

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

<b>REVIEW OF FEDERAL COMMUNICATIONS</b>	)	
<b>COMMISSION'S TRIENNIAL REVIEW ORDER</b>	)	<b>Case No.</b>
<b>REGARDING UNBUNDLING REQUIREMENTS</b>	)	<b>2003-00379</b>
<b>FOR INDIVIDUAL NETWORK ELEMENTS</b>	)	

**RESPONSES AND OBJECTIONS OF SOUTHEAST TELEPHONE, INC. TO  
BELLSOUTH TELECOMMUNICATIONS' SECOND SET OF INTERROGATORIES  
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

SouthEast Telephone, Inc., ("SouthEast") hereby responds and objects to BellSouth Telecommunications, Inc.'s ("BellSouth") Second Set of Interrogatories, ("BellSouth's Interrogatories") as set forth below. The Responses and Objections are filed pursuant to the Kentucky Public Service Commission's ("Commission") Procedural Order issued on November 4, 2003.

SouthEast reserves the right to amend, supplement, or revise these objections, and assert additional objections, should SouthEast discover additional grounds for objecting as SouthEast prepares its responses to any discover or at any time prior to the formal hearing.

**General Objections to BellSouth's Interrogatories**

1. SouthEast objects to BellSouth's Interrogatories as being overly broad, lacking specificity, unduly burdensome, irrelevant and not likely to lead to the discovery of admissible evidence.
2. SouthEast objects to BellSouth's Interrogatories to the extent that the interrogatories seek discovery of information protected by attorney-client privilege, the work product doctrine, or any other applicable privilege.
3. SouthEast objects to BellSouth's Interrogatories to the extent that the interrogatories purport to impose discovery obligations on SouthEast beyond the scope of, what is permitted under the Procedural Order in this docket and the applicable Kentucky Rules of Civil Procedure.
4. SouthEast objects to BellSouth's Interrogatories to the extent that the interrogatories purport to seek discovery of matters other than those subject to the jurisdiction of this Commission pursuant to the FCC's Triennial Review Order ("TRO") and the Kentucky General Statutes.

5. SouthEast objects to BellSouth's Interrogatories to the extent that they require the disclosure of information which is already in the public domain, BellSouth already has possession of or unrestricted access to, and information that is otherwise on record with the Commission or the FCC.
6. SouthEast objects to BellSouth's Interrogatories to the extent that the interrogatories seek information and discovery of facts known and opinions held by experts acquired and/or developed in anticipation of litigation or for hearing and outside the scope of discoverable information pursuant to the Kentucky Rules of Civil Procedure.

**Specific Objections and Responses to BellSouth's Second Set of Interrogatories**

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in Kentucky for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving those objections, SouthEast responds that it has no facilities responsive to this request.

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in Kentucky. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you “own” a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

3. Affirm or deny whether you have acquired on a wholesale basis from a third party DS1, DS3, or dark fiber transport between two or more ILEC central offices in Kentucky. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

RESPONSE: SouthEast affirms that it has acquired DS3 transport on a wholesale basis from a third party.

4. In Question 1, if you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list (using spreadsheet labeled “Question 4 Spreadsheet – Self-provisioned Transport Information”) of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the “low alpha” (alphabetically first) CLLI code as Wire Center A and the “high alpha” CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
- c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
- d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are able to immediately provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

5. In Question 2, if you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list (using spreadsheet labeled “Question 5 Spreadsheet – Wholesale Transport Information”) of all ILEC CO to ILEC CO routes along which you provide such transport identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the “low alpha” (alphabetically first) CLLI code as Wire Center A and the “high alpha” CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
- c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
- d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
- f. Whether you are willing and able immediately to provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

6. In Question 3, if you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide a list (using spreadsheet labeled "Question 6 Spreadsheet – Acquired Wholesale Transport Information") of all ILEC CO to ILEC CO routes along which you acquire such transport identifying:

- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route as of September 30, 2003.

