

ORIGINAL

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February 9, 2004

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

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Re: Docket No. 030852-TP
Implementation of requirements arising from Federal Communications
Commission's Triennial UNE Review: Location-Specific Review for DS1, DS3,
and Dark Fiber Loops, and Route-Specific Review for DS1, DS3, and Dark Fiber
Transport

Dear Ms. Bayo:

Please find enclosed an original and 15 copies of Verizon Florida Inc.'s Motion to
Compel AT&T Discovery for filing in the above matter. Service has been made as
indicated on the Certificate of Service. An additional copy of the Motion has been
included to be file stamped and returned in the enclosed stamped, self-addressed
envelope. If there are any questions regarding this filing, please contact me at 813-483-
1256.

Sincerely,

AUS _____
CAF _____
CMP _____
COM 5 Richard A. Chapkis
CTR _____
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OPC _____ Enclosures
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**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Implementation of requirements arising from Federal Communications Commission's Triennial UNE Review: Location-Specific Review for DS1, DS3 and Dark Fiber Loops, and Route-Specific Review for DS1, DS3 and Dark Fiber Transport)))))))	Docket No. 030852-TP Filed: February 9, 2004
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VERIZON FLORIDA INC.'S MOTION TO COMPEL AT&T DISCOVERY

Pursuant to Rules 28-106.204 and 28-106.206 of the Florida Administrative Code, and Rules 1.280 and 1.380 of the Florida Rules of Civil Procedure, Verizon Florida Inc. ("Verizon"), by and through its undersigned counsel, hereby submits this Motion to Compel Discovery requesting the Florida Public Service Commission ("Commission") to order AT&T Communications of the Southern States, LLC ("AT&T") to respond fully and completely to Verizon's First Request for Admissions ("Request for Admissions"), First Set of Interrogatories ("Interrogatories") and First Request for Production of Documents ("Request for Production of Documents") (collectively, "Verizon's First Set") (Exhibit 1). Verizon served AT&T with these discovery requests, which concern AT&T's fiber optic transport facilities in Florida, on December 22, 2003. On January 12, 2004, AT&T responded to Verizon's First Set. ("AT&T Response") (Exhibit 2).^{1/} Most of AT&T's responses are based on its statement that it "is not a self-provider of transport as defined by the [*Triennial Review Order*]"^{2/} and therefore has no input

^{1/} AT&T's Response also included two confidential attachments responding to Verizon's Request for Production Nos. 2 and 11. Because this Motion does not raise these Requests, the confidential attachments are not included in Exhibit 2.

^{2/} Report and Order on Remand and Further Notice of Proposed Rulemaking, *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers: Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deployment of*

to provide.” AT&T Response at 3. Pursuant to Rule 28-106.204(3), Verizon has conferred with AT&T regarding this motion: Verizon and AT&T were not able to reach agreement about AT&T’s objections.

AT&T argues, in effect, that it should not have to provide any information about its transport facilities, even when those facilities are or could be used to route traffic between Verizon central offices, on the ground that such traffic passes through an intermediate AT&T facility. That argument is meritless as a matter of both law and policy. The information requested by Verizon is directly relevant to the transport “trigger” analysis required by the *Triennial Review Order*, because it bears on the extent to which AT&T “has deployed its own transport facilities and is operationally ready to use those facilities to provide dedicated [] transport along the particular route.”⁴⁷ To the extent the FCC has mandated that the States follow a precise definition of transport, the FCC has, contrary to AT&T’s position, settled on a definition of transport that *supports* Verizon’s discovery requests, recognizing (among other things) that interoffice transport “routes” include circuit combinations that “pass through one or more intermediate wire centers or switches.” 47 C.F.R. § 51.319(e). That inclusive definition follows from the very purpose of conducting a transport trigger analysis, which is to measure the extent to which CLECs do not *need* access to an ILEC’s transport facilities because adequate alternatives are available. The precise network configurations of those alternatives is irrelevant; what matters is whether they can provide the basic transport functionality that CLECs would

Wireline Services Offering Advanced Telecommunications Capability, 18 FCC Rcd 16978 (2003) (“*Triennial Review Order*”).

⁴⁷ 47 C.F.R. §§ 51.319(e)(1)(ii)(A), (2)(i)(A)(1), (B)(1); *see also Triennial Review Order* ¶ 360 (establishing two ways for an incumbent LEC to show where requesting carriers are not impaired without unbundled transport: (1) by identifying specific point-to-point routes where carriers have the ability to use alternatives to the incumbent LEC’s network; or (2) by identifying specific point-to-point routes where self-provisioning transport facilities is economic).

otherwise seek to obtain through UNEs. Here there is no question that AT&T's transport facilities provide that functionality, and there is thus no question that information about those facilities is relevant to the trigger analysis.⁴

In any event, the information requested by Verizon will assist the Commission in refining and applying the FCC's definition of dedicated transport. Because Verizon's discovery requests are both relevant and likely to lead to the discovery of additional relevant and admissible information, Verizon respectfully submits this motion to compel AT&T to provide immediately full and complete responses, without objection, to each Interrogatory and Request for Production in Verizon's First Set.

BACKGROUND

Verizon served Requests for Admissions, Interrogatories, and Requests for Production of Documents on December 22, 2003, seeking information from AT&T regarding its fiber optic transport facilities used to transport traffic between Verizon's central offices. Verizon's First Set includes two Requests for Admission, 24 Interrogatories, and 11 Requests for Production.

In its Interrogatories and Requests for Production, Verizon seeks information from AT&T regarding its fiber optic transport facilities used to transport traffic between Verizon's central offices. Specifically, Verizon asked AT&T to "[i]dentify all fiber optic transport facilities in Florida that [AT&T] own[s]." Interrogatory No. 1. In its Request for Production of Documents, Verizon asked AT&T to provide all documents (a) identifying the fiber optic dedicated transport AT&T makes or has offered to make available in Florida; and (b) describing AT&T's willingness to provide dedicated transport in Florida to other carriers. Request for

⁴ Moreover, even if AT&T's constricted definition of "transport" were valid, discovery would still be warranted because Verizon would retain the right to verify AT&T's claims that its facilities fall outside the scope of that definition.

Production Nos. 1, 3. AT&T responded that it “is not a self-provider of transport as defined by the TRO” and therefore has no “input to provide” or responsive documents. AT&T Response at 3, 28, 30. As a basis for these objections, AT&T provided in its response to Interrogatory No. 1 the following rationale:

AT&T self-provides facilities that connect, for example, [AT&T’s] switch to ILEC office A and facilities that connect [AT&T’s] switch to ILEC office B using portions of a fiber that passes near/through both A and B, but does not either (1) connect A to B or (2) take on a dedicated basis any “traffic” that originates at either one to the other and therefore AT&T’s facilities are not dedicated transport as defined by the TRO and new FCC rule.

See id.

