



August 6, 2003

BY HAND DELIVERY

Ms. Blanca S. Bayó, Director
Division of Commission Clerk and
Administrative Services
The Florida Public Service Commission
2540 Shumard Oaks Boulevard
Tallahassee, FL 32399-0850

Re: **CONFIDENTIAL MATERIALS -**
Docket No. 020507-TP -- Complaint of the Florida Competitive Carriers
Association Against BellSouth Telecommunications, Inc. and Request for
Expedited Relief

Dear Ms. Bayó,

Enclosed are an original and fifteen (15) copies of WorldCom's Request for Specified Confidential Classification of certain discovery responses in Exhibit 2 because they are proprietary confidential business information of MCI. MCI asks that you file this request in the above-captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

A handwritten signature in cursive script that reads "Donna Canzano McNulty".

Donna Canzano McNulty

cc: Parties of Record

DOCUMENT NUMBER DATE

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FPSC-COMM ISPB CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of the Florida)
Competitive Carriers Association)
Against BellSouth Telecommunications, Inc.)
and Request for Expedited Relief)
_____)

Docket No. 020507-TP

Filed: August 6, 2003

**MCI'S REQUEST FOR
SPECIFIED CONFIDENTIAL CLASSIFICATION**

COMES NOW, MCI WorldCom Communications, Inc. and MCImetro Access Transmission Services, LLC (collectively "MCI") and pursuant to Rule 25-22.006, Florida Administrative Code, files its Request for Specified Confidential Classification.

1. On July 21 and 22, 2003, the Florida Public Service Commission held an evidentiary hearing in the above-referenced docket. A number of exhibits were stipulated into the record, including some discovery responses produced by the Florida Competitive Carriers Association (FCCA) and MCI to BellSouth Telecommunications, Inc. (BellSouth). Some of the information produced by the FCCA and MCI is confidential business information of MCI. Responses containing MCI's confidential business information were entered into the record during the hearing and became part of Exhibit 2.

2. MCI hereby files this Request for Specified Confidential Classification because the information contained in certain discovery responses in Exhibit 2 is proprietary confidential business information that could cause competitive harm to MCI and is confidential and proprietary under Section 364.183, Florida Statutes.

3. Attachment A to MCI's Request for Confidential Classification contains an explanation of the proprietary information along with a list that identifies the location of the information designated by MCI as confidential.

4. Attachment B to MCI's Request for Confidential Classification is a redacted copy of the confidential information.

5. Attachment C to MCI's Request for Confidential Classification is a proprietary copy of the confidential information.

6. Some of the information found in Exhibit 2 contains MCI proprietary confidential business information as follows:

- a) **FCCA's Response to BellSouth's Third Set of Interrogatories**
(Interrogatories 57(ii, iv), and 59)
- b) **FCCA's Response to BellSouth's Fourth Set of Interrogatories**
(Interrogatories 69 (c,d), and Supplemental Response to Interrogatory 69(d))
- c) **FCCA's Response to BellSouth's Fourth Request for Production of Documents**
(Requests 9 and 12)
- d) **MCI's Responses to (1) BellSouth's First Set of Interrogatories (2) Third Set of Interrogatories and (3) First Request for Production of Documents**
(Interrogatories 7(i, ii), 10(iii), 14, 17(i-iv), 20 (i-iv), and (66). In response to Interrogatories 7,10,12, and 17, MCI responded that it produced documents to BellSouth reflecting rates, terms, and conditions for DSL services in Georgia Docket 11901-U. As part of Exhibit 2, BellSouth filed the following confidential portions of MCI's response in Georgia: MCI's Second Supplemental Response to BellSouth's First Request For Production of Documents and MCI's Second Supplemental Response to BellSouth's First Interrogatories in Georgia Docket No. 11901-U, October 24, 2002.
- e) **MCI's Responses and Objections to BellSouth's Second Set of Interrogatories**
(Interrogatories 6 (confidential chart was attached), 8, and 9(a - b).

A more specific description of this information is contained in Attachment A. Public disclosure of MCI's confidential business information would impair the competitive business of MCI and would cause harm to MCI's business operations. Therefore, such information should be classified as confidential business information

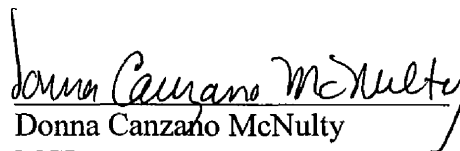
pursuant to Section 364.183(3)(e), Florida Statutes. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

7. MCI has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed.

8. The original of this Request was filed today with the Division of the Commission Clerk and Administrative Services and a copy was served on the Parties.

WHEREFORE, based on the foregoing, MCI respectfully requests that the Commission enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure

Respectfully submitted this 6th day of August, 2003.


Donna Canzano McNulty

MCI
1203 Governors Square Boulevard
Suite 201
Tallahassee, FL 32301
(850) 219-1008

Attorney for MCImetro Access
Transmission Services, LLC, and
MCI WorldCom Communications, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served by E-mail and U.S. Mail

on the following this 6th day of August, 2003:

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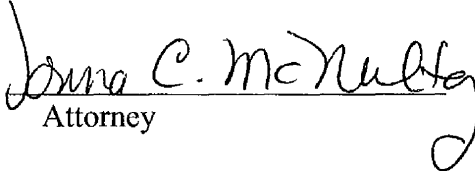
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ATTACHMENT A

MCI
DOCKET NO. 020507-TP

**EXPLANATION AND IDENTIFICATION
OF PROPRIETARY INFORMATION**

RATIONALE “A”

The information contained in the confidential portions of these responses relates to competitive interests, the disclosure of which would impair the competitive business interested of MCI. Specifically, the information provides detailed data regarding MCI’s current number or percentage of broadband customers located in specific markets, or specific states throughout BellSouth’s territory. MCI treats its current number of broadband customers as proprietary and confidential information. MCI has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed. Public disclosure of this information would provide MCI’s competitors and potential competitors with an advantage knowing MCI’s specific business strategies, and is valuable to such competitors in formulating strategies for entry, marketing, and overall business strategy. Therefore, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes, exempt from the Open Records Act.

RATIONALE “B”

The information contained in the confidential portions of these responses relates to competitive interests, the disclosure of which would impair the competitive business interested of MCI. Specifically, the information provides MCI customer specific account information, such as Purchase Order Number (PONs), and type of service associated with specific customers who are identified by name, telephone or street address. MCI treats this information as proprietary and confidential information. MCI has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed. Public disclosure of this information would provide MCI’s competitors and potential competitors with an advantage knowing MCI’s specific customers, and types of services those customers may use, and is valuable to such competitors. Therefore, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), and Section 364.24(2), Florida Statutes, exempt from the Open Records Act.

