

CONFIDENTIAL

AT&T Communications of the Southern States, LLC
FL PSC Docket No. 020919-TP
BellSouth's 1st Request For Production of Documents
April 3, 2003
POD. No. 4
Page 1 of 1

**AT&T RESPONSE TO BELL SOUTH 1ST REQUEST FOR
PRODUCTION OF DOCUMENTS POD No. 4**

PROPRIETARY

AT&T 5/28/03 (not timely req filed)
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◁ RECORDS POLICY; ROLES AND RESPONSIBILITIES

contents:

Chapter 1

1 Overview

Chapter 2

2 Purpose and Scope

Chapter 3

3 Roles and Responsibilities

- Employee Responsibility
- Functional and Responsibility
 - A. Business Unit/Divisions
 - B. AT&T Corporate Secretary
 - C. Records Center/Commercial Vendor

Chapter 4

4 Principles of Records Management

Chapter 5

5 Drafts (Preliminary Versions) and Copies

Chapter 6

6 Record Media

- A. Paper
- B. Micrographics
- C. Electronic
Electronic Signatures Act
- E. E-Mail
- F. Optical
Revenue Procedure 97-22
Revenue Procedure 98-25
3/31/1995 IRS Agreement with AT&T

△1. OVERVIEW

It is the policy of AT&T to identify, maintain, and safeguard records required for the conduct of AT&T business; to ensure prompt and accurate retrieval of records; to ensure compliance with business and legal retention requirements as provided in the AT&T Records Retention Schedule; to preserve records of historical value; and to promptly dispose of records that need not be retained (refer to AT&T Policy Letter PO-99-12-001.)

AT&T records contain the accumulated knowledge and expertise of over a century of innovation in the telecommunications marketplace. These records document transactions, assets, plans, goals and successes. AT&T's long-term success in the global marketplace depends on each of us effectively managing these records as well as the legal, financial, operational and historical information that they contain. It is of the utmost importance that we consider and manage records as vital assets, since the information that they contain adds immeasurable value to our business.

Comments or feedback regarding this material may be directed to the AT&T Office of the Corporate Secretary at [REDACTED]

Notice of Department Issuing Practice
Office of the Corporate Secretary

[REDACTED]

[REDACTED]

[REDACTED]


Δ 2. PURPOSE AND SCOPE

The AT&T Records Management Policy provides for the preservation and disposal of all records by requiring the use of, and adherence to, a uniform records retention schedule. All AT&T employees are responsible for compliance with, and implementation of, this policy.

This practice provides guidelines and standards for all employees to follow regarding the management and protection of AT&T records.

A record reflects a business action. It captures and preserves content in a retrievable format.

A record is any information conveyed in a tangible form or media, including paper, electronic message (i.e., microfilm, microfiche, or other microform), map, drawing, computer printout, computer data disk (i.e., floppy, CD-ROM, hard drive, optical, or other media) that is created or received by AT&T in the course of company business to satisfy legal, business, historical or other needs of the company.

Δ 3. ROLES AND RESPONSIBILITIES**Δ Employee Responsibility**

Under the guidelines in *Our Business Ethics: Living Our Common Bond*, each employee is required to prepare and maintain accurate and complete records in order for AT&T to meet its legal, financial and management obligations. Therefore, each employee must comply with AT&T's Records Management methods and procedures regarding the creation, storage, use, retention, transfer, and disposal of records.


The full range of each employee's records management responsibility includes identification, classification, indexing, retention, scheduling, protection, and ultimately, the proper disposal of records.

Δ Functional Responsibility**Δ A. Business Unit/Divisions**


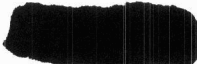
1. Coordinate, all *Notice of Destruction* documents received from the Law Division. As employees change or transfer job assignments over time, it is important to develop some degree of continuity regarding the review of destruction notices within the Business Unit or Division structure.

