

REDACTED

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission) Docket No. 030852-TP
triennial UNE review: Local Circuit Switching)
for Mass Market Customers.) Filed: February 25, 2004
)

**AT&T'S RESPONSES TO BELLSOUTH'S
SECOND REQUEST FOR ADMISSIONS, FOURTH INTERROGATORIES (30-
55) AND FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS(9)**

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 BellSouth's Second Request for Admissions, Fourth Interrogatories (30-55) and Fourth Requests for Production of Documents (9).

DOCUMENT NUMBER-DATE

U2961 MAR-1 3

FPSC-COMMISSION CLERK

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 30:

For every fiber-based collocation that you identified in response to Interrogatory 15 of BellSouth's Second Interrogatories or is listed in the confidential attachment to BellSouth's First Request for Admissions, Third Set of Interrogatories (24-29) and Third Requests for Production of Documents (8) in this docket please, provide:

- a) A description of the location where the fiber facility terminates (ILEC central office, CLEC central office, customer location, manhole, etc.). For the purposes of this interrogatory, please assume that the fiber facility begins in the fiber-based collocation site identified in your earlier responses, or listed in the confidential attachment referred to above and provide information concerning the end or termination point of the fiber facility.
- b) The CLLI of the end of termination location, if the end or termination point is not in an ILEC central office.
- c) The street address, including city, of the location, if the end or termination point is not in an ILEC central office.

For the purpose of this and the following question, fiber-based collocations are collocations to which you connect your own fiber, or fiber you lease from another carrier not including BellSouth.

Response:

- (a) The information requested was provided in Confidential Exhibit 15a that depicted the relationship of AT&T LNS on and off net collocations to its switches which are the end points of the backhaul fiber facilities serving the on net collocations.
- (b) See response to (a)
- (c) See response to (a)

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
31:

For each fiber facility identified in response to Interrogatory 30 above, state whether you own the fiber or lease it from another carrier. If you lease it from another carrier, please provide:

- a) The name of the carrier that provides the fiber, and
- b) State whether the fiber is leased under a long term (10 year or more) IRU.

Response:

None of the backhaul fiber facilities referenced in response 30 or Confidential Attachments 15 and 15a are leased.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
32:

Please provide a list of all the links of your network in Florida where you use your own facilities or lease dark fiber from another carrier, including an ILEC. For the purpose of this question a link is defined as a fiber-based transmission facility with optronics that you own at both ends (e.g., in the case of a ring, every segment between two adjacent nodes is a link.).

For each of the two ends of any link identified in response to this Interrogatory, please:

- a) State whether it is an ILEC central office, a customer location or other point of interconnection.
- b) Provide the CLLI of the location (not necessary if it is not an ILEC central office).
- iii) Provide the street address, including city, of the location (not necessary if it is an ILEC central office for which you provide CLLI).

Response:

The information requested would simply be a duplication of that provided in response 30 and Confidential Attachments 15 and 15a. The TRO specifically rejected any form of "link" analysis at paragraph 402.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
33:

For every link identified in response to Interrogatory 32, state whether you own the entire end-to-end fiber link, lease the entire end-to-end fiber link from other carrier(s) or own segments of the link and lease other segments from other carrier(s). If you lease the entire link or lease segments of the link from other carrier(s), please provide:

- i) The name of the carrier(s) that provides the fiber
- ii) If any segment of the link is not leased on a long-term basis (10 years or more)

Response: See response 31.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 34: For every link identified in response to Interrogatory 32, please provide:

- a) The lit capacity of the link
- b) Number of lit and spare fibers
- c) Whether the link is channelized at the DS3 and DS1 levels

Response: (a) All the backhaul facilities referenced in response 30 and Confidential Attachments 15 and 15a operate as OC48 systems. Available records do not include a count of lit and/or spare fibers
(b) See response to (a)
(c) See response to (a)

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 35: For each loop facility, if any, identified in response to Interrogatory 12 and Interrogatory 13 of BellSouth's First Interrogatories in this proceeding, please:

- a) Provide the lit capacity of the link, and
- b) State whether the link is channelized at the DS3 and DS1 levels

Response: (a) All AT&T self-provisioned building locations identified in Confidential Attachment 12 are served using at least an OC3 system. AT&T does not provide wholesale loops to any location and so noted in its response to Interrogatory 13.

(b) See response to (a).

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 36: Please describe in detail the materials and labor required to channelize an OCn facility into DS3 and DS1 facilities.

Response: BellSouth routinely performs the process in its interrogatory (channelization of and OCn facility), therefore the information requested is within BellSouth's custody and control.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 37: Please provide your costs in materials and labor, including any discounts from equipment vendors, for each of the elements in Interrogatory 36.