RATIONALE “C”

The information contained in the confidential portions of these responses concerns bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms. Specifically, the information provides the identity of broadband service providers with whom MCI had discussions or agreements and detailed information related to those discussions or agreements. MCI treats this information as proprietary and confidential business information. MCI has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed. Public disclosure of this information would provide MCI's competitors and potential competitors with an advantage and would impair the competitive business of MCI. Therefore, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(d), Florida Statutes, exempt from the Open Records Act.

RATIONALE “D”

The information contained in the confidential portions of these responses relates to competitive interests, the disclosure of which would impair the competitive business interested of MCI. Specifically, the information provides detailed proprietary and confidential business information of one or more of the following types: 1) internal training material related to customer service representatives; 2) internal plans or strategies regarding partnering with competing DSL providers; or 3) internal plans regarding any firm dates for installing DSL equipment and locations for deploying DSL. MCI treats this information as proprietary and confidential information. MCI has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed. Public disclosure of this information would provide MCI's competitors and potential competitors with an advantage knowing MCI's specific business strategies, and is valuable to such competitors in formulating strategies for entry, marketing, and overall business strategy. Therefore, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes, exempt from the Open Records Act.

RATIONALE “E”

The information contained in the confidential portions of these responses relates to competitive interests, the disclosure of which would impair the competitive business interested of MCI. Specifically, the information provides the specific number of MCI's UNE-P loops, UNE-loops, and resold lines. MCI treats this information as proprietary and confidential information. MCI has treated and intends to continue to treat the

information for which confidential classification is sought as private, and this information has not been generally disclosed. Public disclosure of this information would provide MCI's competitors and potential competitors with an advantage knowing MCI's specific business strategies, and is valuable to such competitors in formulating strategies for entry, marketing, and overall business strategy. Therefore, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes, exempt from the Open Records Act.

RATIONALE "F"

The information contained in the confidential portions of these responses relates to MCI trade secrets, the disclosure of which would impair the competitive business interested of MCI. Specifically, the information provides comprehensive, detailed proprietary and confidential business information related to MCI's DSL strategy. MCI treats this information as proprietary and confidential business, and trade secret information. MCI has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed. Public disclosure of this information would provide MCI's competitors and potential competitors with an advantage knowing MCI's specific business strategies, and is valuable to such competitors in formulating strategies for entry, marketing, and overall business strategy. Therefore, this information should be classified as proprietary, confidential business information pursuant to Sections 364.183(3)(a) and (e), Florida Statutes, exempt from the Open Records Act.

ITEM	LOCATION	RATIONALE
FCCA's Response to BellSouth's Third Set of Interrogatories		
Interrogatory No. 57(ii)(attachment)	Entire Document	B
Interrogatory No. 57(iv)(attachment)	Entire Document	B
Interrogatory No. 59	p. 11, lines 19-21	B
FCCA's Response to BellSouth's Fourth Set of Interrogatories		
Interrogatory No. 69(c)	p. 2, line 28	A
Interrogatory No. 69(d)	p. 2, line 35	A
Supplemental Response to Interrogatory No. 69(d)	p. 1, lines 35, 37	A
FCCA's Response to BellSouth's Fourth Request for Production of Documents		
Request No. 9	Entire Document	B
Request No. 12	Entire Document	D

MCI's Reponses to (1) BellSouth's First Set of Interrogatories (2) Third Set of Interrogatories and (3) First Request for Production of Documents		
Interrogatory No. 7(i)	p. 5, lines 13-14	A
Interrogatory No. 7(ii)	p. 6, lines 6, 8	A
Interrogatory No. 10(iii)	p. 7, lines 25-29, Columns B-D p. 8, line 1, Columns B-D	A
Interrogatory No. 14	p. 9, lines 19-30, Columns B-D p. 10, Lines 1-3, Columns B-D	A
Interrogatory No. 17 (i-iv)	p. 11, lines 7-16	C, D
Interrogatory No. 20 (i-iv)	p. 12, lines 20-25, p. 13, lines 1-3	C, D
Interrogatory No. 66	p. 11, lines 11-15	D
Trade secret documents produced in conjunction with: MCI's Second Supplemental Response to BellSouth's First Request For Production of Documents and MCI's Second Supplemental Response to BellSouth's First Interrogatories in Georgia Docket No. 11901-U, October 24, 2002. (MCI referred to these documents in response to Interrogatories 7, 10, 12, and 17 in Docket No. 020507-TP. BellSouth produced the attached documents as part of Exhibit 2).	Entire Document	F
MCI's Responses and Objections to BellSouth's Second Set of Interrogatories		
Interrogatory No. 6 (confidential attachment)	Column C, lines 17-32 Column D, lines 12, 16, 20, 24, 28, 32 Column E, lines 4, 8, 12, 16, 20, 24, 28, 32	E
Interrogatory No. 8	p. 5, lines 35-36	C
Interrogatory No. 9 (a, b)	p. 6, lines 10-18	C, D

ATTACHMENT B

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

1/15/03

In re: Complaint of the Florida
Competitive Carriers Association
Against BellSouth Telecommunications, Inc.
Regarding BellSouth's Practice of Refusing
To Provide FastAccess Internet Service to
Customers who Receive Voice Service from a
Competitive Voice Provider and Request for
Expedited Relief.

Docket No. 020507-TP

THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S RESPONSES TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S THIRD SET OF
INTERROGATORIES (NOS. 37 - 67)

The Florida Competitive Carriers Association (FCCA), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.280(b) and 1.340, Florida Rules of Civil Procedure, hereby provides the following Responses to BellSouth Telecommunications, Inc.'s Third Set of Interrogatories (Nos. 37 - 67). In providing these responses, the FCCA does not waive and incorporates herein all of its objections, filed on January 6, 2003, to BellSouth's Third Set of Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 37: For each Interrogatory, identify the person or persons providing information in response thereto.

RESPONSE: Interrogatory Nos. 38, 39, 40, 63, 64, 66, 67. Vicki Gordon Kaufman
Interrogatory Nos. 39, 41-56. Jay Bradbury
Interrogatory Nos. 57-62, 65. Sherry Lichtenberg

INTERROGATORY NO. 38: State whether rebuttal witnesses Bradbury and Lichtenberg are testifying in their capacity as employees of AT&T Corp. (AT&T) and WorldCom, Inc. respectively. If FCCA claims that either or both of them are not testifying in their capacity as employees of their respective employers, please identify the basis upon which they are testifying, and identify any written or oral agreements related to their providing testimony in this proceeding, including any arrangements regarding compensation for their time or expenses incurred in providing this testimony.