Virtually all of AT&T’s objections and refusals to provide the requested information arise from this rationale. The relevant discovery requests and AT&T’s responses are as follows. For each transport facility identified in response to Interrogatory No. 1, Verizon asked AT&T to (a) provide a map in an electronic form showing the facility’s location; (b) identify the number of fibers in the fiber cable[s] it has deployed; (c) identify the number of fibers it has activated through the attachment of optronics; (d) identify by the 11-digit CLLI code, all incumbent LEC switches and wire centers in Florida to which the transport facility is directly or indirectly connected. *See* Interrogatory Nos. 2-5. AT&T responded that, in light of its response to Interrogatory No. 1, it “has no data to provide.” AT&T Response at 4-7.

For each incumbent LEC switch or wire center identified by AT&T in response to Interrogatory No. 5, Verizon further requested that AT&T specify (a) the optical speed at which the facilities connected to each is operating; (b) the capacity or capacities of services carried by AT&T’s transport facilities to and/or from the incumbent LEC switch or wire center; and (c) where AT&T has fiber that has not been activated through the attachment of optronics (i.e. dark fiber) and the number of unlit fiber in each transport facility terminating at that location. *See*

Interrogatory Nos. 6-8. Verizon further requested all documents discussing or describing the above optical speeds and the capacity or capacities of service. Requests for Production Nos. 4,5. AT&T's response to the Interrogatories was that they were "[n]ot applicable," and AT&T also claimed that it "has no documents responsive to this request." AT&T Response at 8-10, 31-32.

Verizon also asked AT&T to identify all transport facilities in Florida that it uses or possesses but does not own by describing the route between the origination and termination points. *See* Interrogatory No. 11. AT&T responded that it "has no such facilities." AT&T Response at 13. For each facility identified by AT&T, Verizon requested (a) the 11-digit CLLI code for all incumbent LEC switches and wire centers to which the transport facility is connected; (b) the optical speed at which the transport facilities connected to each operates; (c) the capacity or capacities of services carried by AT&T's transport facilities to and/or from the incumbent LEC switch or wire center; and (d) the non-incumbent LEC supplier from which AT&T has obtained the facility. *See* Interrogatory Nos. 12-15. AT&T responded that it "has no data to provide." AT&T Response at 14-17.

With respect to dark fiber in particular, Verizon requested AT&T to identify by the 11-digit CLLI code all incumbent LEC switches or wire centers in Florida at which AT&T has obtained dark fiber transport facilities from any supplier. *See* Interrogatory No. 9. AT&T responded that it has no such facilities. *See* AT&T Response at 11. For each dark fiber facility identified, Verizon requested that AT&T state (a) whether it has activated the dark fiber by attaching optronics; (b) the optical speed at which the facility operates; and (c) the capacity or capacities of services carried by each transport facility. *See* Interrogatory No. 10. AT&T responded that it has no data to provide. *See* AT&T Response at 12.

In its related Requests for Production of Documents, Verizon asked AT&T to provide all documents discussing or describing (a) the dedicated transport in Florida that AT&T obtains or has obtained from other non-incumbent LEC carriers and the capacity or capacities of those services; and (b) dark fiber in Florida that Verizon obtains or has obtained from other non-incumbent LEC carriers. Request for Production Nos. 8-10. AT&T again responded that it has no data to provide and no responsive documents. AT&T Response at 14-17, 35-37.

Verizon also asked AT&T to identify all transport facilities in Florida that AT&T makes or has offered to make available to other carriers, Interrogatory No. 16, and to provide all documents that discuss or describe AT&T's willingness to provide dedicated transport in Florida to other carriers, Request for Production No. 3. AT&T responded that it "has no such facilities" and thus no responsive documents. AT&T Response at 18, 30. For each facility identified in response to Interrogatory No. 16, Verizon asked AT&T to identify (a) the 11-digit CLLI code for all incumbent LEC switches and wire centers to which the transport facility is connected; (b) the optical speed at which the transport facilities connected to each operates; (c) the capacity or capacities of services carried by AT&T's transport facilities to and/or from the incumbent LEC switch or wire center; and (d) the carrier(s) to which AT&T makes or offered to make the facility available. *See* Interrogatory Nos. 17-20. Verizon also asked AT&T to provide all documents discussing or describing whether AT&T is willing to provide dark fiber dedicated transport in Florida to other carriers. Request for Production No. 7. AT&T responded that it has no data to provide and no responsive documents. AT&T Response at 19-22, 34.

Finally, in Interrogatories 21 through 24, Verizon sought various other types of information pertaining to AT&T's network for purposes of evaluating the dedicated transport triggers. AT&T either objected or provided incomplete responses to these Interrogatories, based

on its misinterpretation of the *Triennial Review Order*. In its responses to each of these Interrogatories, AT&T claimed that the *Triennial Review Order* changed the definition of transport such that AT&T is no longer a provider of transport, thereby rendering the requested information irrelevant. *See* AT&T Response at 23-27. As explained below, AT&T's interpretation of the *Triennial Review Order* is incorrect and, in any event, the Commission and Verizon are entitled to the requested information in order to conduct the trigger analysis and to evaluate AT&T's factually unsupported statement that it is not a self-provider of transport.^{5/}

In sum, AT&T failed to meaningfully respond to the vast majority of Verizon's Interrogatories and Requests for Production of Documents. As explained below, the information requested by Verizon in its First Set is relevant and necessary to evaluating whether the dedicated transport triggers have been satisfied.

ARGUMENT

I. Verizon Has Satisfied the Standard for Discovery of the Information Omitted by AT&T from its Responses.

As this Commission has recognized, discovery is proper and may be compelled if it is not privileged and is or likely will lead to relevant and admissible information:

The test for determining whether discovery is appropriate is set forth in Rule 1.280(b)(1) of the Florida Rules of Civil Procedure which provides that parties may obtain discovery regarding any matter, not privileged, that is relevant for the subject matter of the pending action . . . It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

^{5/} Verizon also served AT&T with Requests for Admission. In its Requests for Admission, Verizon asks AT&T to admit that (1) AT&T states on its website that it offers transport facilities or services to other carriers; and (2) AT&T does not state on its website that it does not offer transport facilities or services to other carriers in Florida. AT&T denied the First Request for Admission and admitted the Second.

Section 90.401 of the Florida Evidence Code defines “relevance” as evidence tending to prove or disprove a material fact.⁴⁷

Verizon’s discovery requests are both relevant and likely to lead to the discovery of additional relevant and admissible information. The information requested by Verizon is indeed *necessary* for the Commission to determine whether AT&T “has deployed its own transport facilities and is operationally ready to use those facilities to provide dedicated DS3 transport along the particular route.”⁴⁸

AT&T cannot avoid its obligation to provide the information requested by Verizon by making a factually unsupported statement that it “is not a self-provider of transport as defined by the TRO and therefore has no input to provide.” AT&T Response at 3. As discussed below, this legal conclusion is wrong on the merits. But even if there were any doubt on that point, AT&T is not entitled to invoke such legal conclusions as a basis for opposing discovery. Instead, AT&T must provide comprehensive information concerning its network architecture in order for *the Commission* to decide whether AT&T is a self-provider of transport under the meaning of the *Triennial Review Order* and thus whether either of the unbundled transport triggers is satisfied. The information requested by Verizon is clearly relevant to this determination, and AT&T does not contend otherwise.

