telephone services to business customers.

7c. Please reference question 7d.

7d. The number of voice grade equivalent lines for unbundled local loops listed in question 6d is equal to a 1:1 basis. The number of voice grade equivalent lines for the T1s listed in question 6d is equal to 24 multiplied by the total number of T1s.

7e. FDN is not serving any access lines through UNE Platform.

7f. N/A, FDN does not provide voice grade equivalent lines via OC-3, 12 or 48.

7g. FDN does not provide local service to residential customers. The number of access lines provisioned solely over company-owned facilities is zero. FDN provisions all loops onto its own network using the incumbent LECs UNE loops.

7h. FDN does not sell business lines to Internet service providers (ISPs).

7i. The number of business access lines, by exchange, FDN provides to voicemail service providers are zero. FDN provides voice mail to its own customers, but does not sell access lines to other voice mail providers.

8a. FDN has four (4) Nortel DMS500 circuit-based switches in Fort Lauderdale, Jacksonville, Orlando, and Tampa to provide service to customers in Florida.

8b. FDN projects to have four (4) packet-based Marconi ATM ASX1000 switches within the next five (5) years.

8c. N/A, the question is not understood as to how transport facilities are defined.

9a. N/A, FDN is not currently providing residential local telephone service.

9b. The number of facility-based business access lines by central office served as of July 31, 2002 are:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

*Navigator is equipment used by FDN to deliver CLASS features for customer business lines that are serviced via a T1 facility.

10. N/A, FDN does not provide local phone service to residential customers.

11. Yes, FDN has experienced significant barriers in entering Florida's local exchange markets. These are the following obstacles/barriers encountered by FDN:
    1) The time frame from collocation application until the equipment can be installed. In some cases, this time frame has taken over one year. The average time frame for installation is over seven months. The process must be improved to reduce the barrier to entering Florida's local exchange markets.
    2) BellSouth's UNE SL-1 and SL-2 order process does not work to the benefit of the CLEC, thus not benefiting the customer. FDNs experience is that it is never known when a loop is going to be delivered until BellSouth decides to deliver the loop. This does not allow the CLEC to plan its work loads. BellSouth has refused to correct this issue.
    3) A lack of qualified resources and necessary quantity of personnel assigned to the teams that FDN is required to interface with at the UNE center and LCSC.
    4) In Sprint territory it is very difficult to compete as a large amount of lines are serviced behind "remotes" and FDN is not granted access to those remotes in order to provide customers with an alternate local provider.

12. FDN has experienced the following difficulties in agreements with the incumbent LECs:

    Generally, incumbent LECs do not provide service at parity though required by contract and federal law to do so. BellSouth does not provision moves, adds or changes for FDN customers in an interval equal to those BellSouth provides its own customers. Moreover, Verizon and BellSouth act improperly and anti-competitively by using service incidents/failings, which they cause to competitor customers as occasion to win back end-users. Such win back tactics are clearly more insidious than slamming.

    Sprint
    Sprint will not provision lines served through Sprint remote switching facilities at a reasonable ICB rate. In the past, Sprint estimated it would charge an exorbitant $18,000 to install the necessary facilities to serve such lines.

    a. Inconsistency on how Sprint handles RSU conversions/CIRAS orders. When a customer is behind an RSU FDN makes three to four phone calls throughout the process to ensure the order is processed. FDN has brought the issue to Sprint's attention on several occasions and Sprint's only response is to do nothing.
    b. Firm Order Confirmation dates for new loop installations are missed 75% of the time either by the field tech or caused by failure to communicate to the CLEC when the order has been completed. FDN has found

that the work has been completed; however Sprint does not update FDN via IRES due to Sprint system errors, therefore further delaying the CLEC from scheduling and completing the customer installation.

c. When a conversion is handled incorrectly by Sprint and the customer's service is brought down, Sprint is not held accountable resulting in the customer's service being down for 24-hours as Sprint requires FDN to open a trouble ticket.
d. Sprint's refusal to work with FDN on cooperatively testing ISDN circuits.