RESPONSE: As stated on page 4, lines 4-8 of Mr. Bradbury's rebuttal testimony and on page 1, lines 20-21 of Ms. Lichtenberg's rebuttal testimony, Mr. Bradbury and Ms. Lichtenberg are testifying as experts on behalf of the FCCA. They have orally agreed to do so and are testifying based on their years of experience in the telecommunications industry and

1
2 iv. The requested information is provided herewith subject to the Confidentiality Agreement between the parties.

3 **INTERROGATORY NO. 58:** In her testimony, Ms. Lichtenberg provides the number of
4 potential MCI customers who had BellSouth FastAccess® service who supposedly
5 refused to move to MCI's local service because of the BellSouth policy Ms. Lichtenberg
6 is complaining about. For the same period that Ms. Lichtenberg reports upon, how many
7 BellSouth customers with FastAccess® service did in fact move to WorldCom Inc.'s
8 local service in Florida?

9 **RESPONSE:** The FCCA has objected to this interrogatory. Without waiving that objection,
10 the FCCA states that with respect to the 5,938 rejects received from BellSouth for Florida
11 customers from January 1, 2002 to December 12, 2002, 260 of the customers involved
12 subsequently became MCI local customers. Again, some or all of these customers in fact
13 may not have been receiving BellSouth DSL service and initially may have been rejected
14 in error.

15 **INTERROGATORY NO. 59:** At page 3, lines 18 -20, of the rebuttal testimony of Sherry
16 Lichtenberg, she refers to 5,233 rejects "because the customer had FastAccess service."
17 State the total number of Purchase Order Numbers (PONs) submitted to BellSouth in
18 Florida over the same timeframe referred to in the rebuttal testimony.

19 **RESPONSE: CONFIDENTIAL** 

20
21
22 **INTERROGATORY NO. 60:** Describe with particularity all facts and identify all documents
23 that relate to the statement of Ms. Sherry Lichtenberg "BellSouth has acknowledged that
24 in early 2001 it provisioned DSL service to 718 UNE-P customers."

25 **RESPONSE:** The FCCA has objected to this interrogatory. Without waiving its objections, the
26 FCCA states that BellSouth provided the information upon which the FCCA relies in
27 BellSouth's initial and supplemental responses to MCI's First Interrogatory No. 18 and
28 First Document Request No. 1 in Georgia Docket No. 11901-U.

29 **INTERROGATORY NO. 61:** How many WorldCom, Inc. local service customers in
30 Florida have some sort of broadband service, that provides the same or similar functions
31 to BellSouth's FastAccess® service, and what percentage of WorldCom Inc.'s total local
32 customers in Florida does this comprise?

33 **RESPONSE:** The FCCA has objected to this interrogatory. Without waiving its objections, the
34 FCCA states that the MCI group that provides local service to Florida consumers does
35 not sell DSL or broadband service to its customers, either by itself or in conjunction with
36 any other MCI group or other company. MCI lacks knowledge as to whether its
37 customers receive DSL or broadband service by other means.

**FCCA RESPONSE TO BELLSOUTH'S
THIRD SET OF INTERROGATORIES**

INTERROGATORY 57(ii)

**ENTIRE ATTACHMENT
PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION
OF MCI**

**FCCA RESPONSE TO BELLSOUTH'S
THIRD SET OF INTERROGATORIES**

INTERROGATORY 57(iv)

**ENTIRE ATTACHMENT
PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION
OF MCI**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of the Florida
Competitive Carriers Association
Against BellSouth Telecommunications, Inc.
Regarding BellSouth's Practice of Refusing
To Provide FastAccess Internet Service to
Customers who Receive Voice Service from a
Competitive Voice Provider and Request for
Expedited Relief.

Docket No. 020507-TP

**THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S RESPONSES TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S FOURTH SET OF
INTERROGATORIES (NOS. 68 - 72)**

The Florida Competitive Carriers Association (FCCA), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.280(b) and 1.340, Florida Rules of Civil Procedure, hereby provides the following Responses to BellSouth Telecommunications, Inc.'s Fourth Set of Interrogatories (Nos. 68 - 72). In providing these responses, the FCCA does not waive and incorporates herein all of its objections, filed on January 13, 2003, to BellSouth's Fourth Set of Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 68: For each Interrogatory, identify the person or persons providing information in response thereto.

RESPONSE: Sherry Lichtenberg, Gram Meadors, and Larry Rogers provided the information in the FCCA's response to Interrogatory No. 69. Sherry Lichtenberg provided the information in the FCCA's response to Interrogatory Nos. 70-72.

INTERROGATORY NO. 69: In connection with Georgia Docket 11901-U, in MCI's responses to BellSouth's Second Interrogatories (Public Disclosure Version), MCI reported that WorldCom Inc. currently offers fixed broadband services to residential and business customers in markets that include Pensacola, Florida and Tallahassee, Florida. (Response to 61, Public Disclosure Version). At page 2 of Ms. Lichtenberg's testimony, she states that "When customers have the option of migrating to a competitive provider for voice service and losing FastAccess, or staying with BellSouth for voice service and keeping their DSL service, customers decide to retain FastAccess." With regard to this statement please:

- a. State whether "customers [that] want to migrate to MCI in order to take advantage of The Neighborhood 'all distance' voice package" are offered WorldCom's fixed broadband service, where available;

- 1 b. If "customers [that] want to migrate to MCI in order to take advantage of The
2 Neighborhood 'all distance' voice package" are not offered WorldCom's fixed
3 broadband service, where available, describe with particularity why not.
- 4 c. Describe with particularity the nature of the fixed broadband services offered in
5 Pensacola and Tallahassee; including (i) the numbers of business and residential
6 customers receiving such service; (ii) the description of the protocols used to
7 provide the fixed broadband services; (iii) how long the fixed broadband services
8 have been offered in Florida;
- 9 d. Does MCI offer DSL service anywhere in Florida other than Pensacola and
10 Tallahassee; if yes, describe with particularity the nature of the DSL service, the
11 numbers of customers receiving such service, and how long the service has been
12 offered in Florida.
- 13 e. If MCI maintains that it is exiting the DSL business in Florida please explain with
14 particularity the reasons why MCI is exiting the business.