Δ B. AT&T Corporate Secretary

The Corporate Secretary is responsible for:

- overall records management policy governing the preservation, classification, retention and destruction of records throughout AT&T;
- oversight and interpretation of this policy;
- maintenance of the AT&T Records Retention Schedule 

Δ C. Records Center/Commercial Vendor

1. Validate billing and storage information.
 2. Store and protect records according to record classifications.
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3. Provide access and retrieval services, as well as other standard and optional services.
4. Provide for the secure disposal of records that have satisfied the retention requirements in the AT&T Records Retention Schedule.
5. Retain records beyond their scheduled retention period that are the subject of litigation investigations, audits, and similar actions initiated by parties outside or within AT&T.

Δ 4. PRINCIPLES OF RECORDS MANAGEMENT

The following AT&T Records Management Principles provide corporate-wide guidelines for the administration, protection, and management of these vital business assets.

1. Records, regardless of media, are created or received in the course of AT&T business to satisfy legal, business, historical or other needs of the Company. Records are subject to retention obligations and belong to AT&T.
2. A record reflects a business action. It captures and preserves content, structure and context in a retrievable format.
3. A record should not be considered an employee's personal or private property, whether stored electronically or in hard copy on premise (traditional office), in a remote office (telecommuting), virtual office environment or other location.
4. Corporate records will be maintained according to the AT&T Records Retention Schedule. Accurate descriptions of corporate records and their required retention periods will be identified at the time of record creation.
5. Retention is determined by the content of the record, not the specific media.
6. The same records management principles apply to all media.
7. The most cost effective storage facilities and methods will be used to provide protection, organized identification and timely retrieval of the records.
8. Records no longer required to be retained by the AT&T Records Retention Schedule and not subject to a Records Destruction Hold will be disposed of promptly.

Δ 5. DRAFTS (PRELIMINARY VERSIONS) AND COPIES

Draft (preliminary versions) and copies should not be retained unless they are subject to a litigation hold. The creator of an internal record is normally responsible for retaining the record. However, there are two exceptions to this guideline:

- When corporate forms indicate which copy must be maintained. Please note, however, that the retention period listed on forms is unfortunately not always up-to-date. The retention periods listed at this website will reflect the latest modifications to the schedule and will be the most current.
- When additions or amendments are made to an existing copy, this change alters the existing record and creates a new record that is now separately subject to retention guidelines. Also, all documents received from outside of AT&T are treated as AT&T records; therefore, the retention periods listed in the AT&T Records Retention Schedule would apply.

While the AT&T Records Retention Schedule is intended to be as comprehensive as possible, there may be unique retention requirements that apply to particular types of records. Therefore, in addition to the retention references outlined in the schedule, the following guidelines should also be

considered:

- Transitory or other requirements may apply due to an Internal Revenue Service (IRS) audit.
- State regulatory entities may require certain records to be retained beyond their retention period. Therefore, records that relate to State-regulated operations should be reviewed with the Law Division before disposal.

△ 6. RECORD MEDIA

Records exist in a number of physical forms, including paper, micrographics, electronic, e-mail, computer data disk (i.e., floppy and CD-ROM), hard drive, and optical. Records must satisfy specific retention requirements, meet various environmental standards for controlled storage and protection, and each record is subject to use in legal proceedings, regardless of the type of media.

Business Units/Divisions should use the most cost effective media to capture, retain and store information. The selection and use of appropriate media depends on many factors, including how the record is created, whether it originated within the Business Unit/Division or is received from another source (internal or external). Other factors to consider include specific access, retrieval, or signature requirements for the record (document).

△ A. Paper

Paper records constitute the largest volume of a Business Unit/Division's records and are the most costly and difficult to process, handle, and store.

△ B. Micrographics

Refer to the capture, storage, and retrieval of information on microforms (microfilm or microfiche) which is a photographic media that contains images greatly reduced in size and requires a device for magnification.