Verizon

a. The timeframe that Verizon works a CLEC order versus their own orders is vastly different (15 business days for a CLEC requesting a designed UNE loop compared to 48 hours if the customer contacts Verizon).
b. FDN is often told that there is no facilities (i.e., copper) to service a customer and FDN must pay for a facility update (bona fide request) in order to provide the customer service, however when the same customer contacts Verizon directly to have the same lines installed, there is not a charge nor is there a lack of facilities issue.
c. Inconsistency in both the quality of loop installations and testing procedures. The quality of the installation and the communication varies with each technician.
d. Order delays caused by channel and pair database differences between Verizon and FDN, often caused by the Verizon not processing a disconnect order properly and/or updating their records. Verizon has refused to provide FDN a list of working cable/pairs circuit IDs and Account Numbers so that FDN can check its database compared to Verizon's.
e. When a pending facility issue is identified, Verizon does nothing to track or resolve the issue. The CLEC is forced to submit supplemental LSRs blindly hoping that facilities have been allotted.
f. Verizon's refusal to work with FDN on cooperatively testing ISDN circuits.

13. FDN is a full-scale facility-based provider. FDN expects to continue providing service to Florida businesses via facilities-based technologies and possibly incorporating in specific central offices UNE-Platform, where acceptable margins can be established. FDNs long-term manner of providing service will differ from its current practice only as technologies allow for more efficient use of FDNs network.

[redacted]

Telephone Number Summary

7/31/2002	Date
[redacted]	

Exchanges in service

[redacted]

15a. No, during the last 12 months FDN has not provided local telephone services in Florida and then withdrawn the services.

15b. No, during the last 12 months, FDN has not expanded service offerings in Florida.

16a. FDNs primary line of business is to provide Basic Local Service.

16b. N/A, FDN is not involved in providing cable television in Florida.

16c. No, subscribing to both local telephone and long distance is not a condition for FDN providing service. A customer can remain on FDNs long distance service only (no local service) at an off-net rate of 9.9¢ per minute. FDN provides a rate of 7¢ per minute long distance if the subscriber combines local and long distance service. In all markets FDN operates, if the customer has both local and long distance service, the predetermined calling area (typically the LATA, except in the Tampa market) is rated as a local call for a flat fee of $7.95 per line.

17. The actions available to the Florida Public Service Commission, which FDN believes must be taken to foster local exchange competitive market entry, are:
    1) The Florica Public Service Commission needs to incorporate a more "hands on" approach with how the incumbent LEC is treating the CLEC once the latter has began to submit orders.
    2) There must be a way to penalize the incumbent LECs for poor performance when cutting customers over to a CLEC (monetary penalties). For example, each time FDN loses a customer because the incumbent LEC has cut the customer's service off for 2 days, FDN will be compensated by the incumbent LEC for the term of the contract signed between FDN and the customer.

The actions that FDN believes must be taken by the Florida legislature to foster local exchange competitive market entry are:

1) A penalty clause to address the lack of response from the incumbent LEC when the incumbent LEC is clearly at fault.
2) Mandate faster, more reasonable time frames on collocation applications.
3) Set standards for the incumbent LECs to meet and audit the incumbent LECs performance between the length of time taken to process their orders versus CLEC orders. Incumbent LECs install their own lines in less than 48 hours. FDN does not even receive FOC for 48 hours.

18. FDN is currently obtaining the information required for FCC Form 477. Once FCC Form 477 is completed, a copy can be sent to the Florida PSC upon request.

19. FDN has not provided any information to Wall Street analysts for the period July 1, 2001 through June 30, 2002 that discusses the number of access lines FDN provides as an ALEC in Florida.

[redacted]

22. FDN has neither filed Chapter 7 nor Chapter 11 bankruptcy in the past, and is not currently operating under Chapter 7 or Chapter 11 protection, and does not anticipate possibly filing for Chapter 7 or Chapter 11 bankruptcy.

Florida Digital Network

2001 ALEC Data Request
Florida Digital Network (FDN)
August 16, 2001

1a. No, FDN is not providing "**basic local service**" to residential customers in Florida.

1b. N/A

1c. N/A

1d. Yes, FDN is providing "**basic local service**" to business customers in Florida.