Response: The information requested is confidential and proprietary. However, Exhibit No. _____, JMB-R1, to Mr. Bradbury's rebuttal testimony provides relevant data.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 38: Please describe the steps involved in the channelization operation in Interrogatory 36, beginning with a request to channelize through having operational DS1s and DS3s, and provide an estimate of the time required to complete each step.

Response: BellSouth routinely performs the process in its interrogatory (channelization of and OCn facility) therefore the information requested is within BellSouth's custody and control

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
39:

Affirm or deny that you provide other carriers with DS1, DS3 or dark fiber special access, private line or similar services between a point of interconnection in Florida (ILEC central office, CLEC central office, point of presence, carrier hotel, data center, etc.) and a customer location. The definition of carrier for this question should include all local, national and global providers of voice or data services to retail or wholesale customers.

Response:

AT&T affirms that it does not offer wholesale loops or dedicated transport between ILEC wire centers to any carriers. Except as admitted, this Interrogatory is denied.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
40:

If you answered in the affirmative to question 39:

- a) Describe the types of services you provide to other carriers that meet the definition above.
- b) Affirm or deny that in some cases you use loop facilities that you own to provide the services described.
- c) Provide a list of customer locations where you have loop facilities that you own for which you have refused to use your own loop facilities to provide the services described above when requested by a carrier. In each case, explain the reasons why you refused to offer service over your own loop facilities.

Response: Not applicable.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
41:

Affirm or deny that you provide other carriers with DS1, DS3 or dark fiber transmission facilities between a collocation (includes all types of collocation, not just those qualifying under section 251 (c) (6)) in a BellSouth central office and any point of interconnection (ILEC central office, CLEC central office, point of presence, data center, carrier hotel, etc.) in Florida. The definition of carrier for this question should include all local, national and global providers of voice or data services to retail or wholesale customers.

a) Describe the types of services you provide to other carriers that meet the definition above.

b) Provide a list of all BellSouth central offices where you have collocations to which you have refused to provide the services described above when requested by a carrier. In each case, explain the reasons why you refused to offer service to that specific BellSouth central office.

Response: AT&T affirms that it does not offer wholesale dedicated transport between ILEC wire centers to any carriers. Except as admitted, this Request is denied.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 42: Please describe any and all attempts you have made to verify wholesale availability with carriers that BellSouth classified as wholesalers as identified in SWP-1 and SWP-6, exhibits to the Direct Testimony of Shelley Padgett filed in this proceeding.

Response: None.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 43: Describe all the network equipment that you typically install in a building in order to bring that building "on-net". This includes all equipment required to terminate the fiber cable at the building, the necessary electronics to serve customers and any incremental equipment required in other parts of your network to support the new "on-net" building.

Response: See Exhibit No. _____, JMB-R1, to Mr. Bradbury's rebuttal testimony.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 44: Please provide your costs in material and labor, including any discounts from equipment vendors, for each of the elements identified in response to Interrogatory 43, above.

Response: The information requested is confidential and proprietary. However, Exhibit No. ____, JMB-R1, to Mr. Bradbury's rebuttal testimony provides relevant data

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
45:

Please provide the calculation for the costs described in response to Interrogatory 44 for:

1) a building where you provide one DS3 to a retail customer; 2) a building where you provide 20 DS1s to retail customers; and 3) a building where you provide two DS3s and 15 DS1s to retail customers.

Response:

BellSouth can perform these calculations from the data contained in Exhibit No. _____, JMB-R1, to Mr. Bradbury's rebuttal testimony. However, it should be noted that, consistent with the results of AT&T's analysis in the exhibit, none of the three scenarios referenced in this interrogatory would result in a decision by AT&T to build to any of the buildings described.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 46: Please state how much time it typically takes to bring a building "on-net" from a nearby building or central office that is already "on-net".

Response: Each situation is unique and no "typical" time frame exists.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
47:

On page 10 of his Direct Testimony, FCC witness Gary Ball states that CLECs' "fiber rings typically only connect aggregation points, such as collocation arrangements to a carrier's switching or hub site. A few major customer sites sometimes will be included on the ring, but most CLEC networks only reach a handful of sites in any state." (Underline added) Affirm or deny that you have customers included on any fiber rings that you own or lease in the state of Florida as described by Mr. Ball. If you affirm, then:

- a) provide the number of customers included on the ring.
- b) provide the locations, by street address of those customers,
- c) identify all fiber-based collocations connected in any way to that ring,
- d) identify the capacity of that fiber ring,
- e) identify the total capacity of the "lateral" facility (see Rebuttal Testimony of Jay M. Bradbury, page 26), and
- f) identify the capacity on the lateral in use and the unused capacity.

