

ORIGINAL

RECEIVED-FPSC

Legal Department

E. Earl Edenfield, Jr.
General Attorney

99 SEP 10 PM 4:32

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0763

RECORDS AND
REPORTING

September 10, 1999

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 990750-TP (ITC^DeltaCom)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Responses and Objections to ITC^DeltaCom's First Set of Interrogatories and First Request for Production of Documents, dated August 11, 1999.

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

Sincerely,

E. Earl Edenfield Jr (RE)

E. Earl Edenfield, Jr.

APA	_____
APP	_____
CAB	_____
CMU	_____
CTR	_____
EAG	_____
LEG	_____
MAS	_____
OPC	_____
PAI	_____
SEC	_____
WAW	_____
OTH	_____

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

RECEIVED & FILED
[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10935 SEP 10 99

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 990750-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
U.S. Mail, (+) Hand Delivery and (#) Federal Express this 10th day of September, 1999
to the following:

Diana Caldwell
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

David I. Adelman, Esq. (#)
Charles B. Jones, III, Esq.
Sutherland Asbill & Brennan L.L.P.
999 Peachtree Street
Atlanta, GA 30309-3996
Tel. No. (404) 853-8000
Fax. No. (404) 853-8806

Nanette S. Edwards, Esq. * (#)
Regulatory Attorney
ITC^ DELTACOM
700 Blvd. South
Suite 101
Huntsville, Alabama 35802
Tel. No. (256) 650-3957
Fax. No. (256) 650-3852

J. Michael Huey (+)
J. Andrew Bertron, Jr.
Huey, Guilday & Tucker, P.A.
106 East College Avenue
Suite 900 (32301)
Post Office Box 1794
Tallahassee, Florida 32302
Tel. No. (850) 224-7091
Fax. No. (850) 222-2593

Ms. Parkey Jordan
BellSouth Telecomm., Inc.
BellSouth Center
675 West Peachtree Street, N.E.
Suite 4300
Atlanta, Georgia 30375-0001
Tel. No. (404) 335-0794
Fax. No. (404) 658-9022

E. Earl Edensfeld Jr (ke)
E. Earl Edensfeld, Jr.

*Signed a Protective Agreement

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)	Docket No. 990750-TP
)	
Petition for Arbitration of ITC^DeltaCom)	
Communications, Inc. with BellSouth)	
Telecommunications, Inc. pursuant to the)	
Telecommunications Act of 1996.)	
<hr/>		Filed: September 10, 1999

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES AND
 OBJECTIONS TO ITC^DELTACOM COMMUNICATIONS, INC.'S
FIRST SET OF INTERROGATORIES**

BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 28-106.206, *Florida Administrative Code*, and Rules 1.340 and 1.280, *Florida Rules of Civil Procedure*, files the following Responses and Objections to ITC^DeltaCom Communications, Inc.'s ("ITC") First Set of Interrogatories served on August 11, 1999.

GENERAL OBJECTIONS

1. BellSouth objects to the interrogatories to the extent they seek to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such interrogatories are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth objects to the interrogatories to the extent they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Florida Public Service Commission ("Commission") on the grounds that such interrogatories are not reasonably calculated to lead to the discovery of admissible evidence and are not relevant to the subject matter of this action. BellSouth will note in its responses each instance where this objection applies.

DOCUMENT NUMBER-DATE
10935 SEP 10 99
 FPSC-RECORDS/REPORTING

3. BellSouth objects to each and every interrogatory and instruction to the extent that such interrogatory or instruction calls for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to each and every interrogatory insofar as it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these interrogatories. Any answers provided by BellSouth in response to these interrogatories will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every interrogatory insofar as the interrogatory is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will note in its responses each instance where this objection applies.

6. BellSouth objects to providing information to the extent that such information is already in the public record before the Commission.

7. BellSouth objects to each and every interrogatory to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to §90.506, *Florida Statutes*. BellSouth also objects to each and every interrogatory that would require the disclosure of customer specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that ITC requests proprietary information that is not subject to the "trade secrets" privilege or to §364.24, BellSouth

will make such information available to ITC at a mutually agreeable time and place upon the execution of a confidentiality agreement.

8. BellSouth objects to ITC's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

9. BellSouth objects to each and every interrogatory, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written. Any answers provided by BellSouth in response to these interrogatories will be provided subject to, and without waiver of, the foregoing objection.

10. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to Commission or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document has been identified in response to these interrogatories. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the interrogatories purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

SPECIFIC RESPONSES AND OBJECTIONS

INTERROGATORY NO. 1:

Please identify by name and date of completion, if completed, the most recent TELRIC cost studies for BellSouth operations in Florida prepared by or for BellSouth, and please identify the name of the principal developer of each study.