15 **RESPONSE:**

- 16 a. No. MCI does not offer fixed broadband service in conjunction with its
17 Neighborhood products.
- 18 b. As an initial matter, MCI notes Tallahassee is in Sprint's service territory (where
19 MCI currently does not offer residential service), so the only area in BellSouth's
20 Florida service territory where WorldCom offers fixed broadband services is
21 Pensacola. WorldCom's fixed broadband has been deployed on a limited, trial
22 basis and WorldCom is currently attempting to sell that business. It would make
23 little sense to undertake the operational, sales and marketing changes that would
24 be required to offer a package of residential voice service and fixed broadband
25 service under these circumstances, where the wireless broadband business: (i) has
26 been in the developmental stages; (ii) is offered only in one relatively small area
27 in BellSouth's service area; and (iii) and is being offered for sale.
- 28 c. As of September 2002, WorldCom has [REDACTED] business and [REDACTED] residential fixed
29 wireless customers in Florida. WorldCom launched fixed wireless service in the
30 Pensacola and Tallahassee markets in December 2001. Fixed wireless service
31 provides wireless access to the internet using multichannel multipoint distribution
32 service technology.
- 33 d. WorldCom offers DSL service in Miami Florida to business customers. Based on
34 MCI's investigation to date, WorldCom began offering DSL service in Miami in
35 November 2001 and currently has approximately [REDACTED] DSL customers there. MCI
36 is continuing to seek information in response to this interrogatory and will
37 supplement this response if appropriate.

1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2 In re: Complaint of the Florida
3 Competitive Carriers Association
4 Against BellSouth Telecommunications, Inc.
5 Regarding BellSouth's Practice of Refusing
6 To Provide FastAccess Internet Service to
7 Customers who Receive Voice Service from a
8 Competitive Voice Provider and Request for
9 Expedited Relief.

Docket No. 020507-TP

10 **THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S SUPPLEMENTAL**
11 **RESPONSES TO BELLSOUTH TELECOMMUNICATIONS, INC.'S FOURTH SET OF**
12 **INTERROGATORIES (NOS. 69(d) AND 70)**

13 The Florida Competitive Carriers Association (FCCA), pursuant to Rule 28-106.206,
14 Florida Administrative Code, and Rules 1.280(b) and 1.340, Florida Rules of Civil Procedure,
15 hereby supplements its Responses to BellSouth Telecommunications, Inc.'s Fourth Set of
16 Interrogatories (Nos. 69(d) and 70). In providing these responses, the FCCA does not waive and
17 incorporates herein all of its objections, filed on January 13, 2003, to BellSouth's Fourth Set of
18 Interrogatories.

19 **INTERROGATORIES**

20 **INTERROGATORY NO. 69:** In connection with Georgia Docket 11901-U, in MCI's
21 responses to BellSouth's Second Interrogatories (Public Disclosure Version), MCI reported that
22 WorldCom Inc. currently offers fixed broadband services to residential and business customers
23 in markets that include Pensacola, Florida and Tallahassee, Florida. (Response to 61, Public
24 Disclosure Version). At page 2 of Ms. Lichtenberg's testimony, she states that "When customers
25 have the option of migrating to a competitive provider for voice service and losing FastAccess,
26 or staying with BellSouth for voice service and keeping their DSL service, customers decide to
27 retain FastAccess." With regard to this statement please:

28 d. Does MCI offer DSL service anywhere in Florida other than Pensacola and
29 Tallahassee; if yes, describe with particularity the nature of the DSL service, the
30 numbers of customers receiving such service, and how long the service has been
31 offered in Florida.

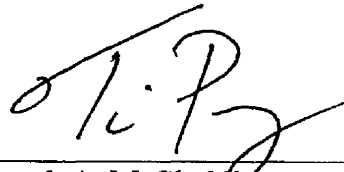
32 **RESPONSE:**

33 d. WorldCom has been offering DSL service in Miami, Florida since at least
34 November 2001. As of January 31, 2003, WorldCom was providing DSL service
35 to [REDACTED] business customers and [REDACTED] residential customers. The residential
36 customers are retail customers of internet service providers to which WorldCom
37 provides private label services. The business customers include [REDACTED] customers

served on a resale basis. WorldCom does not sell voice service in conjunction with this resale of DSL service.

INTERROGATORY NO. 70: At page 3, lines 18– 20, of the rebuttal testimony of Sherry Lichtenberg, she refers to 5,233 rejects “because the customer had FastAccess service.” State how many of the 5,233 rejects related to customers in Pensacola, Florida.

RESPONSE: There were 91 PONs for Pensacola, Florida customers for which rejects were received. In one case, there were two rejects for the same PON, so the total number of rejects was 92.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of the Florida
Competitive Carriers Association
Against BellSouth Telecommunications, Inc.
and Request for Expedited Relief

Docket No. 020507-TP

**FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S RESPONSE
TO BELLSOUTH TELECOMMUNICATIONS, INC.'S FOURTH REQUEST
FOR PRODUCTION OF DOCUMENTS (NOS. 9 - 12)**

The Florida Competitive Carriers Association (FCCA), pursuant to Rule 28-106.206, Florida Administrative Code and Rules 1.280(b) and 1.350, Florida Rules of Civil Procedure, hereby provides the following Responses to BellSouth Telecommunications, Inc.'s Fourth Request for Production of Documents (Nos. 9 - 12) to Florida Competitive Carriers Association. In providing these responses, FCCA does not waive any of the objections made to BellSouth's Fourth Request for Production that FCCA filed on January 13, 2003.

REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 9: Produce all documents identified, referred to, or otherwise described in FCCA's Responses to BellSouth's Fourth Interrogatories.

RESPONSE: The FCCA has objected to this request. Without waiving its objections, a spreadsheet reflecting the Pensacola PONs discussed in response to Interrogatory No. 70 is produced herewith subject to the parties' Protective Agreement.

REQUEST FOR PRODUCTION NO. 10: Produce all documents that relate to the fixed broadband service offered by FCCA member MCI WorldCom in Pensacola, Florida and Tallahassee, Florida.

RESPONSE: The FCCA has objected to this request.

REQUEST FOR PRODUCTION NO. 11: Produce all documents that relate to any other DSL service offered by FCCA member MCI WorldCom in Florida, whether identified in response to an interrogatory or not.

RESPONSE: The FCCA has objected to this request.