II. AT&T’s Incomplete Responses Are Based on a Misapprehension of the FCC’s Definition of Dedicated Transport.

AT&T’s discovery objections are also untenable on the merits because they are based on a misapprehension of “dedicated transport,” as defined in FCC rules and in the *Triennial Review*

⁴⁷ Order Denying Public Counsel’s Motion to Compel, *Re Jasmine Lakes Utilities Corporation*, Docket No. 920148-WS (Fla. Pub. Serv. Comm’n April 28, 1993).

⁴⁸ 47 C.F.R. §§ 51.319(e)(2)(i)(A)(1), (B)(1); *see also Triennial Review Order* ¶ 360 (“establish[ing] two ways for an incumbent LEC . . . to show where requesting carriers are not impaired without unbundled transport: (1) by identifying specific point-to-point routes where carriers have the ability to use alternatives to the incumbent LEC’s network; or (2) by identifying specific point-to-point routes where self-provisioning transport facilities is economic”).

Order. Specifically, AT&T contends that it “self-provides facilities that connect, for example, [AT&T’s] switch to ILEC office A and facilities that connect [AT&T’s] switch to ILEC office B using portions of a fiber that passes near/through both A and B, but does not either (1) connect A to B or (2) take on a dedicated basis any ‘traffic’ that originates at either one to the other . . .” AT&T Response at 3. As a result, AT&T contends, its facilities are not dedicated transport “as defined by the TRO and new FCC rule.” AT&T Response at 3. AT&T thus concludes that, simply because of how CLEC networks are typically configured, none of their extensive fiber transport facilities “count” toward the FCC’s dedicated transport triggers.

AT&T’s argument contradicts both the letter and the purpose of the relevant FCC rules and the *Triennial Review Order*. First, FCC Rule 51.319(e), which defines dedicated transport, expressly contemplates that “[a] route between two points (e.g., wire center or switch ‘A’ and wire center or switch ‘Z’) may pass through one or more intermediate wire centers *or switches* (e.g., wire center or switch ‘X’).” 47 C.F.R. § 51.319(e) (emphasis added). For purposes of this definition, therefore, only the end points are relevant in defining the route, even when the intermediate point is a switch. If AT&T’s fiber network provides a connection between two end points, those facilities count toward the trigger, regardless of whether AT&T routes those facilities through centralized switching facilities. This inclusive definition makes abundant sense: the relevant question under this trigger analysis is whether a CLEC can self-provision transport from Point A to Point B using its own network facilities, and thus does not need access to the ILEC’s facilities for that purpose. It would make no sense for the answer to that question to turn on the details of how the CLEC’s transport facilities are configured within its network.

The relevant sections of the *Triennial Review Order* similarly contemplate that dedicated transport can be routed through switch facilities. In the paragraphs that discuss triggers for

dedicated transport, the *Order* defines a route as “a connection between wire center or switch ‘A’ and wire center or switch ‘Z.’”^{§/} The *Triennial Review Order* further states: “Even if, on the incumbent LEC’s network, a transport circuit from ‘A’ to ‘Z’ passes through an intermediate wire center ‘X,’ the competitive providers must offer service connecting wire centers ‘A’ and ‘Z,’ but do not have to mirror the network path of the incumbent LEC through wire center ‘X.’”^{§/}

The *Triennial Review Order*’s description, in Paragraph 361, of how “competing carriers generally use interoffice transport” further demonstrates that networks such as AT&T’s were precisely those that the trigger analysis sought to capture, and, therefore, that the details of such networks sought by Verizon’s discovery requests are relevant. The *Order* states that “[c]ompeting carriers generally use interoffice transport as a means to aggregate end-user traffic . . . by using dedicated transport to carry traffic from their end users’ loops, often terminating at incumbent LEC central offices, through other central offices to a point of aggregation.”^{¶/} AT&T’s responses to Verizon’s First Set indicate that this is precisely how AT&T self-provides transport facilities. See AT&T Response at 3. Thus the *Order* confirms that the purpose of the trigger analysis is not for state commissions to identify CLEC dedicated transport that mirrors ILEC networks, but instead to “identify[] specific point-to-point routes where carriers have the ability to use alternatives to the incumbent LEC’s network.”^{¶/} Such “alternatives” include network configurations such as AT&T’s, which rely on hub-and-spoke architectures with

^{§/} *Triennial Review Order* ¶ 401.

^{§/} *Id.* (emphasis added)

^{¶/} *Id.* ¶ 361 (emphasis added); see also *id.* ¶ 370.

^{¶/} *Id.* ¶¶ 360, 400; see also *id.* ¶ 406 n.1257 (“impairment analysis recognizes alternatives outside the incumbent LEC’s network”).

backhaul facilities, because this is the network configuration that is most efficient for CLECs to bypass the ILEC's network.^{12'}

Because AT&T's hub-and-spoke architecture is quite typical of CLEC networks, accepting AT&T's argument would mean that there are no CLEC facilities in Florida or any other state that would "count" toward the transport triggers. In direct contrast to AT&T's claim, however, the FCC found in the *Triennial Review Order* that "particularly in dense urban areas, alternative transport facilities are readily available."^{13'} The FCC further concluded that "[t]here is substantial evidence that carriers lease non-incumbent LEC transport at the DS3 capacity where competitive alternatives are available or self-deploy transport when multiple DS3 transport circuits are required to carry aggregated traffic along a route."^{14'} Not only did the FCC find readily available competitive transport in a number of areas, but AT&T itself stated that it "uses non-incumbent LEC facilities, including its own facilities, for a substantial portion of its DS3 transport."^{15'} AT&T's suggestion that no CLEC routes constitute "transport" under the *Triennial Review Order* thus contradicts its own and the FCC's express statements.

AT&T also erroneously argues that the Commission should ignore the *Triennial Review Order*'s discussion of how CLECs use dedicated transport and the purpose of the trigger analysis (set forth in paragraphs 370 *et seq.*), and instead apply -- for the purpose of determining whether triggers are met -- the limits the FCC adopted on the obligation of *ILECs* to unbundle their own *dedicated transport facilities* (set forth in paragraphs 365-69). *See, e.g.*, AT&T Response at 24, 25. But the FCC plainly did not intend to confine the *trigger* analysis to the types of facilities that *ILECs* are required to unbundle for purposes of the impairment analysis. In the paragraphs

^{12'} See *id.* ¶¶ 361, 367, 370.

^{13'} *Id.* ¶ 387

^{14'} *Id.*

^{15'} *Id.* ¶ 387 n.1197 (citing AT&T Comments at 150).

relied upon by AT&T, the FCC discusses the “definition of dedicated transport *under section 251(c)(3)*,”^{16f} which applies only to ILECs. There, the FCC re-defined the dedicated transport UNE to exclude backhaul facilities running from incumbent LEC networks to competitor LEC networks. But this redefinition does not apply to the evaluation of CLEC networks for purposes of the trigger analysis. In making this change, the FCC acknowledged the reality that backhaul facilities are the most competitive segment of the transport market, and, therefore, should be exempt from unbundling -- to the benefit of the *incumbent LECs*.^{17f} This redefinition by no means affected the FCC’s definition of dedicated transport *for purposes of the trigger analysis*.^{18f} Indeed, AT&T’s contrary argument makes no sense even on its own terms: by definition, an ILEC cannot normally use ILEC-CLEC entrance facilities to route traffic between two of its own central offices (*i.e.*, for “interoffice transport”), since the switch in the middle belongs to the CLEC. Here, in contrast, the CLEC can and does use the transport links in question to route its own traffic between ILEC central offices—and that, again, is the only relevant question.