Micrographic applications are an effective and practical records management alternative to paper. In addition, micrographics are an excellent media for reducing space and facility requirements.

If records are maintained on microfilm or microfiche, the Business Unit/Division is responsible for assuring that the records are reproducible. Records contained in an automated system must include a method to produce visible and legible copies of records. When microforms are stored in a controlled environment, they retain their original information characteristics for at least 100 years. To ensure that adequate processing safeguards and quality standards are in place, Business Unit and Division personnel should conduct a micrographics review that addresses image verification, image legibility, and archival quality. For guidance regarding image safeguards and quality standards, contact the AT&T Office of the Corporate Secretary [REDACTED].

Micrographics are generally thought of as a long term storage media. However, it is important to realize that retention periods for records are based on the information contained on the media and not the media itself. Therefore, to promote a cost-effective records management program, microforms should be scheduled for disposal when all of the retention requirements for each individual record on the micrographic has been satisfied.

Where legal or business considerations permit, paper records should be disposed of only after conversion to micrographic media.

Disposal procedures for micrographics must comply with AT&T Security Policy and Requirements and meet environmental requirements. It is a corporate security requirement to destroy microforms

[REDACTED]

[REDACTED]

containing proprietary information through the use of a disintegrator type application or incineration. This will ensure complete destruction (see AT&T Corporate Security and Claims Best Practice (CSBP), Part 3.01 section 9.9 and ASPR High Level Policy and Requirements, section 3.3.17).

Δ C. Electronic

AT&T permits the use of electronic signatures and electronic records for material internal to AT&T without requiring a hardcopy to be maintained.

“Electronic record” means a contract or other record created, generated, sent, communicated, received, or stored by electronic means.

“Electronic signature” means an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

The Federal law titled Electronic Signatures in Global and National Commerce Act permits the optional use of electronic signatures and electronic records to records governed by Uniform Commercial Code Article 2 (Sales) and Article 2A (Leases), in addition to any transaction in or affecting interstate or foreign commerce.

15 USC 7001 excerpt:

With respect to any transaction in or affecting interstate or foreign commerce-

- (1) a signature, contract, or other record relating to such transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form; and
- (2) a contract relating to such transaction may not be denied legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation.

The provisions of the Electronic Signatures Act do not require any person to agree to use or accept electronic records or electronic signatures.

State laws may modify, limit, or supercede these provisions. Other exceptions also apply.

If you are considering using electronic signatures for interstate commerce, foreign commerce, sales, or leases, you must be in compliance with all the provisions of the electronic signatures act. Please contact the law division or the office of the corporate secretary if you need clarification on the appropriateness of using electronic signatures.

Δ D. E-Mail

E-mail is an electronic communications system that allows users to create, store, retrieve and dispose of information. Each e-mail message is a record and is subject to the same records management principles as other media. Retention requirements for e-mail are not set by this type of electronic media, but by the content of the material.

Electronic messages should be used for business purposes only. An e-mail message on your organization’s computer is not a chat. On the contrary, it is an organizational record, subject to legal discovery (a pre-trial procedure by which one party gains information held by another party). *In addition, the Electronic Communications Privacy Act of 1986 does not extend to employees or e-mail.*



E-mail messages created or received on an AT&T e-mail address may not be considered private or personal communication by an employee, even if the message is so labeled. Consequently, there is no right of privacy.

E-mail writing: E-mail should be written with the same care and professionalism as any other document. Some individuals may treat e-mail like a casual conversation, incorrectly believing they can "say" anything, then delete the material and it's gone. However, deleted messages may be recoverable.

E-mail reduction: Some e-mail should be moved to an appropriate file and become an organization record. E-Mail that has only short-term value and is not subject to a records hold should be received, answered, and deleted. E-mail messages may be converted to an alternate media, i.e., paper for storage purposes. If this type of conversion occurs, there is no need to retain the e-mail electronically.