RESPONSE:

See Attachment No. 1 for a list of the most recent unbundled network element cost studies for Florida filed by BellSouth. Daonne Caldwell is BellSouth's cost witness and can address the development of these cost studies.

INTERROGATORY NO. 2:

Has BellSouth completed a cost study for cageless ("unenclosed") collocation as a result of the FCC's advanced service order, CC Docket No. 98-147? If so, please identify each such study by name and date of completion, if completed, and please identify the name of the principal developer of each study.

RESPONSE:

A separate cost study for cageless collocation is not required in Florida since the components required to derive the cageless collocation rates were included in the physical collocation study filed in Docket Nos. 960833-TP/960846-TP/960757-TP/971140-TP/960916-TP. See response to Interrogatory No. 1 for the identification, date, and developer of the physical collocation cost studies.

INTERROGATORY NO. 3:

Please identify each person answering these interrogatories and identify each document which was examined or consulted by any person identified for the purpose of answering or assisting in answering these interrogatories.

RESPONSE:

The individual responsible for providing the responses to Interrogatory Nos. 1 and 2 was Daonne Caldwell. In providing the responses to Interrogatory Nos. 1 and 2, Ms. Caldwell utilized the cost studies identified in the response to Interrogatory No. 1.

Respectfully submitted this 10th day of September 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White (KE)
NANCY B. WHITE
MICHAEL P. GOGGIN
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

R. Douglas Lackey (KE)
R. DOUGLAS LACKEY
E. EARL EDENFIELD, JR.
Suite 4300
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0747

Date Filed	Study Name
<u>Docket No. 990750-TP</u>	
8/16/1999	Operational Support Systems 2-Wire Analog Voice Grade Loop-Service Level 1 2-Wire Analog Voice Grade Loop-Service Level 2
<u>Docket No. 990691-TP</u>	
8/2/1999	Unbundled Packet Switching Frame Relay
<u>Docket No. 990149-TP</u>	
4/1/1999	Unbundled Network Terminating Wire
<u>Docket Nos. 981642-TP/981745-TP</u>	
2/4/1999	Sub-Loop 2-Wire Analog Loop Channelization and CO Interface (Inside CO) 4-Wire 56 or 64 Kbps Digital Grade Loop Concentration per System per Feature Activated 2-Wire Copper Loop-Digitally Conditioned 4-Wire Copper Loop-Digitally Conditioned High Capacity Unbundled Local Loop Interoffice Transport-Dedicated-DS0-56/64 Kbps Local Channel-Dedicated Interoffice Transport-Dedicated-DS3 Interoffice Transport-Dedicated-OC3 Interoffice Transport-Dedicated-OC12 Interoffice Transport-Dedicated-OC48 Physical Collocation Dark Fiber
<u>Docket Nos. 960833-TP/960846-TP/960757-TP/971140-TP/960916-TP</u>	
11/13/1997	Sub-Loop 2-Wire Analog
12/9/1997	2-Wire Asymmetrical Digital Subscriber Line (ADSL) Compatible Loop 2-Wire High Bit Rate Digital Subscriber Line (HDSL) Compatible Loop 4-Wire High Bit Rate Digital Subscriber Line (HDSL) Compatible Loop Exchange Ports-4-Wire Analog Voice Grade Port Features Interoffice Transport-Dedicated-DS1 Directory Transport Physical Collocation Virtual Collocation
<u>Docket No. 961150-TP</u>	
10/15/1996	Unbundled 4-Wire DS1 Digital Grade Loop Unbundled Local Usage Number Services Intercept Access Service Directory Assistance Database Service CCS7 Signaling Transport Service Unbundled Loop Channelization System and Central Office Interface Unbundled Exchange Ports Interoffice Channel Voice-Unbundled Exchange Access Emergency Call Trace Directory Transport 800 Access Ten Digit Screening Service Line Information Database Access Service DACC Access Service Direct Access To Directory Assistance Service
<u>Docket Nos. 960833-TP/960864-TP/960916-TP</u>	
10/4/1996	4-Wire Analog Voice Grade Loop 2-Wire ISDN Digital Grade Loop

STATE OF GEORGIA

COUNTY OF FULTON

BEFORE ME, the undersigned authority, personally appeared
Lynne G. Brewer, who being first duly sworn deposes and says:

That she occupies the position of Manager, Headquarters
Regulatory and is the person who has furnished answers to these
interrogatories No. 1 through No. 3 and further says that
said answers are true and correct to the best of her knowledge and
belief.

WITNESS my hand and seal this 9th day of September, 1999.

Signature Lynne G. Brewer

Micheale F. Holcomb
Notary Public

State of Georgia

My Commission Expires:

MICHEALE F. HOLCOMB
Notary Public, Douglas County, Georgia
My Commission Expires November 3, 2001