In sum, it is irrelevant that AT&T, for reasons of economic efficiency, may choose to route all of its fiber facilities through centralized switching facilities. The only relevant questions under the triggers are whether AT&T’s competitive fiber facilities provide connections between Verizon’s central offices, and whether AT&T’s network is operationally ready to provide dedicated bandwidth to particular customers or carriers. By failing to meaningfully

^{16f} *Id.* ¶ 365 (emphasis added).

^{17f} *See id.* ¶ 367 n.1122 (“Competing carriers agree that the most competitive type of transport is the link between an incumbent LEC wire center and a competitor’s network.”).

^{18f} *See id.* ¶¶ 365-67. The *Triennial Review Order*’s discussion of dedicated transport trigger analysis begins at paragraph 370 and, as discussed above, specifically contemplates that carriers’ self-deployment of fiber rings to aggregate end-user traffic for backhaul to their switch will “count” toward the triggers. *Id.* ¶ 370 *et seq.*

respond to Verizon's Interrogatories and Requests for Production of Documents, AT&T has denied the Commission and Verizon the information necessary to answer these questions.^{19/}

III. The Commission Should Not Foreclose Discovery that May Assist with Refining and Applying the FCC's Definition of Dedicated Transport

Even if the plain language of the FCC's rules and the *Triennial Review Order* left room for AT&T to argue that it and other CLECs are not self-providers of transport, which it does not, it would still be appropriate to permit the discovery sought here. The Commission may decide to conduct hearings to determine the precise circumstances under which AT&T and other CLECs provide dedicated transport. Information pertaining to AT&T's and other CLECs' network architectures, such as the origination and termination points of CLEC fiber optic transport facilities in Florida and the ILEC switches and wire centers connected by such facilities,^{20/} will be useful and relevant to this determination. The Commission should not permit AT&T to withhold this information based on its self-serving and factually unsupported assertion that it does not provide dedicated transport within the meaning of the *Triennial Review Order*.

For the foregoing reasons, the Commission should order AT&T to respond to Verizon's Interrogatories and Requests for Production of Documents in accordance with the definition of "dedicated transport" set forth in FCC Rule 51.319(e) and the *Triennial Review Order*.

^{19/} AT&T also objected to providing the information requested in Interrogatories 21 and 24, based upon paragraphs 335 and 410 of the *Triennial Review Order*. See AT&T Response at 23, 26-27. Paragraphs 335 and 410 pertain to potential deployment, however, and are not relevant to the triggers proceeding.

^{20/} See Interrogatory Nos. 1, 5.

Respectfully submitted,

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By: Richard Chapkis
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Counsel for Verizon Florida Inc.

February 9, 2004

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of Verizon Florida Inc.'s Motion to Compel AT&T Discovery in Docket No. 030852-TP were sent via electronic mail and U.S. mail on February 9, 2004 to:

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Richard A. Chapkis

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission's)
triennial UNE Review: Location-Specific)
Review for DS1, DS3, and Dark Fiber Loops)
and Route-Specific Review for DS1, DS3 and)
Dark Fiber Transport)
_____)
Docket No. 030852-TP
December 22, 2003

**NOTICE OF SERVICE OF VERIZON FLORIDA INC.'S
FIRST REQUEST FOR ADMISSIONS (NOS. 1-2),
FIRST SET OF INTERROGATORIES (NOS. 1-24) AND
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-11)
TO AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC**

NOTICE IS HEREBY GIVEN that Verizon Florida Inc., by and through its undersigned counsel, has served its First Request for Admissions (Nos. 1-2), First Set of Interrogatories (Nos. 1-24) and First Request for Production of Documents (No. 1-11) on AT&T by electronic mail (thatch@att.com) and U.S. mail on December 22, 2003 to Tracy Hatch, AT&T Communications of the Southern States, LLC, 101 N. Monroe Street, Suite 700, Tallahassee, FL 32301.

The original and one copy of this Notice were sent via overnight delivery on December 22, 2003 to the Director, Division of the Commission Clerk and Administrative Services, at the Commission. Further service on other parties of record is as set forth on the Certificate of Service, appended hereto.

Respectfully submitted on December 22, 2003.

By:

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission's)
triennial UNE Review: Location-Specific)
Review for DS1, DS3, and Dark Fiber Loops)
and Route-Specific Review for DS1, DS3 and)
Dark Fiber Transport)
_____)

Docket No. 030852-TP
Filed: December 22, 2003

**VERIZON FLORIDA INC.'S
FIRST REQUEST FOR ADMISSIONS (NOS. 1-2),
FIRST SET OF INTERROGATORIES (NOS. 1-24) AND
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-11) TO
AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC**

Verizon Florida Inc. ("Verizon") hereby requests that AT&T Communications of the Southern States, LLC ("Respondent" or "AT&T") respond to the following Combined Requests for Admission, Interrogatories, and Production of Documents (collectively, "Requests"). These Requests are to be answered by the Respondent's corporate officers, employees, or agents who know the requested information and are authorized to respond on behalf of Respondent, with said answers being served upon Verizon within 20 calendar days of service of these Requests pursuant to Order No. PSC-03-1265-PCO-TP. These Requests are continuing in nature and therefore require Respondent to submit supplemental answers or documents should additional responsive information become known or documents supplied in response prove to be incorrect or defective.

I. INSTRUCTIONS

A. If you object to any part of a Request, answer all parts of such Request to which you do not object, and as to each part to which you do object, set forth the specific basis for the objection.

B. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to a Request contained in a non-written communication, state the following with respect to the non-written communication:

1. The date;
2. The identity of each of the participants in the non-written communication;
3. The identity of each person present during all or any part of the non-written communication;
4. A description of the non-written communication that is sufficient to identify the particular communication without revealing the information for which a privilege or protection from non-disclosure is claimed;
5. The nature of your claim of non-discoverability (e.g., attorney-client privilege); and
6. Each and every fact on which you rest your claim of privilege or other protection from disclosure, stated with sufficient specificity to permit Verizon to make a full determination as to whether your claim is valid.

C. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to a Request contained in a document, set forth with respect to the document:

1. The date and number of pages;

2. The identity of the author(s) or preparer(s);
3. The identity of the addressee, if any;
4. The title;
5. The type of tangible thing (e.g., letter, memorandum, telegram, chart, report, recording disc);
6. The subject matter (without revealing the information as to which privilege or protection from non-disclosure is claimed);
7. The identity of each person who has received the document or to whom knowledge of the contents of the document was communicated;
8. The identity of the present custodian(s);
9. The nature of your claim of non-discoverability (e.g., attorney-client privilege); and
10. The facts on which you rest your claim of privilege or other protection from disclosure, stated with sufficient specificity to permit Verizon to make a full determination as to whether your claim is valid.

