



BOULT • CUMMINGS  
CONNERS • BERRY<sub>PLC</sub>

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April 3, 2003

RECEIVED

APR 04 2003

PUBLIC SERVICE  
COMMISSION

Kentucky Public Service Commission  
Mr. Thomas M. Dorman  
Executive Director  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

Re: *Inquiry Into the use of Contract Service Arrangements by  
Telecommunications Carriers in Kentucky*  
Case No. 2002-00456

Dear Mr. Dorman:

Enclosed for filing are the original and ten copies of AT&T's Discovery Requests to BellSouth Telecommunications, Inc. I have also enclosed an additional copy to have stamp filed and returned to me in the enclosed, self-addressed, postage prepaid envelope.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

Henry Walker

HW/ml

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

**RECEIVED**

APR 04 2003

PUBLIC SERVICE  
COMMISSION

In the Matter of: )  
Inquiry into the Use of Contract Service )  
Arrangements by Telecommunications )  
Carriers in Kentucky )

Case: 2002-00456

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC'S  
DATA REQUESTS  
TO BELLSOUTH TELECOMMUNICATIONS, INC.**

AT&T Communications of the Southern States, LLC ("AT&T"), pursuant to Commission Order issued in this docket on January 28, 2003, hereby serves the following Data Request to BellSouth Telecommunications, Inc. ("BellSouth").

**DEFINITIONS**

1. "BellSouth" means BellSouth Telecommunications, Inc., and its parents, subsidiaries, and affiliates, their present and former officers, employees, agents, representatives, directors, and all other persons acting or purporting to act on behalf of BellSouth Telecommunications, Inc.

2. The terms "you" and "your" refer to BellSouth.

3. "AT&T" means AT&T Communications of the Southern States, LLC, its subsidiaries and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of AT&T.

4. The term "person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

5. The term "document" shall have the broadest possible meaning under applicable law. "Document" means every writing or record of every type and description that is in the possession, custody or control of BellSouth, including, but not limited to, correspondence, memoranda, drafts, workpapers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to, electronic mail files; and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original. The term "document" further includes, by way of illustration and not limitation, schedules, progress schedules, time logs, drawings, computer disks, charts, projections, time tables, summaries of other documents, minutes, surveys, work sheets, drawings, comparisons, evaluations, laboratory and testing reports, telephone call records, personal diaries, calendars, personal notebooks, personal reading files, transcripts, witness statements and indices.

6. The term "referring or relating to" means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.

7. "And" and "or" as used herein shall be construed both conjunctively and disjunctively and each shall include the other whenever such construction will serve to bring within the scope of these discovery requests any information that would otherwise not be brought within their scope.

8. "Affiliate" or "affiliated" means an entity that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, another entity.

9. "Identify" or "identifying" or "identification" when used in reference to a document means to provide with respect to each document requested to be identified by these discovery requests a description of the document that is sufficient for purposes of a request to produce or a subpoena deuces tecum, including the following:

- a) the type of document (e.g., letter, memorandum, etc.);
- b) the date of the document;
- c) the title or label of the document;
- d) the Bates number or other identifier used to number the document for use in litigation;
- e) the identity of the originator;
- f) the identity of each person to whom it was sent;
- g) the identity of each person to whom a copy or copies were sent;
- h) a summary of the contents of the document;
- i) the name and last known address of each person who presently has possession, custody or control of the document; and
- j) if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and, if so, state the

circumstances surrounding the authorization for each such disposition and the date of such disposition.

### **GENERAL INSTRUCTIONS**

1. If you contend that any response to any data request may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege or basis, please state the following with respect to each such response in order to explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim:

- a) the privilege asserted and its basis;
- b) the nature of the information withheld;
- c) the subject matter of the document, except to the extent that you claim it is privileged.

2. These discovery requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These discovery requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documents may be obtained.

3. If any data request cannot be answered in full, answer to the extent possible and specify the reasons for your inability to answer fully.

4. For each data request, provide the name of the company witness(es) or employee(s) responsible for compiling and providing the information contained in each answer.

## DATA REQUESTS

1. Describe in detail the term commitments of BellSouth's contract service arrangements ("CSAs"), including a description of the length of the term commitments, identifying the range from the shortest term to the most lengthy.

a. What is the shortest term commitment and what are the criteria for using that length?

b. What is the longest term commitment and what are the criteria for using that length?

c. What are the criteria for establishing a 12 month term?

d. What are the criteria for establishing a 24 month term?

e. What are the criteria for establishing a 36 month term?

f. What are the criteria for establishing a 48 month term?

g. What are the criteria for establishing a 60 month term?

h. What are the criteria for establishing a 120 month term?

i. What are the criteria for establishing other term lengths?

2. How does BellSouth determine the term commitments in its CSAs? Respond in detail, including the factors considered in establishing term commitments.

3. Describe in detail the penalties in BellSouth's CSAs for premature termination, specifically identifying the range of penalties.

4. How does BellSouth determine the penalties in its CSAs? Respond in detail, including the factors considered in determining what they should be for a particular CSA.

5. The following questions pertain to Attachment No. 1 (edited) of BellSouth's Response to the Commission's 1st Data Request Dec. 19, 2002 and Jan. 28, 2003:

a. The customer listed at Row No. 12 has Primary Rate ISDN-Voice/Data. Using the UNE-P rates now in effect in Kentucky, provide the total wholesale rate to provide this same service to this customer using a UNE-P ordered from BellSouth. Include an explanation of each unbundled network element rate.

b. Provide the same information as requested in (a) above for the CSAs for the customers listed at Rows 22, 109, 110, 183, 383, 392, 393, 403, 407, 414, 528, 551, 594, and 756.

Respectfully submitted,

By: 

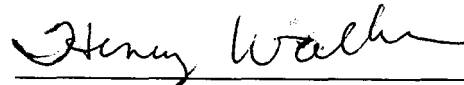
Henry Walker  
Boult, Cummings, Conners & Berry, PLC  
414 Union Street, Suite 1600  
P. O. Box 198062  
Nashville, Tennessee 37219  
(615) 252-2363

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served on the individuals on the attached Service List by mailing a copy thereof, this 3<sup>rd</sup> day of April, 2003.

Dorothy Chambers  
BellSouth Telecommunications, Inc.  
601 W. Chestnut Street  
Room 407  
Louisville, KY 40203

Joan Coleman  
Director-Regulatory  
BellSouth Telecommunications  
601 West Chestnut Street, 4NE  
P.O. Box 32410  
Louisville, KY 40232



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Henry Walker