[redacted]

1f. FDN's current rates for providing business "**basic local service**" in Florida are:

BellSouth Territory*

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 12	$28.31	$26.74	$26.11	$25.17
Flat Rate Business Line RG 11	$27.83	$26.28	$25.66	$24.73
Flat Rate Business Line RG 10	$27.24	$25.73	$25.12	$24.24
Flat Rate Business Line RG 9	$26.66	$25.18	$24.58	$23.70
Flat Rate Business Line RG 8	$25.88	$24.44	$23.87	$23.00
Flat Rate Business Line RG7	$25.06	$23.66	$23.11	$22.27
Flat Rate Business Line RG6	$24.23	$22.88	$22.34	$21.54
Flat Rate Business Line RG5	$23.20	$21.91	$21.40	$20.62
Flat Rate Business Line RG4	$22.28	$21.04	$20.54	$19.80

Sprint Territory*

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 6	$22.53	$21.28	$20.77	$20.02
Flat Rate Business Line RG 3	$17.74	$16.75	$16.36	$15.77

GTE Territory*

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 5	$26.91	$25.42	$24.82	$23.92

*All territories have a $50.00 installation charge for each line.

2. Yes, FDN is currently supporting multi-line business users, mandatory 900 blocking, and bundled service offerings.

2a. No, FDN is not currently providing other forms of local service to residential customers in Florida.

2b. N/A

2c. N/A

2d. Yes, FDN is currently providing other forms of local service to business customers in Florida.

2e. FDN provides other forms of local service, such as, multi-line business users, a mandatory 900 blocking scheme, and a bundled service offering, "Complete AXS™ for Business." The mandatory 900 blocking scheme consists of the following: 976, 1+ 976 and 1 + 900 numbers. Complete AXS™ for Business provides customers with a standard flat rate business line, one additional business listing and one foreign listing, hunting for multi-line users, and a choice of eight calling features from 22 to select from. There is no line limitation.

2f.

900 Blocking

Mandatory 900 blocking is provided at no cost to all FDN customers.

Multi-Line Business Users (BellSouth territory only)

Business Line	Monthly Term	1 Year Term	2 Year Term	3 Year Term
Flat Rate Business Line RG 12	$28.31	$26.74	$26.11	$25.17
Flat Rate Business Line RG 11	$27.83	$26.28	$25.66	$24.73
Flat Rate Business Line RG 10	$27.24	$25.73	$25.12	$24.24
Flat Rate Business Line RG 9	$26.66	$25.18	$24.58	$23.70
Flat Rate Business Line RG 8	$25.88	$24.44	$23.87	$23.00
Flat Rate Business Line RG7	$25.06	$23.66	$23.11	$22.27
Flat Rate Business Line RG6	$24.23	$22.88	$22.34	$21.54
Flat Rate Business Line RG5	$23.20	$21.91	$21.40	$20.62
Flat Rate Business Line RG4	$22.28	$21.04	$20.54	$19.80

Complete AXS™ for Business

Description	FDN Price
Per Line	$37.60

Selectable Features
AXS Ring I
AXS Ring II
Call Block
Call Forward Busy Line
Call Forward Don't Answer
Call Forward Don't Answer w/Ring Control
Call Forwarding Variable
Call Return
Call Selector
Call Tracing
Call Waiting
Caller ID Basic
Caller ID Deluxe
Enhanced Caller ID w/ACR
Hunting
Message Waiting Indicator
Preferred Call Forwarding
Remote Access to Call Forwarding Variable
Repeat Dialing
Speed Calling 30
Speed Calling 3
Surrogate Client Number
Three-way Calling
Three-way Calling w/Transfer

3. FDN is currently using the following methods to deliver telephone services:
   Interconnection Agreement
   Unbundled Network Elements
   Special Access T1's
   EEL's
   Facility Based

3a. N/A. FDN does not resale or provide service to residential subscribers.

3b. N/A. FDN does not resale to business subscribers.

3c. The types of unbundled network elements, by exchange, FDN is obtaining from the incumbent LEC are:
SL-1, SL-2, DS-1 for all exchanges FDN has presence in. FDN obtains Conduit from the ILEC's for all tandem exchanges FDN has presence in. FDN is currently servicing the following markets: Orlando, Fort Lauderdale, West Palm Beach, Jupiter, Miami, Space Coast (Cocoa Beach area), Jacksonville and Tampa.

3d. The number of unbundled local loops, by exchange, FDN is obtaining from the incumbent LEC are: please see the answer to question 6.