D. On each Request response, list the name and title of the person or persons who prepared the response or who is responsible for the information contained therein.

II. DEFINITIONS

As used in these Requests, the following terms have the meaning as set forth below:

A. The terms "your company" shall include all of your subsidiaries and affiliates, including without limitation all former and present officers, attorneys, servants, agents, and representatives. For example, a request to AT&T includes without limitation TCG, and a request to MCI or WorldCom includes without limitation Intermedia.

B. The term "Verizon" shall include former GTE, including without limitation all former and present officers, attorneys, servants, agents, and representatives.

C. The terms "relates to" or "relating to" mean referring to, concerning, responding to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing, embodying, defining, stating, explaining, summarizing, or in any way pertaining to.

D. The term "including" means "including, but not limited to."

E. The terms "document" or "documents" shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, papers, files, books, contracts, contract amendments or supplements, contract

offers, and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received or neither, and other written records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media.

F. The term "date" shall mean the exact day, month and year, if ascertainable, or if not, the best approximation thereof, including relationship to other events.

G. The term "person" or "persons" means and includes any individual, committee, task force, division, department, company, contractor, state, federal or local government agency, corporation, firm, association, partnership, joint venture or any other business or legal entity.

H. The terms "identify" and "identity" when used with reference to a natural person mean to state his or her full name, present or last known address, present or last known telephone number, present or last known place of employment, position or business affiliation, his or her position or business affiliation at the time in question, and a general description of the business in which he or she is engaged.

I. The terms "identify" and "identity" when used with respect to any other entity mean to state its full name, the address of its principal place of business and the name of its chief executive officers.

J. The terms "identify" and "identity" with respect to a document mean to state the name or title of the document, the type of document (e.g., letter, memorandum, telegram, computer input or output, chart, etc.), its date, the person(s)

who authored it, the person(s) who signed it, the person(s) to whom it was addressed, the person(s) to whom it was sent, its general subject matter, its present location, and its present custodian. If any such document was but is no longer in Respondent's possession or subject to its control, state what disposition was made of it and explain the circumstances surrounding, and the authorization, for such disposition, and state the date or approximate date thereof.

K. The terms "identify" and "identity" with respect to any non-written communication mean to state the identity of the natural person(s) making and receiving the communication, their respective principals or employers at the time of the communication, the date, manner and place of the communication, and the topic or subject matter of the communication.

L. The terms "and" and "or" have both conjunctive and disjunctive meanings as necessary to bring within the scope of the Requests.

M. The terms "transport services" or "transport facilities" include but are not limited to transport services or facilities that directly or indirectly connect a Verizon wire center or switch to another Verizon wire center or switch.

III. REQUESTS FOR ADMISSION: DEDICATED TRANSPORT

In responding to each Request for Admission, specifically admit or deny the matter, or set forth in detail the reasons why you cannot truthfully admit or deny the matter.

1. Admit that Respondent states on its website, in words or in substance, that it offers transport facilities or services to other carriers. (For the definitions of transport facilities or transport services for this and all other requests for admission, see Instruction M.)

2. Admit that Respondent does not state on its website, in words or in substance, that it does not offer transport facilities or services to other carriers in Florida.

IV. INTERROGATORIES: DEDICATED TRANSPORT

1. Identify all fiber optic transport facilities in Florida that you own, by street address of its origination and termination points (or if no termination point, by the location of a fiber ring), as well as a description of the route between those points. (For purposes of responding to this question, your own transport facilities include facilities that you own solely or jointly, as well as facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.) (For the definitions of transport facilities or transport services for this and all other interrogatories, see Instruction M.)
2. For each transport facility identified in response to Question 1, provide a map in an electronic form (such as MapInfo, Arcview, or another GIS program) showing its location.
3. For each transport facility identified in response to Question 1, identify the number of fibers in the fiber cable(s) you deployed.
4. For each transport facility identified in response to Question 1, identify the number of fibers that you activated (*i.e.*, "lit") through the attachment of optronics.
5. For each transport facility identified in response to Question 1, identify by the 11-digit CLLI code, all incumbent LEC switches and wire centers in Florida to which the transport facility is directly or indirectly connected.
6. For each incumbent LEC switch or wire center identified in response to Question 5, identify the optical speed at which the facilities connected to each is operating.
7. For each incumbent LEC switch or wire center identified in response to Question 5, identify the capacity or capacities of services (*e.g.*, DS-1, DS-3) carried by your transport facilities to and/or from the incumbent LEC switch or wire center.
8. For each incumbent LEC switch or wire center identified in response to Question 5, identify where you have fiber that has not been "lit" through the attachment of optronics (*i.e.*, dark fiber) and the number of unlit fibers in each transport facility terminating at that location.

9. Identify by the 11-digit CLLI code, all incumbent LEC switches or wire centers in Florida at which you have obtained dark fiber transport facilities from any supplier, including but not limited to from incumbent LECs.
10. For each dark fiber facility identified in response to Question 9, state (a) whether you have activated the dark fiber through the attachment of optronics (*i.e.*, whether the fiber is now "lit"), (b) the optical speed at which the facility operates, and (c) the capacity or capacities of services (*e.g.*, DS-1, DS-3) carried by each such transport facility.
11. Identify all transport facilities in Florida that you use or possess but do not own, by street address of its origination and termination points, as well as a description of the route between those points. (For purposes of responding to this question, your own transport facilities include facilities that you own solely or jointly, as well as facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.)
12. For each transport facility identified in response to Question 11, identify by the 11-digit CLLI code, all incumbent ILEC switches and wire centers to which the transport facility is connected.
13. For each incumbent LEC switch or wire center identified in response to Question 12, identify the optical speed at which the transport facilities connected to each operates.
14. For each incumbent LEC switch or wire center identified in response to Question 12, identify the capacity or capacities of transport services (*e.g.*, DS-1, DS-3) carried by the transport facility or facilities to and/or from the incumbent LEC switch or wire center.
15. For all transport facilities identified in response to Questions 11 and 12, identify the non-incumbent LEC supplier from which you have obtained the facility.
16. Identify all transport facilities in Florida that you make available to other carriers, or have offered to make available to other carriers by street address of its origination and termination points, as well as a description of the route between those points.
17. For each transport facility identified in response to Question 16, identify by the 11-digit CLLI code, all incumbent LEC switches and wire centers to which the transport facility is directly or indirectly connected.