RESPONSE: a) (1) PKVLKYMA – LXTNKY24XXX  
(2) WHCHKYMA7MD – LXTNKY24XXX  
(3) MRHDKYXAW01 – LXTNKY24XXX  
b) KDL (Kentucky Data Link)  
c) Yes  
d) DS3 to each location with 3/1 muxing.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

RESPONSE: SouthEast is only able to transport back to the NOC in Lexington.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in Kentucky for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in Kentucky. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

10. Affirm or deny that you have obtained from a third party, high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in Kentucky. Self-provided facilities that you “own” as defined in 8 above should not be included in this response.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

11. Affirm or deny that you have obtained from a third party, high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in Kentucky. Self-provided facilities that you “own” as defined in 9 above should not be included in this response.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

12. If in Questions 8 and 10 you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this



proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list (using spreadsheet labeled "Question 12 Spreadsheet – Self-provisioned Loop Information") of the customer locations to which you have deployed such loops, identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location.  
(Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

13. If in Questions 9 and 11 you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list (using spreadsheet labeled “Question 13 Spreadsheet – Wholesale Loop Information”) of the customer locations to which you have provided such loops, identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

14. Provide a list of all BellSouth wire centers in Kentucky to which you are currently in the process of deploying, or plan to deploy transport facilities and/or loop facilities. List wire centers if this deployment is in process or will take place from the time period beginning October 1, 2003 through December 31, 2004.

RESPONSE: Pikeville and Winchester.

15. List all BellSouth wire centers in Kentucky where you have collocation, either virtual or physical.

RESPONSE:

- a) Remote Adjacent Collocation
- b) DSLAM gear
- c) N/A
- d) No excess space
- e) 2 DS1 to date
- f) No DS3s
- g) None
- h) None
- i) No
- j) N/A
- k) N/A

16. Provide a list of all BellSouth wire centers and/or central offices Kentucky to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from previous questions as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:

BST wire center → IXC POP ↔ IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

- 17. For each central office/wire center identified in response to Interrogatory No. 16:
  - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
  - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

RESPONSE: N/A. SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that were no central office/wire centers identified in response to Interrogatory No. 16.

18. Provide a list of all BellSouth wire centers and/or central offices Kentucky from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. *This interrogatory varies from previous questions as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC – points of presence (“POP”) should be identified:*

BST wire center → IXC POP ← → IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are willing and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it does not offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities.

19. For each central office/wire center identified in response to Interrogatory No. 17:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it did not identify any central office/wire centers in response to Interrogatory No. 17.

20. Identify the points within Kentucky at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

RESPONSE: 301 East Main Street, Lexington, KY.

21. Identify the points within Kentucky at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

RESPONSE: Winchester – BellSouth Tandem. WNCHKY MA02T

22. On an MSA-specific basis, in Kentucky please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

23. Provide a list of all fiber rings in Kentucky you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

24. Identify each shared or non-BellSouth location (e.g., collocation hotel) in Kentucky in which you are located. For each such location state:

- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
- b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).



- c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request which are used to serve Kentucky customers.

25. For each arrangement identified in response to Interrogatory 23 and in response to Interrogatory 16, please list the types of services that are provided utilizing such an arrangement.

- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
- b. For each service identified in (a), list the average monthly revenue associated with each type of service.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

26. Provide a list of all customer locations in Kentucky at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. *This interrogatory varies from Interrogatory No. 8 as it is not limited to loop facilities solely used to provide retail service.* For each customer location, identify:

- a. The RSAG valid address of the customer location;

- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject to and without waiving these objections, SouthEast responds that it has no facilities responsive to this request.

27. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

RESPONSE: SouthEast incorporates the general objections set forth above. Subject furthers objects on the basis that the information that BellSouth seeks is proprietary information.

28. BellSouth incorporates herein its First Set of Interrogatories and First Request for Production of Documents served October 10, 2003, as if the requests were restated in their entirety. If you have not responded to that set of interrogatories and request for production, please consider this a reissuance of those requests.

RESPONSE: Acknowledged.

Respectfully submitted,

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