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Room 400
Tallahassee, Florida 32301
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RECORDS AND
REPORTING

January 14, 2000

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. 991267-TP (Global NAPS Complaint)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Response and Objections to Staff's First Request for Production of Documents (without attachments), which we ask that you file in the captioned docket.

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

Sincerely,

Michael P. Goggin (cc)

Michael P. Goggin

AFA	_____
APP	_____
CMU	_____
CTR	_____
EAG	_____
LEG	1 _____
MAS	3 _____
OFC	_____
RRR	_____
SEC	1 _____
WAW	_____
OTH	_____

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

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[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re:) Docket No. 991267-TP
)
Complaint of Global NAPs, Inc., against)
BellSouth Telecommunications, Inc. for)
Enforcement of Section VI(B) of its)
Interconnection Agreement with BellSouth)
Telecommunications, Inc. and Request for Relief)
_____) Filed: January 14, 2000

**BELLSOUTH TELECOMMUNICATIONS, INC.'s
RESPONSES AND OBJECTIONS TO STAFF'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 28-106.206, *Florida Administrative Code*, and Rules 1.350 and 1.280, *Florida Rules of Civil Procedure*, files the following Responses and Objections to the First Request for Production of Documents served by the Staff of the Florida Public Service Commission's ("Staff") on December 10, 1999.

GENERAL OBJECTIONS

1. BellSouth objects to the requests for production of documents 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 requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth objects to the requests for production of documents to the extent they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. BellSouth objects to

such requests for production of documents as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request for production of documents and instruction to the extent that such request for production of documents or instruction calls for information which 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 request for production of documents insofar as the request for production of documents 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 requests. Any answers provided by BellSouth in response to these requests for production of documents will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request for production of documents insofar as the request for production of documents 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 attempt to 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 request for production of documents 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 request for production of documents that would require the disclosure of customer specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that Staff requests proprietary information that is not subject to the “trade secrets” privilege or to §364.24, BellSouth will make such information available to Staff at a mutually agreeable time and place upon the execution of a confidentiality agreement, or subject to a Request for Confidential Classification.

8. BellSouth objects to Staff’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 request for production of documents, insofar as any of them is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

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 requests for production of documents. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests for production

of documents purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

**SPECIFIC RESPONSES AND OBJECTIONS TO REQUEST FOR
PRODUCTION OF DOCUMENTS**

Request for Production No. 1: Please provide all documents in your possession or under your control from January 1, 1995 to the present, including, but not limited to, E-mail, memoranda, letters, or procedural manuals (applicable portions only), that relate specifically to the exclusion of ISP traffic from reciprocal compensation billing.

Specific Objection: BellSouth objects to this discovery request to the extent that it calls for the disclosure of BellSouth's confidential and/or proprietary business information, or to the extent that it calls for the disclosure of customer specific information, the disclosure of which is prohibited by Section 364.24, Florida Statutes.

Specific Response: Subject to the foregoing objection, and without waiving such objection, BellSouth is producing the following documents that relate to BellSouth's efforts to exclude ISP traffic from reciprocal compensation billings that BellSouth sends to ALECs. This information is being provided pursuant to the December 29, 1999 subpoena issued in this docket.

List of Documents:

- 1.) CRIS / CABS Work Request Submitted June 16, 1997 detailing the requirements which were developed to identify and drop from billing ISP traffic.
- 2.) E-Mail dated September 11, 1997 from Sheri Irvin, Specialist – BBI Wholesale Billing, describing requirements for reports for dropped ISP usage.
- 3.) E-Mail Message from Pinky Reichert dated October 7, 1997 addressing issues with ISP process.

- 4.) E-Mail Message Dated October 24, 1997 from Susan Claytor, Manager – BBI Wholesale Billing describing on-going efforts to refine the ISP process.
- 5.) CRIS / CABS Work Request Submitted November 5, 1997 detailing the requirements to provide reports of dropped ISP traffic.
- 6.) E-Mail Message from Bob Cunningham, Manager – Network and Carrier Services dated December 16, 1997 containing the CRIS / CABS Work Request Submitted December 12, 1997 detailing the requirements to change the manner in which usage records for ISP traffic are stored.
- 7.) E-Mail Message from Bob Cunningham, Manager – Network and Carrier Services dated December 16, 1997 containing the CRIS / CABS Work Request Submitted December 16, 1997 detailing the requirements to change the manner in which 800 traffic terminating to ISP numbers is treated.
- 8.) Letter from Dave Hollett, Senior Director – BBI Wholesale Billing dated March 5, 1998 describing implementation of billing changes to support ISP orders in North Carolina and Florida
- 9.) Implementation Guide dated September 8, 1998 highlighting the changes which were implemented in CABS to identify ISP usage on ALEC CABS bills.
- 10.) An undated spreadsheet containing the test scripts used to verify that the CABS changes implemented to identify ISP usage on ALEC bills was installed correctly.
- 11.) E-Mail Message from Bob Cunningham, Manager – Network and Carrier Services dated October 27, 1997 containing the CRIS / CABS Work Request and notes on the Georgia Data Warehouse study.
- 12.) The data warehouse study outputs and notes.
- 13.) Letter dated September 10, 1997 From Ms. Sheila Lavender to MCI Metro stating the position of BST on ISP traffic.
- 14.) Notes from meeting dated 8/13/97 on work being done to determine what amounts should be paid on invoices from ALECs.
- 15.) E-Mail dated 10/6/97 from Carrie Wimberly on the amounts of ISP traffic excluded from BST billing.
- 16.) Email dated 8/29/97 clarifying BST processes for paying invoices to

TCG.

- 17.) E-Mail dated 10/6/97 answering questions related to ISP billing capabilities.
- 18.) Spreadsheet showing ISP MOUs for Georgia 9/10/97 through 10/9/97.
- 19.) Spreadsheet showing MOUs billed to MCIMetro.
- 20.) Spreadsheet showing MOUs billed by MCIMetro to BellSouth.

Request for Production No. 2: Please refer to your response to interrogatory 10. If the response is in the affirmative, please provide a sample of the language used to describe alternative methods of compensation.

Specific Response: BellSouth has no responsive documents at this time.

Request for Production No. 3: Please refer to your response to interrogatory 11. If the response is affirmative, please provide a sample of the language used in a contract currently in effect in Florida.

Specific Response: Relevant language can be found in the attached, POD No. 3, on page 19 of Attachment B of the General Terms and Conditions and in Sections 6.1.1 and 6.10 of Attachment 3.

Respectfully submitted this 14th day of January, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

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193102

CERTIFICATE OF SERVICE
Docket No. 991267-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

(*) Hand Delivery and U.S. Mail this 14th day of January, 2000 to the following:

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Staff Counsel
Florida Public Service
Commission
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Tallahassee, FL 32399-0850
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