REQUEST FOR PRODUCTION NO. 12: Produce all training materials provided to MCI customer service representatives relating to FastAccess service (as referred to in the rebuttal testimony of Sherry Lichtenberg, pp. 3 - 4); including but not limited to training materials that relate to MCI customer service representatives "ask[ing] prospective customer whether they have FastAccess service;" and training materials that relate to MCI customer service representatives

**FCCA RESPONSE TO BELLSOUTH'S
FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS**

REQUEST NO. 9

**ENTIRE DOCUMENT
PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION
OF MCI**

**FCCA RESPONSE TO BELLSOUTH'S
FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS**

REQUEST NO. 12

**ENTIRE DOCUMENT
PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION
OF MCI**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of the Florida)	
Competitive Carriers Association)	Docket No. 020507-TP
Against BellSouth Telecommunications, Inc.)	
and Request for Expedited Relief)	Served: June 2, 2003

**MCI'S RESPONSE TO
(1) BELLSOUTH'S FIRST SET OF INTERROGATORIES (NOS. 1 – 32),
(2) THIRD SET OF INTERROGATORIES (NO. 66), AND
(3) FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-4)**

In accordance with the Settlement Agreement approved by the Commission in Order No. PSC-03-0611-AS-TL, MCI WorldCom Communications, Inc. and MCI metro Access Transmission Services, LLP (collectively, "MCI") hereby respond to those portions of BellSouth Telecommunications, Inc.'s (BellSouth's) outstanding discovery to the Florida Competitive Carriers Association (FCCA) required by Order Nos. PSC-03-0084-PCO-TL and PSC-03-180-PCO-TL as if such requests had been addressed individually to MCI.

INTERROGATORIES

(First Set)

Interrogatory No. 5: Do you contend that the Florida Public Service Commission has jurisdiction over Broadband Service?

Response: Yes.

Interrogatory No. 6: If the answer to Interrogatory No. 5 is in the affirmative, please cite all statutes, rules, regulations, orders, or other legal authority that support your contention.

1 use as a large-scale remote work or telecommuting solution, and to ISPs, on a wholesale basis,
2 for resale to end users. PLDSL includes a full suite of CPE options from low-end bridges to
3 high-end routers, self-installation and professional installation options, and both dynamic and
4 static IP addressing configurations for the Internet Edition. The difference between the Access
5 and Internet Editions relates to the way in which MCI hands off the data traffic to the customer.
6 For the Access Edition, MCI provides its customer with an aggregated traffic stream at the ATM
7 layer. The customer provides its own IP addressing and Internet access to the end user. For the
8 Internet Edition, MCI carries the customer's traffic to MCI's Internet backbone and routes it over
9 the Internet using MCI's IP addressing. In both scenarios, the customer manages the end user
10 relationship (e.g., billing, authentication, technical support) and provides any Internet content
11 (e.g., email, news, Web hosting, portals) or value added services (e.g., VPN, online
12 entertainment servers).

13 [CONFIDENTIAL] Approximately [REDACTED] of the customers receiving the foregoing
14 products are served via SDSL/IDSL and the other [REDACTED] are served via ADSL. [END
15 CONFIDENTIAL] MCI already has produced documents to BellSouth reflecting rates, terms
16 and conditions for these services in Georgia Docket No. 11901-U.

17 MCI also provides fixed wireless service in Florida. MCI launched fixed wireless service
18 in the Pensacola and Tallahassee markets in December 2001. Fixed wireless service provides
19 wireless access to the internet using multichannel multipoint distribution service ("MMDS")
20 technology. MCI notes that it is in the process of selling its MMDS business, and BellSouth is
21 one of the parties bidding for that business. MCI already has produced documents to BellSouth
22 reflecting rates, terms and conditions for these services in Georgia Docket No. 11901-U.

1 In addition MCI recently has begun selling DSL to its UNE-P customers in Florida. MCI
2 provides DSL service to these customers in areas that can be served from MCI's collocation
3 spaces. The rates, terms and conditions for these services are available at MCI.com and a copy
4 of the terms and conditions are provided in response to Document Production Request No. 1.

5 ii. [CONFIDENTIAL] As of late May 2003, MCI was providing DSL service to
6 [REDACTED] business customers and [REDACTED] residential customers. The residential customers were retail
7 customers of internet service providers to which MCI provides private label services. The
8 business customers include [REDACTED] customers served on a resale basis. MCI also was serving [REDACTED]
9 business customers using its fixed wireless service. Because MCI only recently began offering
10 DSL service to UNE-P customers, it had provisioned service to relatively few such customers.

11 [END CONFIDENTIAL]

12 iii. See response to subpart ii.

13 iv. MCI uses its own DSL equipment and also resells DSL service using the
14 equipment of another carrier.

15 Second Interrogatory No. 8: If the answer to Second Interrogatory No. 6 is in the
16 negative, please:

17 i. Describe with particularity all reasons, whether technical, financial, or
18 otherwise, why [MCI] does not provide its own Broadband Service and/or
19 DSL service to customers in Florida; and

20 ii. [No answer required.]

21 Response: Not applicable.

22 Interrogatory No. 9: Please state whether [MCI] provides Broadband Service and/or
23 DSL service to customers in states [in the BellSouth Region] other than Florida.

1 **Response:** MCI does provide MMDS and DSL service to customers in states
2 other than Florida in BellSouth's nine-state region.

3 Interrogatory No. 10: If the answer to Interrogatory No. 9 is in the affirmative, please:

4 i. Identify those states [in the BellSouth region] in which [MCI] provides
5 Broadband Service and/or DSL service;

6 ii. Describe with particularity the nature of the Broadband Service and/or
7 DSL Service [MCI] is providing in each state, including a description of
8 the protocols used (e.g., ADSL, ISDL, Cable Modem, etc.) as well as all
9 applicable rates, terms and conditions of such service;

10 iii. State the total number of customer to whom [MCI] is providing
11 Broadband Service and/or DSL service in each such state, including
12 stating the total number of residential and business customers being
13 provided service.

14 **Response:** MCI responds to the subparts of Interrogatory No. 10 as follows:

15 i. MCI provides MMDS service in Alabama, Louisiana, Mississippi and Tennessee.
16 MCI provides DSL service in Georgia and North Carolina.

17 ii. See response to subpart i. above. MCI already has produced documents to
18 BellSouth reflecting rates, terms and conditions for these services in Georgia Docket No.
19 11901-U.

20 iii. Responsive information for the MMDS and DSL markets MCI serves in
21 the BellSouth states is provided in the table below:

22 [CONFIDENTIAL]

	A	B	C	D
STATE	RESIDENTIAL (ISP Wholesale)	BUSINESS	TOTAL	
Alabama	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Georgia	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Louisiana	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Mississippi	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
North Carolina	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

	A	B	C	D
1	Tennessee	[REDACTED]	[REDACTED]	[REDACTED]

2 [END CONFIDENTIAL]

3 Interrogatory No. 11: If [MCI] provides Broadband Service and/or DSL service [in the
 4 BellSouth region], will [it] provide such service to an end user customer irrespective of whether
 5 that customer also purchases telecommunications service from [MCI] (i.e., does [MCI] provide
 6 a stand-alone Broadband Service and/or DSL service)?

7 Response: Yes. With the exception of the DSL service MCI provides to UNE-P
 8 customers, MCI provides stand-alone DSL service. For customers to whom MCI provides UNE-
 9 P service, MCI does not offer DSL service on a stand-alone basis.