Response:

See Confidential Attachment 12 to AT&T's Responses to BellSouth's Interrogatories identifying buildings to which it has built high capacity loops. All system rings include only the building location and the associated terminating switch location. Building system rings do not include collocations. Building system rings operate at a minimum of OC3. Available records do not include a count of lit and/or spare fibers in the building laterals.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
48:

On page 12 of his Direct Testimony, FCCA witness Gary Ball states that "in many situations, a CLEC will serve two ILEC central offices that are not on the same fiber ring. Although it is theoretically possible to connect central offices on different fiber rings, transport routes linking the two central offices are not ordinarily provisioned in this manner". (Underline added) Affirm or deny that you have transport facilities between any two BellSouth central offices that are on different fiber rings. If you affirm then:

- a) identify the pairs of BellSouth central offices that are connected with transport facilities,
- b) identify all fiber based collocations that you have on the two fiber rings that serve these two central offices, and
- c) state whether either of these fiber rings are interconnected with any other fiber ring and describe the manner in which they are interconnected.

Response: AT&T denies that it has dedicated transport facilities, as defined in the TRO, between any two BellSouth central offices.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
49:

On page 6 of his rebuttal testimony, FCCA witness Gary J. Bell states, "Although a CLEC may possess a facility that passes by two collocations, it will only rarely connect those two collocations to create a service configuration that is functionally equivalent to the dedicated transport UNE." Describe the circumstances that justify connecting two collocations to create a service configuration that is functionally equivalent to the dedicated transport UNE. Describe the method of connecting two collocations, or facilities used, that creates a service configuration that is functionally equivalent to the dedicated transport UNE.

Response: See Exhibit No. _____, JMB-R1, to Mr. Bradbury's rebuttal testimony.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
50:

On page 6 of his rebuttal testimony, FCCA witness Gary J. Bell states, "Although a CLEC may possess a facility that passes by two collocations, it will only rarely connect those two collocations to create a service configuration that is functionally equivalent to the dedicated transport UNE." Identify each and every instance in the state of Florida where you possess a facility that passes by two collocations, and you have connected those two collocations to create a service configuration that is functionally equivalent to the dedicated transport UNE.

Response:

AT&T has no such configurations in Florida, or anywhere in BellSouth's nine state territory.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 51:

On page 17 of his rebuttal testimony, Jay M. Bradbury makes the statement: "A transport circuit that requires the intervention of a switch between two location is, by definition, not a dedicated transport route as described in the TRO". Please describe with particularity Mr. Bradbury's authority or source for this proposition, including citations to the applicable federal rules or other authorities on which Mr. Bradbury relies.

Response:

. The TRO discusses Dedicated Transport in ¶¶358-418.

The definition of dedicated transport is discussed and clarified in ¶¶365-369. In ¶369 the FCC concludes its discussion as follows, "Accordingly, we limit the dedicated transport network element to those incumbent LEC *transmission facilities* dedicated to a particular customer or carrier that provide telecommunications *between* switches or wire centers owned by incumbent LECs. We conduct our impairment analysis based on this definition of the transport network element." (Emphasis added, citations deleted.) Dedicated transport is concerned with *transmission facilities*, not switching facilities, *between* switches or wire centers owned by an ILEC. A switch is a facility that by definition is not dedicated to a particular customer or carrier, but rather is available for use in establishing on demand connections between any customer served by the switch and any other customer(s) served by the switch or by another switch(s).

The definition of a "route" is discussed and clarified in ¶401.

"Both triggers we adopt today evaluate transport on a route specific basis. We define a route, for the purposes of these tests, as a *connection* between wire center or switch "A" and wire center or switch "Z". 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 if the incumbent LEC through wire center "X." (Emphasis added, citations deleted.)

The diagram being provided as Figure 1 depicts both a dedicated transport route that *directly* connects two ILEC wire centers and a route that connects two ILEC wire centers with dedicated transport *indirectly* through an intermediate location. The presence of an intermediate point or points, as shown, along a route between two end-points, so long as the system or fiber strand *remains dedicated* to the exclusive use of one customer or carrier, has no impact on the fact that the route exists. Intermediate points (if there are any) do not have to be the same on the ILEC path and the CLEC path.

The “route” being defined is specifically for the trigger tests associated with *dedicated transport*, an unbundled network element separate from and not inclusive of the switching unbundled network element, and separate from the shared transport element.