Δ E. Optical

Optical storage enables users to record and retrieve video, audio, text, and graphics and offers numerous advantages over traditional magnetic tape and disk storage due to its larger document memory capacity. Optical disk systems perform the following functions:

- Scan images from either paper or microfilm.
- Capture electronic documents directly from a computer, magnetic tape, or disk.
- Store documents containing both alphanumerics and graphics.
- Display documents on a CRT terminal.
- Search and retrieve documents.
- Print documents on paper and microfilm.
- Copy documents to and from magnetic hard disks and optical disks.
- Transmit documents to users' work stations either locally or over public telephone networks.

IMPORTANT NOTE: Optical records are not always legally acceptable as evidence in a legal or administrative proceeding. Contact your Business Unit/Division attorney before using this media.

Δ.

The Internal Revenue Service ("IRS") has issued guidelines that allow taxpayers to store records on an imaging system rather than on paper or microfilm, as in the past. The use of an imaging system should significantly reduce AT&T's cost of maintaining records. The IRS issued guidance procedures for taxpayers that use an electronic storage system in Revenue Procedure 97-22 printed in Internal Revenue Bulletin No. 1997-13 (March 31, 1997).

The AT&T tax department has no objection to the use of an electronic storage system to maintain books and records for tax purposes if the IRS guidelines are followed. Please contact the attorney supporting your group before using this media in order to determine whether there are any legal requirements concerning the retention of the original paper document of items that have been imaged. Some documents may require the original paper record to be kept in order to prove the signature and be acceptable in a legal proceeding. Please see Electronic section above and Electronic Signatures in Global and National Commerce Act.

Revenue Procedure 98-25 printed in Internal Revenue Bulletin No. 1998-11 (March 16, 1998)

and superceding Revenue Procedure 91-59, lists IRS requirements to follow where taxpayer records are maintained within an Automatic Data Processing system (ADP).

On March 31, 1995, the IRS issued an agreement concerning AT&T record retention policies and automatic data processing practices in accordance with Revenue Procedure 91-59.

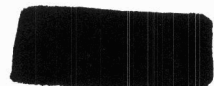
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Records Retention Schedule

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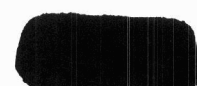
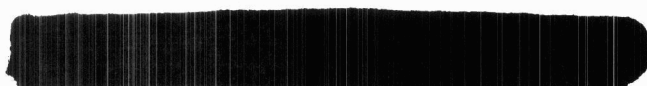
search results

Search In Specific Field: By Keyword: Ascending

Search

Reset

Record Date	Subject	Subject Series	Topic	Retention Period in years	Code	Comments
			regulatory litigation, including correspondence,			The retention period is 6 years unless the attorney responsible for the matter