10 Interrogatory No. 12: If the answer to Interrogatory No. 11 is in the affirmative, please:

- 11 i. Describe with particularity the nature of the stand-alone Broadband
 12 Service and/or DSL service [MCI] is providing [in the BellSouth region],
 13 including identifying the states in which such service is provided and
 14 including a description of the protocols used (e.g., ADSL, IDSL, Cable
 15 Modem, etc.) as well as all applicable rates, terms, and conditions;
- 16 ii. State the total number of customers to whom [MCI] is providing the stand-
 17 alone Broadband Service and/or DSL service, including stating the total
 18 number of residential and business customers being provided such service
 19 in each state; and
- 20 iii. Identify all documents referring or relating to the stand-alone Broadband
 21 Service and/or DSL service [MCI] is providing.

22 Response: MCI responds to the subparts of Interrogatory No. 12 as follows:

- 23 i. See response to Second Interrogatory No. 7 i. and Interrogatory No. 10 i.
- 24 ii. See response to Second Interrogatory No. 7 ii. and Interrogatory No. 10 iii.
- 25 iii. MCI already has produced documents to BellSouth reflecting rates, terms
 26 and conditions for these services in Georgia Docket No. 11901-U.

1 Interrogatory No. 13: If the answer to Interrogatory No. 11 is in the negative, please:

2 i. Describe with particularity the reasons, whether technical, financial or
3 otherwise, why [MCI] does not provide its own Broadband Service and/or
4 DSL service to customers of other voice providers in Florida;

5 ii. to v. [No answer required.]

6 Response: Providing stand-alone DSL service to most customers to whom
7 MCI offers UNE-P service would involve line sharing with BellSouth, which the FCC
8 has announced will be phased out and thus may not be available in the long-term as a
9 DSL service delivery method. MCI further notes that it does not provide local residential
10 service in Florida using UNE-L.

11 Interrogatory No. 14: Identify each market in [MCI] is providing DSL service and state the
12 number of customers in each such market to whom the service is being provided, including
13 stating the total number of residential and business customers being provided such service.

14 Response: Responsive information for the MMDS and DSL markets MCI
15 serves in the BellSouth states is provided in the table below:

16 [CONFIDENTIAL]

	A	B	C	D
17	MARKET	RESIDENTIAL	BUSINESS	TOTAL
18		(ISP Wholesale)		
19	Montgomery, Alabama	[REDACTED]	[REDACTED]	[REDACTED]
20	Miami, Florida	[REDACTED]	[REDACTED]	[REDACTED]
21	Jacksonville, Florida	[REDACTED]	[REDACTED]	[REDACTED]
22	Tampa, Florida	[REDACTED]	[REDACTED]	[REDACTED]
23	Orlando, Florida	[REDACTED]	[REDACTED]	[REDACTED]
24	Pensacola, Florida	[REDACTED]	[REDACTED]	[REDACTED]
25	Tallahassee, Florida	[REDACTED]	[REDACTED]	[REDACTED]
26	Atlanta, Georgia	[REDACTED]	[REDACTED]	[REDACTED]
27	Baton Rouge, Louisiana	[REDACTED]	[REDACTED]	[REDACTED]
28	Lafayette, Louisiana	[REDACTED]	[REDACTED]	[REDACTED]
29	Jackson, Mississippi	[REDACTED]	[REDACTED]	[REDACTED]
30	Charlotte, NC	[REDACTED]	[REDACTED]	[REDACTED]

	A	B	C	D
1	Greensboro, NC	[REDACTED]	[REDACTED]	[REDACTED]
2	Raleigh, NC	[REDACTED]	[REDACTED]	[REDACTED]
3	Chattanooga, Tennessee	[REDACTED]	[REDACTED]	[REDACTED]

4 [END CONFIDENTIAL]

5 Interrogatory No. 15: Describe with particularity [MCI's] DSL network; including, but not
6 limited to, identifying the location of that network and describing the specific equipment that
7 comprises that network, identifying the vendor and/or provider of the DSL equipment, the
8 number, manufacturer, and size of DSLAMs installed in that network by central office, remote
9 terminal or other location, as well as the total number of collocation sites in which the FCCA
10 member has collocated its facilities with facilities of BellSouth.

11 Response: The Commission ruled that this interrogatory was limited to
12 identifying the footprint of [MCI's] network, sufficient for one to discern where the
13 xDSL products are available. With that limitation, see response to Interrogatory No. 14.

14 Interrogatory No. 16: Has [MCI] at any time entered into any agreement or held any discussions
15 with any Cable Modem service provider regarding a joint offering or package of services
16 involving the FCCA member's voice service and the Cable Modem service provider's
17 Broadband Service.

18 Response: Yes.

19 Interrogatory No. 17: If the answer to Interrogatory No. 16 is in the affirmative, please:

- 20 i. Identify the Cable Modem service provider with whom you have had such
21 an agreement or discussions;
- 22 ii. State the date when such an agreement was executed or such discussions
23 took place;
- 24 iii. Describe with particularity the nature of such an agreement or discussion,
25 including applicable rates, terms and conditions for a joint offering or
26 package of services involving [MCI's] voice service and the Cable
27 Modem service provider's Broadband Service; and

1 iv. Identify all documents referring or relating to such an agreement or
2 discussion.

3 Response: The Commission ruled that subparts iii. and iv. were limited to a
4 description of any contemplated joint offerings. With that limitation, MCI responds to the
5 subparts of Interrogatory No. 17 as follows:

6 [CONFIDENTIAL]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [END CONFIDENTIAL]

17 Interrogatory No. 18: If the answer to Interrogatory No. 16 is in the negative, please describe
18 with particularity all reasons, whether technical, financial, or otherwise, why [MCI] has decided
19 not to enter into an agreement or discussions with a Cable Modem service provider concerning a
20 joint offering or package of services involving [MCI's] voice service and the Cable Modem
21 service provider's Broadband Service.

22 Response: Not applicable.

23 Interrogatory No. 19: Has [MCI] at any time entered into an agreement or held any discussions
24 with any DSL service provider and/or wholesale DSL network provider regarding (a) a joint
25 offering or package of service involving [MCI's] voice service and the DSL service provider's

1
2 Broadband Service, including, but not limited to, engaging in line splitting; and/or (b) purchasing
a wholesale broadband package for the purpose of creating a retail broadband service offering?