3e. The types of facilities deployed by FDN in Florida to provide local telephone services are Nortel DMS-500 switches, OC-3, OC-12 and OC-48, NGDLC (Nortel Access Node). These facilities are deployed in Orlando, Jacksonville, Fort Lauderdale, Miami, West Palm, Space Coast, Jupiter and Tampa.

3f. The number of access lines provisioned solely over company-owned facilities are zero. FDN provisions all loops onto its own network using ILEC UNE loops.

3g. This question :s not understood. FDN has 5,000 of its own Internet customers. FDN does not sell to Internet service providers.

3h. The number of business access lines, by exchange, FDN provides to voicemail service providers are zero. FDN provides voice mail to its own customers, but FDN does not sell access lines to other voice mail providers.

4. Currently, FDN has 4 Nortel DMS 500 switches located in Orlando, Jacksonville, Fort Lauderdale and Tampa to provide service to customers in Florida.

5. N/A. FDN is not currently providing residential local telephone service.

6. The number of business access lines by Central Office served as of June 30, 2001 are:

FORT LAUDERDALE

Central Office

JACKSONVILLE

Central Office

[redacted]

[redacted]

MIAMI

Central Office

WORKING

ORLANDO

Central Office

SPACE COAST

Central Office

TAMPA

Central Office

WEST PALM / JUPITER

Central Office

7. No, FDN does not currently serve residential subscribers.

7a. Yes, FDN is currently offering the following enhanced services:
ADSL – via resell of BellSouth, Sprint, and Verizon.
IDSL and Fractional T-1 over T1 facility.

7b. Yes, FDN has experienced significant barriers in entering Florida's local exchange markets. These are the following obstacles/barriers encountered by FDN:

1) The time frame from collocation application until the equipment can be installed. In some cases, this time frame has taken over one year. The average time frame for installation is over seven months. The process must be improved to reduce the barrier to entering Florida's local exchange markets.
2) BellSouth's UNE SL-1 and SL-2 order process does not work to the benefit of the CLEC, thus not benefiting the customer. FDN's experience is that it is never known when a loop is going to be delivered until BellSouth decides to deliver the loop. This does not allow the CLEC to plan its work loads. BellSouth has refused to correct this issue.
3) A lack of qualified resources and necessary quantity of personnel assigned to the teams that FDN is required to interface with at the UNE center and LCSC.
4) In Sprint territory it is very difficult to compete as a large amount of lines are serviced behind "remotes" and FDN is not granted access to those remotes in order to provide customers with an alternate local provider.

7c. FDN has experienced the following difficulties in agreements with the incumbent LEC's:
For a significant period of time (1999 - mid 2001), BellSouth refused to pay reciprocal compensation for local traffic despite the fact that the FPSC had ruled that ISP-bound traffic was local traffic and therefore subject to reciprocal compensation obligations.

Generally, ILECs do not provide service at parity though required by contract and federal law to do so. BellSouth does not provision moves, adds or changes for FDN customers in intervals equal to those BellSouth provides its own customers. Verizon and BellSouth, in particular, do not provide adequate or fair service to competitor LECs. Moreover, Verizon and BellSouth act improperly and anti-competitively by using service incidents/failings which they cause to competitor customers as occasion to win back end-users. Such win back tactics are clearly more insidious than slamming.

The Commission must establish reasonable collocation prices for all Florida ILECs and set reasonable UNE rates for Verizon and Sprint.

Sprint will not provision lines served through Sprint remote switching facilities at a reasonable ICB rate. In the past, Sprint estimated it would charge an exorbitant $18,000 to install the necessary facilities to serve such lines.

7d. FDN is a full-scale facility-based provider. FDN's long-term manner of providing service will differ from its current practice only as technologies allow for more efficient use of FDN's network.

[redacted]

[redacted]

8. FDN's primary line of business is local telephone service.

9. No, during the last 12 months FDN has not provided local telephone services in Florida and then withdrawn the services.

10. No, FDN does not provide cable television in Florida.

11. No, subscribing to both local telephone and long distance is not a condition for FDN providing service. A customer can remain on FDN's long distance service only (no local service) at an off-net rate of 9.9 cents per minute. FDN provides a rate of 7 cents per minute long distance if the subscriber combines local and long distance service. In all markets FDN operates, if the customer has both local and long distance service, the applicable LATA is rated as a local call for a flat fee of $4.95 per line.

