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**PUBLIC SERVICE
COMMISSION**

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
GENERAL AND SPECIFIC OBJECTIONS TO
NPCR, INC., D/B/A NEXTEL PARTNERS' INITIAL DATA REQUESTS**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits the following General and Specific Objections to the NPCR, Inc., d/b/a Nextel Partners (hereinafter "Nextel") Initial Data Requests dated October 10, 2003, and states as follow:

The objections stated herein are preliminary in nature. Should additional grounds for objection be discovered as BellSouth prepares its answers to the above-referenced interrogatories and request for production of documents, BellSouth reserves the right to supplement, revise, or modify its objections at the time it serves its responses.

GENERAL OBJECTIONS

BellSouth makes the following general objections to Nextel's data requests:

1. BellSouth objects to any data request to the extent that such data requests may 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 grounds that such requests are irrelevant, overly broad, unduly burdensome, oppressive, and not permitted by the applicable rules of discovery.

2. BellSouth has interpreted Nextel's data requests to apply to BellSouth's regulated intrastate operations in Kentucky and will limit its responses accordingly. To the extent that any request is intended to apply to matters other than Kentucky intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such requests as irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every data request 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, the work product doctrine, or other applicable privilege.

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

5. BellSouth objects to each data request to the extent that it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action.

6. BellSouth objects to providing information to the extent that such information has already been provided, is already within the possession of Nextel, or is readily accessible through publicly available means.

7. BellSouth objects to each data request to the extent that responding to it would be unduly burdensome, expensive, oppressive, or excessively time consuming.

8. BellSouth objects to any data requests that seek to obtain "all" of particular documents, items, or information to the extent that such requests are overly broad and unduly burdensome. Any answers provided by BellSouth in response to these data requests will be provided subject to, and without waiver of, the foregoing objection.

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

SPECIFIC OBJECTIONS TO DATA REQUESTS

Data Request No. 1: Identify all of the ILEC's DS1- and DS3-capable transport facilities and routes that connect ILEC switches or wire centers located within the same LATA and the state of Kentucky.

OBJECTION: BellSouth objects to Data Request No. 1 on the grounds that it is vague, ambiguous and imprecise as this data request is subject to multiple interpretations. Nextel does not describe what BellSouth is to identify; i.e., capacity, circuits, etc. BellSouth requests that Nextel clarify this request; if Nextel is unable to do so, BellSouth cannot respond to the request as written.

Data Request No. 2: Identify the ILEC's DS1 and DS3 special access rates and UNE rates for the transport facilities and routes identified by the ILEC in its response to Data Request No. 1.

OBJECTION: BellSouth objects to Data Request No. 2 on the grounds that this information is available to Nextel as a matter of public record.

Data Request No. 3: State whether the ILEC claims that carriers are not impaired by the absence of unbundled DS1 or DS3 transport for any of the transport facility routes identified in its response to Data Request No. 1.

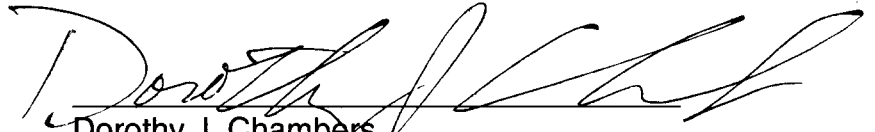
OBJECTION: BellSouth objects to Data Request No. 3 on the grounds that it seeks information that is protected from disclosure. BellSouth also objects to Data Request No. 3 on the grounds that its investigation concerning which transport routes may meet the FCC's triggers test is ongoing.

Data Request No 4: If the ILEC is claiming that a carrier would not be impaired by the absence of DS1 or DS3 transport for any transport facility routes identified in its response to Data Request No. 1, provide a description of all evidence it intends to offer in support of such a claim. Please include the following information for each route for which the ILEC is making the claim:

- a. If the claim is that the requesting carriers have the ability to self-deploy, please provide evidence that three or more competing carriers, not affiliated with each other or the incumbent local exchange carrier, each have deployed non-ILEC DS1 and DS 3 transport facilities along the given route between ILEC switches or wire centers.
- b. If the claim is that requesting carriers have access to third-party alternatives, please provide evidence that competing carriers have available two or more alternative DS1 and DS3 transport providers, not affiliated with each other or the ILEC, immediately capable and willing to provide transport at DS1 and DS3 capacity along the given route between ILEC switches or wire centers.
- c. If the claim is that a requesting carrier is not impaired on a particular route because that route is suitable for multiple, competitive supply even if the conditions specified in a. and b. above are not met, then for each route where that is the claim please provide the following information:
 1. local engineering costs of building and utilizing transmission facilities;
 2. the cost of underground or aerial laying of fiber;
 3. the cost of equipment needed for transmission;
 4. installation and other necessary costs involved in setting up service;
 5. local topography such as hills and rivers;
 6. availability of reasonable access to rights of way;
 7. availability or feasibility of alternative transmission technologies with similar quality and reliability;
 8. customer density or addressable market;
 9. existing facilities based competitive;
 10. any other evidence that the ILEC intends to rely on to support the claim.

OBJECTION: BellSouth objects to Data Request No. 4 on the grounds that it seeks information that is protected from disclosure. BellSouth also objects to Data Request No. 4 on the grounds that its investigation concerning which transport routes may meet the FCC's triggers test is ongoing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dorothy J. Chambers", written over a horizontal line.

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