18. For each incumbent LEC switch or wire center identified in response to Question 17, identify the optical speed at which the facilities connected to each operates.
19. For each incumbent LEC switch or wire center identified in response to Question 17, identify the capacity or capacities of services (*e.g.*, DS-1, DS-3) carried by the transport facilities to and/or from the incumbent LEC switch or wire center.
20. For each incumbent LEC switch or wire center identified in response to Question 17, identify the carrier or carriers to which you make the transport facility available, or to which you have offered to make the facility available.
21. Identify the points in Florida at which local network facilities that you own or use are connected to the networks of carriers other than the incumbent LECs, including interconnection with other CLECs, interexchange carriers, or internet service providers at any point of presence, network access point, collocation hotel, data center, or similar facility (collectively or individually, "interconnection points" or "IPs").
22. In the TRO, the FCC repeated AT&T's comment that it "often engages in joint builds with other CLECs in order to share the high fixed costs of construction." (See FCC's Triennial Review Order, ¶379 n.1166.) Identify the carriers and transport facilities that AT&T has built jointly with other carriers.
23. In the TRO, the FCC repeated AT&T's comment that it "uses non-incumbent LEC facilities, including its own facilities, for a substantial portion of its DS3 transport[.]" (See FCC's Triennial Review Order, ¶ 387 n. 1197.) Identify by 11-digit CLLI, the self-provisioned facilities AT&T uses for its DS3 transport. Also identify by 11-digit CLLI and carrier name, the DS3 facilities that it obtains from carriers other than the incumbent LEC.
24. If the information sought by these requests is contained in a response to a prior request, it is acceptable simply to refer to that prior response.
 - A. Identify by CLLI code and street address (1) the Verizon wire center at which AT&T has fiber, (b) the optical terminating and multiplexing equipment AT&T has at those Verizon wire centers, (c) and precisely where the AT&T fiber goes after it leaves each Verizon wire center. (For example, if AT&T has fiber at five Verizon wire centers, and all of the fiber runs to an AT&T POP, identify the street address and CLLI of the AT&T POP, and a description of precisely where the fiber goes at the AT&T POP.)

- B. Identify by CLLI code and street address where AT&T's POPs or transport facilities interconnect with each other.
- C. Describe how AT&T's fiber connects or terminates at each AT&T POP, AT&T wire center, or AT&T collocation arrangement.
- D. Identify the termination equipment at each AT&T POP, AT&T wire center, or AT&T collocation arrangement.
- E. Identify the services or capacities offered to end users over AT&T's OC-n level transport facilities.
- F. Identify (i) the number of strands of fiber deployed in each transport facility leaving each Verizon wire center or switch, (ii) the number of unlit fibers in each transport facility leaving each Verizon wire center or switch, and (iii) the number of dark fiber in each transport facility leaving each Verizon wire center or switch (if different from (ii)).

V. REQUESTS FOR PRODUCTION OF DOCUMENTS: DEDICATED TRANSPORT

- 1. Provide all documents identifying the fiber optic dedicated transport in Florida that you make available, or have offered to make available (e.g., through lease, indefeasible right of use), to other carriers.
- 2. Provide all document identifying the incumbent LEC switches or wire centers in Florida at which you have operational collocation arrangements.
- 3. Provide all documents that discuss or describe your willingness to provide dedicated transport in Florida to other carriers.
- 4. Provide all documents that discuss or describe the optical speeds at which your dedicated transport in Florida operates.
- 5. Provide all documents that discuss or describe the capacity or capacity of services (e.g., DS-1, DS-3) that you offer to other carriers, or have offered to other carriers.
- 6. Provide all documents that discuss or describe the capacity or capacity of services (e.g., DS-1, DS-3) that you offer in Florida to retail customers, or have offered to retail customers.
- 7. Provide all documents that discuss or describe whether you are willing to provide dark fiber dedicated transport in Florida to other carriers.

8. Provide all documents that discuss or describe the dedicated transport in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LECs.
9. Provide all documents that discuss or describe the capacity or capacity of services (*e.g.*, DS-1, DS-3) in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LEC carriers.
10. Provide all documents that discuss or describe dark fiber in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LEC carriers.
11. Provide the confidential filings with respect to dedicated transport that you made with the FCC in the Triennial Review docket. (*See, e.g.*, FCC's Triennial Review Order, ¶ 392 n.1216 (relying on AT&T's confidential comments).)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission's) Docket No. 030852-TP
triennial UNE review: Location-Specific Review)
for DS1, DS3 and Dark Fiber Loops, and Route-) Filed: January 12, 2004
Specific Review for DS1, DS3 and Dark Fiber)
Transport.)

AT&T'S RESPONSES TO VERIZON'S
FIRST REQUEST FOR ADMISSIONS (NOS. 1-2),
FIRST SET OF INTERROGATORIES (NOS. 1-24) AND
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-11)

AT&T Communications of the Southern States, LLC ("AT&T") pursuant to Rule 28.106-206, Florida Administrative Code, Rule 1.340, Florida Rules of Civil Procedure and Order No. PSC-03-1055-PCO-TP, issued in this docket on September 22, 2003, hereby files its Responses to Verizon's First Request for Admissions, First Set of Interrogatories (Nos. 1-24) and First Request for Production of Documents (Nos. 1-11) as follows:

RESPONSES TO REQUEST FOR ADMISSIONS

REQUEST: Verizon Request For Admission

DATED: December 22, 2003

Request for Admission No. 1: Admit that Respondent states on its website, in words or in substance, that it offers transport facilities or services to other carriers. (For the definitions of transport facilities or transport services for this and all other requests for admission, see Instruction M.)

Response: Denied.

REQUEST: Verizon Request for Admissions

DATED: December 22, 2003

Request for Admission No. 2: Admit that Respondent does not state on its website, in words or in substance, that it does not offer transport facilities or services to other carriers in Florida.

Response: Admitted.

SPECIFIC RESPONSES TO INTERROGATORIES

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 1: Identify all fiber optic transport facilities in Florida that you own, by street address of its origination and termination points (or if no termination point, by the location of a fiber ring), as well as a description of the route between those points. (For purposes of responding to this question, your own transport facilities include facilities that you own solely or jointly, as well as facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.) (For the definitions of transport facilities or transport services for this and all other interrogatories, see Instruction M.)

Response: AT&T is not a self-provider of transport as defined by the TRO and therefore has no input to provide.

AT&T self-provides facilities that connect, for example, our switch to ILEC office A and facilities that connect our switch to ILEC office B using portions of a fiber that passes near/through both A and B, but does not either (1) connect A to B or (2) take on a dedicated basis any "traffic" that originates at either one to the other and therefore AT&T's facilities are not dedicated transport as defined by the TRO and new FCC rule.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 2: For each transport facility identified in response to Question 1, provide a map in an electronic form (such as MapInfo, Arcview, or another GIS program) showing its location.

Response: See Response to Interrogatory No. 1: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 3: For each transport facility identified in response to Question 1, identify the number of fibers in the fiber cable(s) you deployed.

Response: See Response to Interrogatory No. 1: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 4: For each transport facility identified in response to Question 1,
identify the number of fibers that you activated (*i.e.*, "lit")
through the attachment of optronics.

Response: See Response to Interrogatory No. 1: AT&T has no data to
provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 5: For each transport facility identified in response to Question 1, identify by the 11-digit CLLI code, all incumbent LEC switches and wire centers in Florida to which the transport facility is directly or indirectly connected.

Response: See Response to Interrogatory No. 1: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 6: For each incumbent LEC switch or wire center identified in response to Question 5, identify the optical speed at which the facilities connected to each is operating.