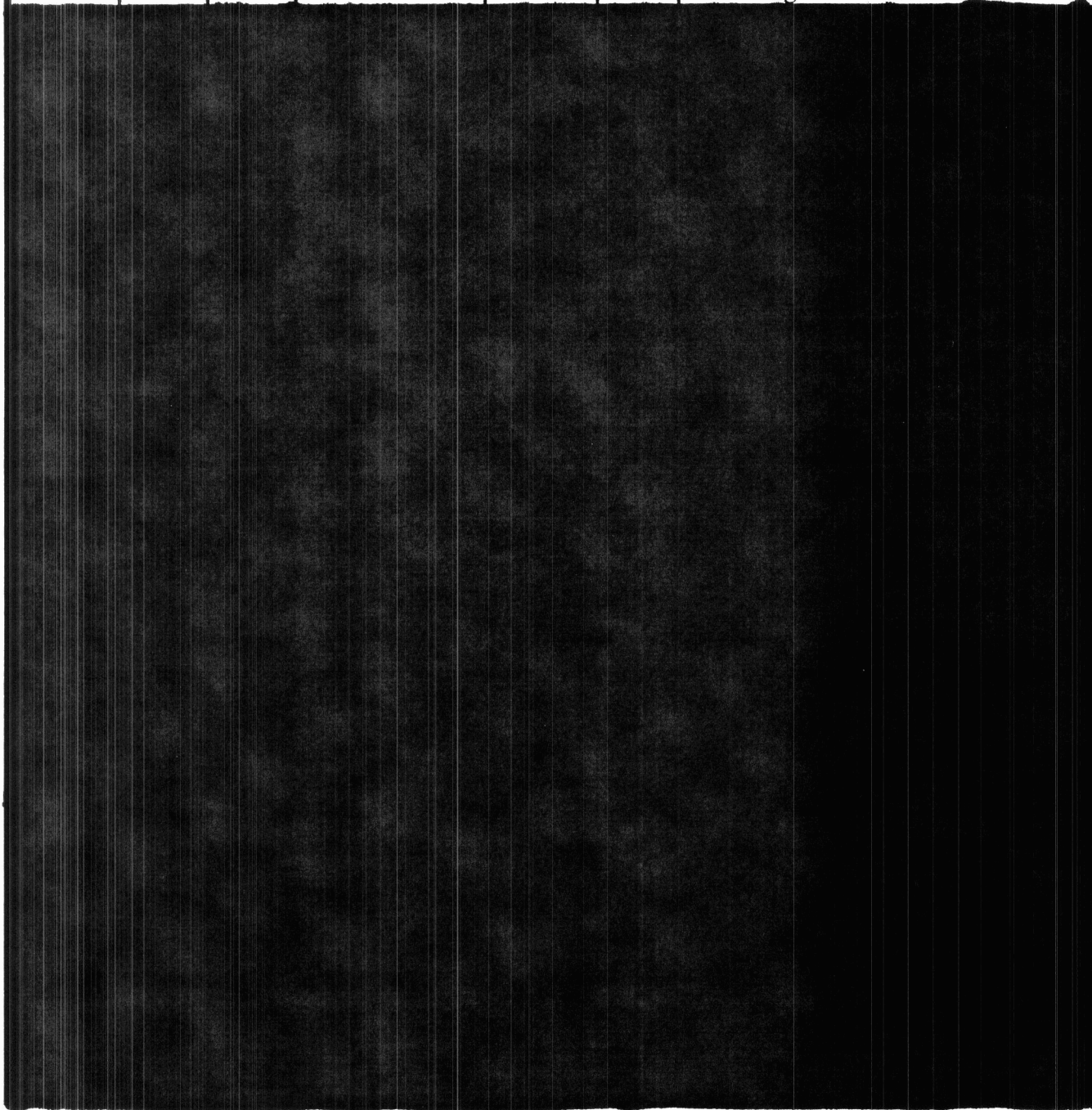


2/24/1999	law	law04	depositions, discovery, responses, pleadings, etc.	6	indicates otherwise. Please call [REDACTED] for additional information.
		state regulatory			

