

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

REVIEW OF THE FEDERAL COMMUNICATIONS)	
COMMISSION'S TRIENNIAL REVIEW ORDER)	CASE NO.
REGARDING UNBUNDLING REQUIREMENTS)	2003-00379
FOR INDIVIDUAL NETWORK ELEMENTS)	

DIECA COMMUNICATIONS, INC., D/B/A COVAD COMMUNICATIONS COMPANY
RESPONSE AND OBJECTIONS TO BELL SOUTH TELECOMMUNICATIONS, INC.'S
SECOND SET OF INTERROGATORIES (1-28) AND SECOND REQUEST FOR
PRODUCTION OF DOCUMENTS (1-5)

DIECA Communications, Inc., d/b/a Covad Communications Company (Covad), pursuant to the Commission's November 4, 2003, Order in this case, hereby files the following Response and Objections to BellSouth Telecommunications, Inc.'s Second Set of Interrogatories (Nos. 1 – 28) and Second Requests for Production of Documents (Nos. 1 – 5), dated November 24, 2003.

GENERAL OBJECTIONS

1. Covad objects to the interrogatories and requests for production to the extent they seek to impose an obligation on Covad 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. Specifically, BellSouth defines Covad to include, in relevant part, "parent(s), subsidiaries, and affiliates. . ." Covad will not be responding to discovery that seeks information from parent and affiliate companies.

2. Covad objects to the interrogatories and requests for production to the extent they are intended to apply to matters other than those subject to the jurisdiction of the Commission. Covad object to such interrogatories and requests for production as being irrelevant, overly

broad, unduly burdensome, and oppressive.

3. Covad objects to each and every interrogatory, request for production and instruction to the extent that such request 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. Covad objects to each and every interrogatory and requests for production insofar as the interrogatories and requests for production are vague, ambiguous, overly broad, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these interrogatories and requests for production. Any answers provided by Covad in response to the interrogatories and requests for production will be provided subject to, and without waiver, of the foregoing objection.

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

6. Covad objects to providing information to the extent that such information is already in the public record before the Commission or is in Bellsouth's possession.

7. Covad objects to BellSouth's discovery requests, instructions and definitions, insofar as they seek to impose obligations on Covad that exceed the requirements of the law.

8. Covad objects to each and every interrogatory and requests for production, insofar as any of them are unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. Covad is a large corporation with employees located in many different locations in Kentucky and in other states. In the course of its business, Covad 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. Covad will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests purport to require more, Covad objects on the grounds that compliance would impose an undue burden or expense.

10. Covad objects to each and every interrogatory and requests for production to the extent that the information requested constitutes “trade secrets”. To the extent that BellSouth requests proprietary confidential business information, Covad will make such information available in accordance with a protective agreement, subject to other general or specific objections contained herein.

11. Covad objects to any discovery request that seeks to obtain “all” or particular documents, items, or information to the extent that such requests are overly broad and unduly burdensome. Any answers provided by Covad in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.

12. Covad objects to any interrogatory or request for production that seeks to obtain information related to all states in BellSouth’s nine-state region. Covad will respond, to the extent a request is not otherwise objectionable, when applicable to Kentucky. Interrogatories and requests for production seeking information as to states other than Kentucky are irrelevant, overly broad and unduly burdensome. Any answers provided by Covad in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.

SPECIFIC OBJECTIONS TO INTERROGATORIES

INTERROGATORY NO. 15(a)-(h),(j),(k): Covad objects to this interrogatory on the basis that BellSouth is already in possession of the information sought. Further, such information is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. The information sought in subparts (b) and (c) of Interrogatory No. 15 is further irrelevant as to Covad because it assumes that Covad is a voice provider, which it is not. Finally, switch information and other information was previously provided in response to BellSouth's First Set of Interrogatories in the Florida loop/transport docket.

INTERROGATORY NOS. 18 – 20: Covad objects to these interrogatories because the information is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. *See* ¶ 402 of the *Triennial Review Order (TRO)* (excluding “daisy-chaining” transport from “triggers” analysis).

INTERROGATORY NOS. 21, 23: Covad objects to these interrogatories because the information sought is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. *See* ¶ 402 of the *Triennial Review Order (TRO)* (excluding “daisy-chaining” transport from “triggers” analysis). This is particularly the case if it is BellSouth's intent to seek information other than what Covad has already provided in response to BellSouth's First Set of Discovery in the Florida loop/transport docket.

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: Denied.

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: Denied.

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: Denied.

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: Not applicable.

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: Not applicable.

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: Not applicable.

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: Not applicable.

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 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: Denied.

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: Denied.

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: Denied.

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: Denied.

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: Not applicable.

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: Not applicable.

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: Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops. Covad does not have plans to self-provision or sell at wholesale non-ILEC transport or high capacity loops.

15. List all BellSouth wire centers in Kentucky where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:

- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
- 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).
- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber “entrance” facilities that you own which

connect to the collocation arrangements identified.

- j. State whether you have fiber “entrance” facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

Response: The information sought in this interrogatory is equally available to BellSouth as it is to Covad. Covad further responds that it is not a voice provider, so switching information related to Covad’s digital (ATM) switches is irrelevant in this docket.

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: None. Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops.

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: Not applicable.

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: Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops.

- 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: Not applicable.

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: Covad objects to this interrogatory on the ground that the information it seeks is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See ¶ 402 of the *Triennial Review Order (TRO)*.

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: Covad objects to this interrogatory on the ground that the information it seeks is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See ¶ 402 of the *Triennial Review Order (TRO)*.

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: Covad objects to this interrogatory on the ground that the information it seeks is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See ¶ 402 of the *Triennial Review Order (TRO)*.

Covad further responds that it does not own any transport or loop facilities in Kentucky.

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: Covad objects to this interrogatory on the ground that the information it seeks is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See ¶ 402 of the *Triennial Review Order (TRO)*.

Covad further responds that it does not “own or control” any fiber rings in Kentucky.

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: Covad objects to this interrogatory on the ground that the information it seeks is irrelevant to the issues in this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. See ¶ 402 of the *Triennial Review Order (TRO)*.

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: Not applicable.

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: None.

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: Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops. Covad does not have plans to self-provision or sell at wholesale non-ILEC transport or high capacity loops.

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: Not applicable.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within Kentucky.

Response: None. Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops.

2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.

Response to Request to Produce No. 2: None.

3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within Kentucky.

Response to Request to Produce No. 3: Upon information and belief, there are no responsive documents. Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops. Covad does not have plans to self-provision or sell at wholesale non-ILEC transport or high capacity loops.

4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.

Response to Request to Produce No. 4: Upon information and belief, there are no responsive documents. Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops. Covad does not have plans to self-provision or sell at wholesale non-ILEC transport or high capacity loops.

5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

Response to Request to Produce No. 5: Upon information and belief, there are no responsive documents. Covad does not self-provision or sell at wholesale non-ILEC transport or high capacity loops. Covad does not have plans to self-provision or sell at wholesale non-ILEC transport or high capacity loops.

Respectfully submitted this 15th day of December, 2003.

Respectfully submitted,

/s/
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CERTIFICATE OF SERVICE

I hereby certify that the electronic version of this filing made with the Commission this 16th day of December is a true and accurate copy of the documents attached hereto in paper form. This version was transmitted to the Commission for forwarding to those persons receiving electronic notices from the Commission in this case. A copy of the filing was also served by U.S. mail on December 16th to those persons whose postal addresses appear on the service list below.

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