Response: Not applicable.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 7: For each incumbent LEC switch or wire center identified in response to Question 5, identify the capacity or capacities of services (*e.g.*, DS-1, DS-3) carried by your transport facilities to and/or from the incumbent LEC switch or wire center

Response: No applicable.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 8: For each incumbent LEC switch or wire center identified in response to Question 5, identify where you have fiber that has not been "lit" through the attachment of optronics (*i.e.*, dark fiber) and the number of unlit fibers in each transport facility terminating at that location.

Response: Not Applicable.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 9: Identify by the 11-digit CLLI code, all incumbent LEC switches or wire centers in Florida at which you have obtained dark fiber transport facilities from any supplier, including but not limited to from incumbent LECs.

Response: AT&T has no such facilities.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 10: For each dark fiber facility identified in response to Question 9, state (a) whether you have activated the dark fiber through the attachment of optronics (*i.e.*, whether the fiber is now "lit"), (b) the optical speed at which the facility operates, and (c) the capacity or capacities of services (*e.g.*, DS-1, DS-3) carried by each such transport facility.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 11: Identify all transport facilities in Florida that you use or possess but do not own, by street address of its origination and termination points, as well as a description of the route between those points. (For purposes of responding to this question, your own transport facilities include facilities that you own solely or jointly, as well as facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.)

Response: AT&T has no such facilities.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 12: For each transport facility identified in response to Question 11, identify by the 11-digit CLLI code, all incumbent ILEC switches and wire centers to which the transport facility is connected

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 13: For each incumbent LEC switch or wire center identified in response to Question 12, identify the optical speed at which the transport facilities connected to each operates.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 14: For each incumbent LEC switch or wire center identified in response to Question 12, identify the capacity or capacities of transport services (*e.g.*, DS-1, DS-3) carried by the transport facility or facilities to and/or from the incumbent LEC switch or wire center.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 15: For all transport facilities identified in response to Questions 11 and 12, identify the non-incumbent LEC supplier from which you have obtained the facility.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 16: Identify all transport facilities in Florida that you make available to other carriers, or have offered to make available to other carriers by street address of its origination and termination points, as well as a description of the route between those points.

Response: AT&T has no such facilities.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 17: For each transport facility identified in response to Question 16, identify by the 11-digit CLLI code, all incumbent LEC switches and wire centers to which the transport facility is directly or indirectly connected.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 18: For each incumbent LEC switch or wire center identified in response to Question 17, identify the optical speed at which the facilities connected to each operates.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 19: For each incumbent LEC switch or wire center identified in response to Question 17, identify the capacity or capacities of services (*e.g.*, DS-1, DS-3) carried by the transport facilities to and/or from the incumbent LEC switch or wire center.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 20: For each incumbent LEC switch or wire center identified in response to Question 17, identify the carrier or carriers to which you make the transport facility available, or to which you have offered to make the facility available.

Response: AT&T has no data to provide.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 21: Identify the points in Florida at which local network facilities that you own or use are connected to the networks of carriers other than the incumbent LECs, including interconnection with other CLECs, interexchange carriers, or internet service providers at any point of presence, network access point, collocation hotel, data center, or similar facility (collectively or individually, "interconnection points" or "IPs").

Objection: AT&T objects to providing the points (or network diagrams showing the points) at which its network connects to the network of other CLECs, Interexchange Carriers, ISPs due to the fact that it is not relevant and not likely to lead to the discovery of admissible evidence in any loop and transport trigger or potential deployment case. Where a CLECs network connects to the networks of others is not relevant to "transport" as defined in the TRO. The TRO, at paragraphs 335 and 410 discuss the factors to be considered by a state Commission in a potential deployment case. The points at which the AT&T network connects to the networks of carriers and firms other than Verizon has no relevance to whether AT&T could potentially deploy a high capacity loop from its network to a specific customer location or provide high capacity transport between Verizon wire centers. AT&T does not intend to provide this information to Verizon absent a Motion to Compel and Order of a Commission requiring AT&T to do so.

AT&T's Responses to Verizon's Request for Admissions
First Set of Interrogatories (Nos. 1-24); and
First Request for Production of Documents
Docket 030852-TP
January 12, 2004

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 22: In the TRO, the FCC repeated AT&T's comment that it "often engages in joint builds with other CLECs in order to share the high fixed costs of construction." (*See* FCC's Triennial Review Order, ¶379 n.1166.) Identify the carriers and transport facilities that AT&T has built jointly with other carriers.

Response: AT&T's reporting of "joint builds" in the Fea/Giouvannucci Reply Declaration referenced in footnote 1166 was written under the pre-TRO definition of "transport" that would have included the construction of a broader range of facilities than are now within the new TRO definition, for example, the prior definition would have included ILEC wire center to CLEC switch facilities, entrance facilities, and even CLEC customer to CLEC switch fiber ring facilities that are not included in the current definition. Under the ILEC wire center to ILEC wire center definition, AT&T has no such facilities and therefore has not engaged in any "joint builds". Further, a review of AT&T's records reveals that no facilities "joint builds" of any type have been undertaken in Verizon's Florida territories.

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DATED: December 22, 2003

Interrogatory 23: In the TRO, the FCC repeated AT&T's comment that it "uses non-incumbent LEC facilities, including its own facilities, for a substantial portion of its DS3 transport[.]" (*See* FCC's Triennial Review Order, ¶ 387 n. 1197.) Identify by 11-digit CLLI, the self-provisioned facilities AT&T uses for its DS3 transport. Also identify by 11-digit CLLI and carrier name, the DS3 facilities that it obtains from carriers other than the incumbent LEC.

Response: The statement "AT&T uses non-incumbent LEC facilities, including its own facilities, for a substantial portion of its DS3 transport" at footnote 1197 is the FCC's, not AT&T's. See response to Request for Production of Documents #11 below for the Confidential pages 140-151 of AT&T's Comments filed with the FCC. As noted above in Response to Interrogatory 22, the definition of transport was changed by the TRO, and in Interrogatory 1, AT&T does not self-provide any transport that meets the current definition. Further, AT&T does not obtain any transport (as defined by the TRO) from carriers other than the incumbent LEC.

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REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 24: If the information sought by these requests is contained in a response to a prior request, it is acceptable simply to refer to that prior response.

- A. Identify by CLLI code and street address (1) the Verizon wire center at which AT&T has fiber, (b) the optical terminating and multiplexing equipment AT&T has at those Verizon wire centers, (c) and precisely where the AT&T fiber goes after it leaves each Verizon wire center. (For example, if AT&T has fiber at five Verizon wire centers, and all of the fiber runs to an AT&T POP, identify the street address and CLLI of the AT&T POP, and a description of precisely where the fiber goes at the AT&T POP.)
- B. Identify by CLLI code and street address where AT&T's POPs or transport facilities interconnect with each other.
- C. Describe how AT&T's fiber connects or terminates at each AT&T POP, AT&T wire center, or AT&T collocation arrangement.
- D. Identify the termination equipment at each AT&T POP, AT&T wire center, or AT&T collocation arrangement.
- E. Identify the services or capacities offered to end users over AT&T's OC-n level transport facilities.
- F. Identify (i) the number of strands of fiber deployed in each transport facility leaving each Verizon wire center or switch, (ii) the number of unlit fibers in each transport facility leaving each Verizon wire center or switch, and (iii) the number of dark fiber in each transport facility leaving each Verizon wire center or switch (if different from (ii)).