The many functions of the switching element are enumerated in the TRO at ¶433, serving as a portion of a transmission path for dedicated transport is not listed. The scope and function of shared transport and the fact that it is inseparable from the switching element is discussed at ¶¶533-534. ¶7, at pages 11 and 12 of the TRO, provides and contrasts definitions of dedicated transport and shared transport including the hardwired linkage between shared transport and switching that does not exist for dedicated transport.

The fact that dedicated transport does not include any switching component can also be demonstrated by a very practical example. If we assume Route “A” to “Z” is switched at an intermediate switch “C”, we can quickly understand why dedicated transport does not use switching as a practical matter. First assume that the route contains a single DS3. When it arrives at “C” the DS3 must first be “stepped” down to its 28 DS1s. Second, the 28 DS1s must be terminated to the switch where they will consume 672 switch ports. Third, 672 full-time, “always on” paths across the switch must be activated in the switch – 672 paths that can never again be used to switch any other customers traffic. Fourth, 672 more switch ports (now a total of 1344) are needed to exit the switch on 28 new DS1s. Fifth, the 28 new DS1s must be “stepped up” to the DS3 level to continue on to “A” or “Z.” If instead, the route consisted of an OC48, the number of switch ports required becomes 64,512 and the number of full-time, “always on” paths across the switch becomes 32,256. Switches are designed and used to connect any customer to any other customer on an as needed, on demand basis. Dedicated transport

connects two end-points for the exclusive use of a single customer 7x24x365. Using switches to provision even small amounts of dedicated transport quickly exhausts the capacity of the switch in a totally inefficient and uneconomic manner.

In the Rules (§51.319(e)), the FCC has included the word “switch(s)” in the portion of the rule describing intermediate points. The only impact is one of clarification – including (1) those situations where the terms switch, wire center, central office, etc. are used interchangeably, and (2) those situations in which a switch (such as a tandem switch) might not actually be located in an ILEC wire center, but in a location that does not have loops terminating to it, but the location supports transmission facilities and CLECs have installed collocations at that location.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
52:

On page 18 and 19 of his Rebuttal Testimony, FCCA witness Gary Ball makes the statement that "[I]t is fairly common for a CLEC to have facilities only to one customer or floor in a particular building. For a variety of reasons, a CLEC may have entered a building to serve only a particular customer, and may have provisioned what is called 'Fiber to the Floor'." Identify each and every instance in which you have "entered a building" and self provisioned facilities to serve only a particular customer or floor. Provide the name and/or location of the building, the type and capacity of the facility that you have self-provisioned, and in, the case of service to a floor, the number of customers served.

Response:

A number of buildings identified in Confidential Attachment 12 include fiber to the floor arrangements. *****BEGIN CONFIDENTIAL—Subject to Protective Agreement***.***END CONFIDENTIAL—Subject to Protective Agreement** Given that AT&T makes no claim that these arrangements restrict its ability to serve the location, the burden of gathering the other information requested would provide no useful information.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
53:

On pages 18 and 19 of his Rebuttal Testimony, FCCA witness Gary Ball makes the statement that "[I]t is fairly common for a CLEC to have facilities only to one customer or floor in a particular building. For a variety of reasons, a CLEC may have entered a building to serve only a particular customer, and may have provisioned what is called 'Fiber to the Floor'." Affirm or deny that you agree with Mr. Ball's statement. If you agree, describe each and every reason that would cause you to enter a building to serve only a particular customer, or provision "Fiber to the Floor."

Response:

AT&T affirms that Mr. Ball's statement is correct. Given that AT&T makes no claim that these arrangements restrict its ability to serve the location, the burden of gathering the other information requested would provide no useful information.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and
Interrogatories No
54:

Describe the decision-making process that you follow in deciding to self-deploy loop or transport facilities as opposed to leasing them from a third party, including BellSouth.

Response:

See Exhibit No. ____, JMB-R1, to Mr. Bradbury's rebuttal testimony.

REQUEST: BellSouth's Second Request for Admissions and Interrogatories

DATED: February 4, 2004

Admissions and Interrogatories No 55: If you have denied any of the previous Request for Admissions, state all facts and identify all documents that support such denial.

Response: As stated in Response to specific question.

RESPONSE TO BELLSOUTH'S FOURTH REQUEST FOR PRODUCTION

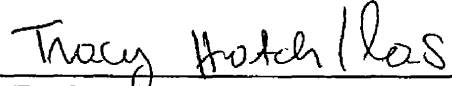
REQUEST: BellSouth's Fourth Request for Production of Documents

DATED: February 4, 2004

Request No.9 Produce any documents identified in response to Interrogatories 30 through 55 above.

Response: All documents identified in AT&T's responses are already within BellSouth's custody and control.

SUBMITTED this 25th day of February, 2004.



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