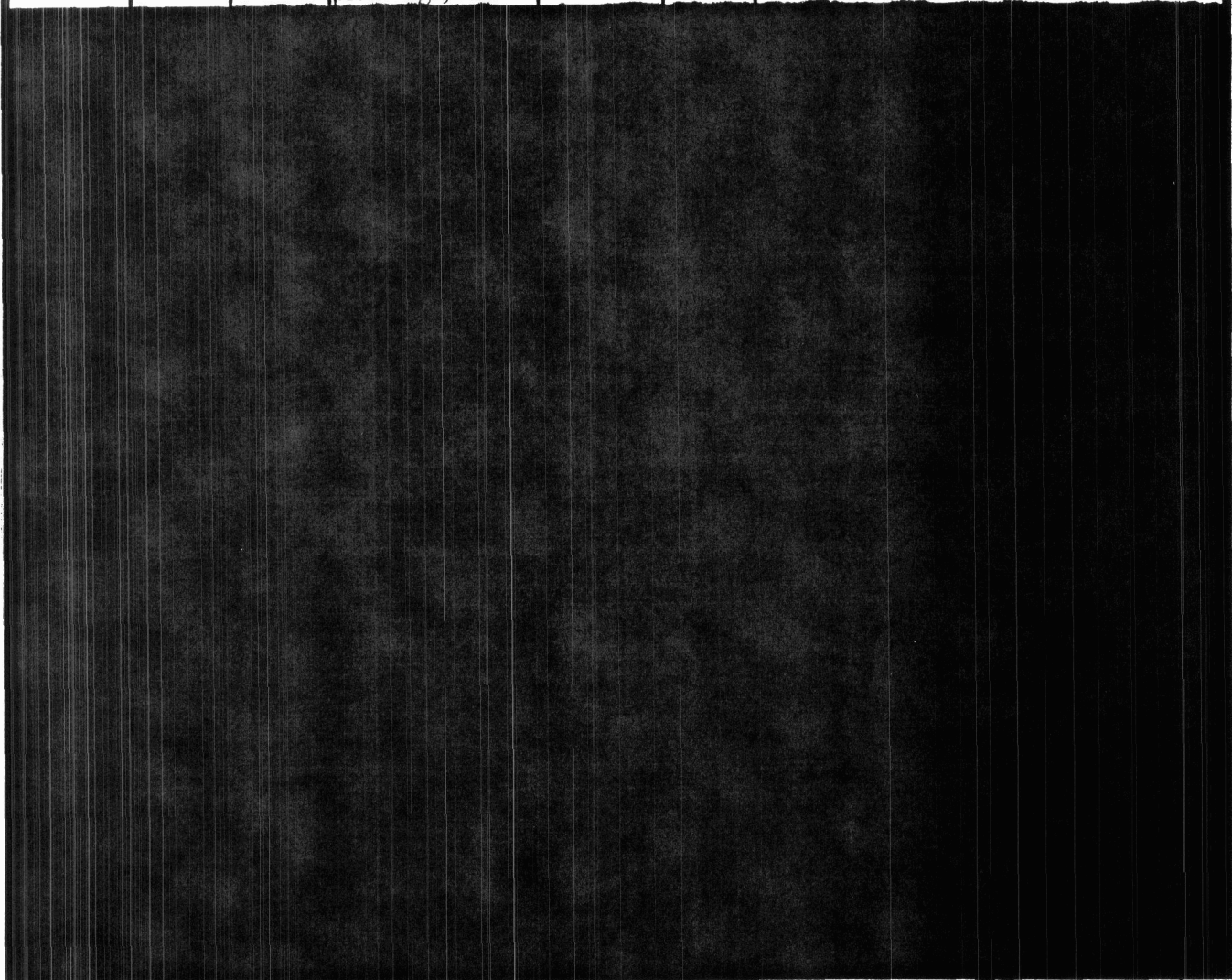
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[REDACTED]

2/24/1999	law	law09	proceedings, including correspondence, depositions, discovery, responses, pleadings, etc.	6	The retention period is 6 years unless the attorney responsible for the matter indicates otherwise. Please call [REDACTED] for additional information.
2/24/1999	law	law10	commercial contracts, including correspondence	6	The retention period is 6 years unless the attorney responsible for the matter indicates otherwise. Drafts are usually not saved. Please call [REDACTED] concerning this matter.



			wiretaps, pen registers, and trap & traces)		information. 47 CFR 64.2103(f) and 47 CFR 64.2104(b)
2/24/1999	law	law15	state agency records, including correspondence, depositions, discovery, responses, pleadings, etc.	6	The retention period is 6 years unless the attorney responsible for the matter indicates otherwise. Please call [REDACTED] for additional information.



[[Records Retention Schedule](#)]

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