Response: AT&T objects to providing the information requested which includes the points (or network diagrams showing the points) at which its networks connect internally to each other or to

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Verizon's network due to the fact that it is not relevant and not likely to lead to the discovery of admissible evidence in any loop and transport trigger or potential deployment case. Where a CLEC's networks interconnect internally or connects to the networks of others is not relevant to "transport" as defined in the TRO. The TRO, at paragraphs 335 and 410 discuss the factors to be considered by a state Commission in a potential deployment case. The points at which the AT&T network connects to the itself and to the network of Verizon has no relevance to whether AT&T could potentially deploy a high capacity loop from its network to a specific customer location or provide high capacity transport between Verizon wire centers. AT&T does not intend to provide this information to Verizon absent a Motion to Compel and Order of a Commission requiring AT&T to do so.

Relevant information about the deployment of AT&T's switches and collocations, including their association can be found in the documents being provided in response to Request for Production of Documents 2 below.

RESPONSES TO REQUEST FOR PRODUCTION

REQUEST: Verizon's First Request for Production of Documents

DATED: December 22, 2003

POD No. 1: Provide all documents identifying the fiber optic dedicated transport in Florida that you make available, or have offered to make available (e.g., through lease, indefeasible right of use), to other carriers.

Response: AT&T has no documents responsive to this request.

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POD No. 2: Provide all document identifying the incumbent LEC switches or wire centers in Florida at which you have operational collocation arrangements.

Response: See attached AT&T Responses to BellSouth's First and Second Sets of Interrogatories and First Set of Requests for Production in the Loop and Transport Docket.

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REQUEST: Verizon's First Request for Production of Documents

DATED: December 22, 2003

POD No. 3: Provide all documents that discuss or describe your willingness to provide dedicated transport in Florida to other carriers.

Response: AT&T has no documents responsive to this request.

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REQUEST: Verizon's First Request for Production of Documents

DATED: December 22, 2003

POD No. 4: Provide all documents that discuss or describe the optical speeds at which your dedicated transport in Florida operates.

Response: AT&T has no documents responsive to this request.

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DATED: December 22, 2003

POD No. 5: Provide all documents that discuss or describe the capacity or capacity of services (*e.g.*, DS-1, DS-3) that you offer to other carriers, or have offered to other carriers.

Response: AT&T has no documents responsive to this request.

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DATED: December 22, 2003

POD No. 6: Provide all documents that discuss or describe the capacity or capacity of services (*e.g.*, DS-1, DS-3) that you offer in Florida to retail customers, or have offered to retail customers.

Objection: AT&T objects to this request on the grounds that the information sought is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence.

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POD No. 7: Provide all documents that discuss or describe whether you are willing to provide dark fiber dedicated transport in Florida to other carriers.

Response: AT&T has no documents responsive to this request.

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DATED: December 22, 2003

POD No. 8: Provide all documents that discuss or describe the dedicated transport in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LECs.

Response: AT&T has no documents responsive to this request.

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REQUEST: Verizon's First Request for Production of Documents

DATED: December 22, 2003

POD No. 9: Provide all documents that discuss or describe the capacity or capacity of services (*e.g.*, DS-1, DS-3) in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LEC carriers.

Response: AT&T has no documents responsive to this request.

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REQUEST: Verizon's First Request for Production of Documents

DATED: December 22, 2003

POD No. 10: Provide all documents that discuss or describe dark fiber in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LEC carriers.

Response: AT&T has no documents responsive to this request.

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REQUEST: Verizon's First Request for Production of Documents

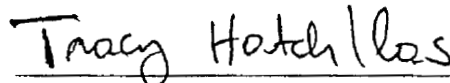
DATED: December 22, 2003

POD No. 11: Provide the confidential filings with respect to dedicated transport that you made with the FCC in the Triennial Review docket. (See, e.g., FCC's Triennial Review Order, ¶ 392 n.1216 (relying on AT&T's confidential comments).)

Response: Confidential pages 140-151 of AT&T's Comments filed with the FCC are attached.

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SUBMITTED this 12th day of January, 2004.

Handwritten signature of Tracy Hatch in black ink.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission's) Docket No. 030852-TP
triennial UNE review: Location-Specific Review)
for DS1, DS3 and Dark Fiber Loops, and Route-) Filed: January 12, 2004
Specific Review for DS1, DS3 and Dark Fiber)
Transport.)

AT&T'S RESPONSES TO VERIZON'S
FIRST REQUEST FOR ADMISSIONS (NOS. 1-2),
FIRST SET OF INTERROGATORIES (NOS. 1-24) AND
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-11)

AT&T Communications of the Southern States, LLC ("AT&T") pursuant to Rule 28.106-206, Florida Administrative Code, Rule 1.340, Florida Rules of Civil Procedure and Order No. PSC-03-1055-PCO-TP, issued in this docket on September 22, 2003, hereby files its Responses to Verizon's First Request for Admissions, First Set of Interrogatories (Nos. 1-24) and First Request for Production of Documents (Nos. 1-11) as follows:

RESPONSES TO REQUEST FOR ADMISSIONS

REQUEST: Verizon Request For Admission

DATED: December 22, 2003

Request for Admission No. 1: Admit that Respondent states on its website, in words or in substance, that it offers transport facilities or services to other carriers. (For the definitions of transport facilities or transport services for this and all other requests for admission, see Instruction M.)

Response: Denied.

REQUEST: Verizon Request for Admissions

DATED: December 22, 2003

Request for Admission No. 2: Admit that Respondent does not state on its website, in words or in substance, that it does not offer transport facilities or services to other carriers in Florida.

Response: Admitted.

SPECIFIC RESPONSES TO INTERROGATORIES

REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 1: Identify all fiber optic transport facilities in Florida that you own, by street address of its origination and termination points (or if no termination point, by the location of a fiber ring), as well as a description of the route between those points. (For purposes of responding to this question, your own transport facilities include facilities that you own solely or jointly, as well as facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.) (For the definitions of transport facilities or transport services for this and all other interrogatories, see Instruction M.)

Response: AT&T is not a self-provider of transport as defined by the TRO and therefore has no input to provide.

AT&T self-provides facilities that connect, for example, our switch to ILEC office A and facilities that connect our switch to ILEC office B using portions of a fiber that passes near/through both A and B, but does not either (1) connect A to B or (2) take on a dedicated basis any "traffic" that originates at either one to the other and therefore AT&T's facilities are not dedicated transport as defined by the TRO and new FCC rule.

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REQUEST: Verizon's First Set of Interrogatories

DATED: December 22, 2003

Interrogatory 2: For each transport facility identified in response to Question 1, provide a map in an electronic form (such as MapInfo, Arcview, or another GIS program) showing its location.

Response: See Response to Interrogatory No. 1: AT&T has no data to provide.

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DATED: December 22, 2003

Interrogatory 3: For each transport facility identified in response to Question 1, identify the number of fibers in the fiber cable(s) you deployed.

Response: See Response to Interrogatory No. 1: AT&T has no data to provide.