12. The actions available to the Florida Public Service Commission which FDN believes must be taken to foster local exchange competitive market entry are:
    1) The Florida Public Service Commission needs to incorporate a more "hands on" approach with how the ILEC is treating the CLEC once the latter has began to submit orders.
    2) There must be a way to penalize the ILEC's for poor performance when cutting customers over to a CLEC (monetary penalties). For example, each time FDN loses a customer because the ILEC has cut the customer off for 2 days, FDN will be compensated by the ILEC for the term of the contract signed between FDN and the customer.

The actions that FDN believes must be taken by the Florida legislature to foster local exchange competitive market entry are:
1) A penalty clause to address the lack of response from the ILEC when the ILEC is clearly at fault.
2) Mandate faster, more reasonable time frames on collocation applications.
3) Set standards for the ILEC's to meet and audit the ILEC's performance between the length of time taken to process their orders versus CLEC orders. ILEC's install their own lines in less than 48 hours. FDN does not even receive FOC for 48 hours.

13. FDN has not filed a Form 477 with the FCC.

14. No, FDN does not offer xDSL exclusively.
15. N/A
16. N/A
17. N/A

PROPRIETARY

FDN - Rate Changes and Growth in Access Lines

BellSouth Telecommunications, Inc.
FPSC Docket Nos. 020119/020578-TP
Rebuttal Exhibit JAR-6
November 25, 2002

FDN Tariffed Rates - Mulit-Line Business Users (Rates Effective Date: 3/24/01)			
Rate Group	Monthly Term	2 Year Term	3 Year Term
12	$28.31	$26.11	$25.17
11	$27.83	$25.66	$24.73
10	$27.24	$25.12	$24.24
9	$26.66	$24.58	$23.70
8	$25.88	$23.87	$23.00
7	$25.06	$23.11	$22.27
6	$24.23	$22.34	$21.54
5	$23.20	$21.40	$20.62
4	$22.28	$20.54	$19.80

FDN Tariffed Rates - Mulit-Line Business Users (Rates Effective Date: 1/1/02)			
Rate Group	Monthly Term	2 Year Term	3 Year Term
12	$31.41	$30.67	$29.56
11	$31.41	$30.67	$29.56
10	$31.41	$30.67	$29.56
9	$31.41	$30.67	$29.56
8	$29.71	$29.01	$27.96
7	$28.86	$28.18	$27.16
6	$28.01	$27.35	$26.36
5	$26.31	$25.69	$24.76
4	$25.46	$24.86	$23.96

FDN Rate Changes (Amount of Increase from 3/01 rates to 1/02 rates)			
Rate Group	Monthly Term	2 Year Term	3 Year Term
12	$3.10	$4.56	$4.39
11	$3.58	$5.01	$4.83
10	$4.17	$5.55	$5.32
9	$4.75	$6.09	$5.86
8	$3.83	$5.14	$4.96
7	$3.80	$5.07	$4.89
6	$3.78	$5.01	$4.82
5	$3.11	$4.29	$4.14
4	$3.18	$4.32	$4.16

BellSouth Multi-Line Business Tariffed Rates (Term Rates based on June Key)			
Rate Group	Monthly Term	2 Year Term	3 Year Term
12	$36.95	$33.26	$29.56
11	$36.95	$33.26	$29.56
10	$36.95	$33.26	$29.56
9	$36.95	$33.26	$29.56
8	$34.95	$31.46	$27.96
7	$33.95	$30.56	$27.16
6	$32.95	$29.66	$26.36
5	$30.95	$27.86	$24.76
4	$29.95	$26.96	$23.96
3	$28.95	$26.06	$23.16
2	$26.95		
1	$25.95		

Source: FDN's 11/6/02 Responses to BellSouth's 1st Set of Data Requests (#470440)

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FDN Area Name	BellSouth CLLI	Zone	FDN Location Name	FDN Access Lines 6/30/01	FDN Access Lines 7/31/02	Percentage Increase

Source: FDN's 11/6/02 Responses to BellSouth's 1st Set of Data Requests (#470440)

FDN - Rate Changes and Growth in Access Lines

FDN Area Name	BellSouth CLLI	Zone	FDN Location Name	FDN Access Lines 6/30/01	FDN Access Lines 7/31/02	Percentage Increase

Source: FDN's 11/6/02 Responses to BellSouth's 1st Set of Data Requests (#470440)