3 Response: Yes.

4 Interrogatory No. 20: If the answer to Interrogatory No. 19 is in the affirmative, please:

- 5 i. Identify the DSL service provider with whom [MCI] has had such an
6 agreement or discussion;
- 7 ii. State the date when such an agreement was executed or such discussions
8 took place;
- 9 iii. Describe with particularity the nature of such an agreement or discussions,
10 including applicable rates, terms, and conditions for (a) a joint offering or
11 package of services involving [MCI's] voice service and the DSL service
12 provider's Broadband Service and/or (b) a wholesale offering or wholesale
13 broadband package; and
- 14 iv. Identify all documents referring or relating to such an agreement or
15 discussion.

16 Response: The Commission ruled that this subparts iii. and iv. were limited to
17 a description of any contemplated joint offerings. With that limitation, MCI responds to
18 the subparts of Interrogatory No. 20 as follows:

19 [CONFIDENTIAL]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [END CONFIDENTIAL]

5 Interrogatory No. 21: If the answer to Interrogatory No. 19 is in the negative, please describe
6 with particularity all reasons, whether technical, financial, or otherwise, why (a) [MCI] has not
7 entered into an agreement or discussions with any DSL service provider concerning a joint
8 offering or package of services involving [MCI's] voice service and the DSL service provider's
9 Broadband Service, including, but not limited to, engaging in line splitting and/or (b) [MCI] has
10 not entered into an agreement or discussions with any wholesale DSL service provider.

11 Response: Not applicable.

12 Interrogatory No. 22: If you currently provide Broadband Service, do you have any objection to
13 the Public Service Commission in those states in which you provide such service from requiring
14 you to provide Broadband Service to an end user customer irrespective of whether that customer
15 also purchases telecommunications service from you (i.e., requiring you to provide a stand-
16 along Broadband Service)? If the answer to the foregoing Interrogatory is in the affirmative,
17 describe with particularity all such objections.

18 Response: MCI would object to such regulation by public service commissions.

19 Reasons that such regulation would be inappropriate include the following: (1) MCI does not
20 have a monopoly in the local voice market and has no market power in the DSL market and
21 therefore unlike BellSouth is not in a position to use DSL to prevent competition in the local
22 voice market; (2) the rule BellSouth suggests would require MCI to provide DSL service where
23 it does not have collocation spaces and thus physically could not provide service.

24 Interrogatory No. 23: If you currently provide DSL Service, do you have any objections to the
25 Public Service Commission in those states in which you provide such service from requiring you
26 to provide DSL Service over the unbundled loops purchased by any and all other ALECs
27 operating in those states? If the answer to the foregoing Interrogatory is in the affirmative,
28 describe with particularity all such objections.

**TRADE SECRET DOCUMENTS PRODUCED IN
CONJUNCTION WITH**

**MCI'S SECOND SUPPLEMENTAL RESPONSE TO BELLSOUTH'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS**

AND

**MCI'S SECOND SUPPLEMENTAL RESPONSE TO BELLSOUTH'S FIRST
INTERROGATORIES**

IN

**GEORGIA DOCKET NO. 11901-U
OCTOBER 24, 2002**

**(MCI referred to these documents in response to
Interrogatories 7, 10, 12, and 17 in Docket No. 020507-TP. BellSouth produced the attached
documents as part of Exhibit 2)**

**ENTIRE DOCUMENT
PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION
OF MCI**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of AT&T Communications of)
The Southern States, LLC; MCI WorldCom)
Communications, Inc. and MCImetro Access)
Transmission Services LLP; and Access Integrated)
Networks, Inc. Against) Docket No. 020507-TL
BellSouth Telecommunications, Inc.)
And Request for Expedited Relief) Served: July 14, 2003

MCI'S RESPONSES AND OBJECTIONS TO BELLSOUTH'S
SECOND SET OF INTERROGATORIES (Nos. 6-15)

MCI WORLDCOM Communications, Inc. and MCImetro Access Transmission Services LLC (collectively, "MCI"), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.280(b) and 1.340, Florida Rules of Civil Procedure, hereby provide the following Responses and Objections to the Second Set of Interrogatories of BellSouth Telecommunications, Inc. ("BellSouth").

GENERAL OBJECTIONS

1. MCI objects to each and every request and instruction to the extent that they are overly broad, unduly burdensome, oppressive, not permitted by applicable discovery rules, or would require MCI to disclose information which is privileged.
2. MCI objects to each and every request and instruction to the extent that they would require MCI to provide information about operations in states other than Florida, on the grounds that such requests are irrelevant, overly broad, unduly burdensome, and oppressive.
3. MCI objects to each and every request and instruction to the extent that such request or instruction calls for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege.

these discovery requests. MCI will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the discovery requests purport to require more, MCI objects on the grounds that compliance would impose an undue burden or expense.

10. MCI objects to the definitions of "MCI," "you," and "your" to the extent that such definitions seek to impose an obligation to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definitions are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

11. MCI objects to any discovery request that seeks to obtain "all" of particular documents, items, or information to the extent that such requests are overly broad and unduly burdensome. Any answers provided by MCI in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.

12. To the extent that any interrogatory calls for information which MCI regards as confidential, such information will be provided only subject to the parties' protective agreement.

INTERROGATORIES

INTERROGATORY NO. 6: As of December 31, 1999; June 30, 2000; December 31, 2000; June 30, 2001; December 31, 2001; June 30, 2002; December 31, 2002; and June 30, 2003 (or the most recent date for which data is available) please state:

- a. The total number of lines that MCI provides using UNE-P loops leased from BellSouth in Florida, designated by Florida deaveraged UNE rate zones 1, 2, and 3;
- b. The total number of lines that MCI provides using unbundled loops (without switching) leased from BellSouth in Florida, designated by Florida deaveraged UNE rate zones 1, 2, and 3;
- c. The total number of lines that MCI provides using resold BellSouth lines in Florida, designated by Florida deaveraged UNE rate zones 1, 2, and 3;

- d. The total number of lines that MCI provides in Florida using exclusively its own facilities, designated by Florida deaveraged UNE rate zones 1, 2, and 3.

RESPONSE: Subject to and without waiving its previous objections, including its specific objections to Interrogatory No. 6, MCI responds to the subparts of Interrogatory No. 6 as follows:

a. The requested information is provided in the attached confidential chart. Note that a few lines are reflected in the totals that could not be assigned to a deaveraged UNE rate zone based on MCI's current information. It should also be noted that geographic zones 2 and 3 changed in September 2002, and the figures provided beginning December 31, 2002 reflect that change.

b. The requested information is provided in the attached confidential chart beginning with the first available data as of December 31, 2000. If MCI obtains information breaking down the requested information by deaveraged UNE rate zone, it will be provided in a supplemental response. The attached chart excludes high capacity loops, which are loops at the DS1 level or higher. MCI has objected to providing information on high capacity loops because such information is not relevant to this case.

c. The requested information is provided in the attached confidential chart. If MCI obtains information breaking down the requested information by deaveraged UNE rate zone, it will be provided in a supplemental response.

d. The only lines MCI provides in Florida using only its own facilities are high capacity circuits. MCI has objected to providing information on high capacity circuits because such information is not relevant to this case.

INTERROGATORY NO. 7: From the time period January 2000 to present, state the total number of customers that refused to migrate voice service to MCI because he or she had FastAccess service with BellSouth. If MCI does not know the exact number of customers, please provide a reasonable estimate of customers and explain with particularity how MCI arrived at any such estimate.

RESPONSE: Subject to and without waiving its previous objections, MCI states that it began providing UNE-P residential service in Florida on or about November 16, 2001. Since that time, MCI customer representatives have not tracked the number of customers who have chosen not to migrate to MCI or the reasons they have chosen not to do so. Such tracking would take away time from the representatives' principal role, which is selling MCI service to potential customers. Accordingly, MCI does not know, and cannot provide a reasonable estimate of, the number of customers that refused to migrate to MCI because they had FastAccess service with BellSouth.

MCI does have evidence, however, that the impact of BellSouth's practice has been significant. Until December 29, 2002, BellSouth rejected MCI's migration orders if the customer had

1 FastAccess. Despite efforts by MCI to screen out FastAccess customers before submitting
2 migration orders, MCI received a high number of rejects for DSL reasons during this period. For
3 example, from January 1, 2002 to December 12, 2002, MCI received 5,938 rejects because the
4 customers had FastAccess (or DSL from a customer with an ISP that used BellSouth's
5 wholesale DSL service). These rejects related to 5,131 telephone numbers, which means that
6 approximately 807 of the rejects involved subsequent attempts to migrate these customers.
7 (Subsequent migration attempts may have occurred because the customer's CSR was not updated
8 with the correct DSL status on a timely basis by BellSouth; in such cases, the customer could be
9 migrated because he or she no longer had BellSouth DSL service.) Each of the 5,938 rejects in
10 question was received from BellSouth with a reject message indicating that the customer could
11 not migrate because he or she had DSL service on his or her account.

12 On or about December 29, 2003, BellSouth removed the OSS edit that caused the rejection of
13 migration orders for BellSouth FastAccess customers. As a result, customers may have been
14 migrated to MCI and their FastAccess service disconnected. MCI does not have statistics on
15 these customers, some of whom may have subsequently returned to BellSouth in order to
16 reinstate their FastAccess service. Shortly after the determination that orders for customers with
17 FastAccess were no longer being rejected, MCI implemented process and systems changes that
18 prevent the acceptance of orders from FastAccess customers. Thus, MCI has no data since that
19 time concerning the number of customers that have decided not to migrate their voice service to
20 MCI because they did not wish to relinquish their FastAccess service.

21 The high number of rejects MCI received from January 1, 2002 to December 12, 2002 gives
22 some indication of the magnitude of the problem. But in reality the problem is much larger than
23 this figure suggests, because the rejects and migrations back to BellSouth do not count the
24 customers that MCI screened out and did not attempt to migrate to UNE-P voice service because
25 MCI learned that the customers had FastAccess. These figures also do not count the customers
26 who did not even bother to call MCI because they knew they were ineligible for UNE-P service.
27 Thus, although the total impact of BellSouth's illegal practice cannot be fully ascertained, there
28 is no doubt that the impact is both large and continuing.

29 **INTERROGATORY NO. 8:** Referring to MCI's Confidential Response to FCCA
30 Interrogatory No. 15, MCI has identified certain markets in which it provides DSL service. State
31 whether MCI has set any firm dates to install its own DSL equipment and deploy its own DSL
32 service in markets other than those identified in Response to FCCA Interrogatory No. 15. If so,
33 please provide the dates and associated central office or remote terminal locations. If not, please
34 explain with particularity why not.

35 **RESPONSE: BEGIN CONFIDENTIAL**

36 [REDACTED] END

37 **CONFIDENTIAL**

1 INTERROGATORY NO. 9: Referring to MCI's Response to FCCA Second Interrogatory
2 No. 7 (iv), please:

3 a. Describe with particularity the manner in which MCI "resells DSL service."

4 b. State the name of the carrier whose DSL service MCI resells.

5 c. State whether MCI has ever resold a BellSouth voice line.

6 d. State whether MCI has ever resold a BellSouth voice line over which the end user
7 customer receives FastAccess service from BellSouth.

8 RESPONSE: Subject to and without waiving its previous objections, MCI answers the subparts
9 of Interrogatory No. 9 as follows:

10 a. BEGIN CONFIDENTIAL

11
12
13
14
15
16
17

END CONFIDENTIAL

18 b. BEGIN CONFIDENTIAL END
19 CONFIDENTIAL

20 c. Yes. See response to Interrogatory No. 6.c.

21 d. MCI has not resold such lines.

22 INTERROGATORY NO. 10: Using the most recent date for which data is available, please
23 state the number of MCI UNE-P customers receiving DSL service in Florida.

24 RESPONSE: Subject to and without waiving its previous objections, MCI states that as of July
25 11, 2003, MCI had approximately 39 Florida UNE-P customers that were receiving DSL service
26 from MCI.

27 INTERROGATORY NO. 11: Please state the date when MCI first offered DSL service in
28 Florida.

ATTACHMENT TO
MCI RESPONSE TO BELL SOUTH INTERROGATORY NO. 6
DOCKET NO. 020507-TL

	A Date	B Zone	C UNE-P loops	D UNE loops	E Resold Lines
1	12/31/1999	1	0		
2		2	0		
3		3	0		
4		Total	0		[REDACTED]
5	6/30/2000	1	0		
6		2	0		
7		3	0		
8		Total	0		[REDACTED]
9	12/31/2000	1	0		
10		2	0		
11		3	0		
12		Total	0	[REDACTED]	[REDACTED]
13	6/30/2001	1	0		
14		2	0		
15		3	0		
16		Total	0	[REDACTED]	[REDACTED]
17	12/31/2001	1	[REDACTED]		
18		2	[REDACTED]		
19		3	[REDACTED]		
20		Total	[REDACTED]	[REDACTED]	[REDACTED]
21	6/30/2002	1	[REDACTED]		
22		2	[REDACTED]		
23		3	[REDACTED]		
24		Total	[REDACTED]	[REDACTED]	[REDACTED]
25	12/31/2002	1	[REDACTED]		
26		2	[REDACTED]		
27		3	[REDACTED]		
28		Total	[REDACTED]	[REDACTED]	[REDACTED]
29	6/30/2003	1	[REDACTED]		
30		2	[REDACTED]		
31		3	[REDACTED]		
32		Total	[REDACTED]	[REDACTED]	[REDACTED]