

BellSouth Telecommunications, Inc.
2101
333 Commerce Street
Nashville, Tennessee 37201-3300

615 214-6311
Fax 615 214-7406

REC'D TH
REGULATORY AUTH.

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OFFICE OF THE
EXECUTIVE SECRETARY



Patrick Turner
Attorney

October 3, 2000

VIA HAND DELIVERY

Mr. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: *Tariff Filing of BellSouth Telecommunications, Inc. to Reduce
Grouping Rates in Rate Group 5 and to Implement a 3% Late Payment
Charge*
Docket No. 00-00041

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Second Data Requests to Consumer Advocate Division. Copies of the enclosed are being provided to counsel of record.

Very truly yours,

A handwritten signature in cursive script that reads "Patrick W. Turner".

Patrick W. Turner

PWT/jem

Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE

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EXECUTIVE SECRETARY

CONSUMER ADVOCATE DIVISION

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Docket No. 00-00041

vs.

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Tariff 00-00041

BELLSOUTH TELECOMMUNICATIONS,
INC.

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**BELLSOUTH TELECOMMUNICATIONS, INC.'S
SECOND DATA REQUESTS TO
CONSUMER ADVOCATE DIVISION**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests the Consumer Advocate Division ("CAD") to provide answers and furnish documents in response to the following Data Requests by 2:00 p.m., Tuesday, October 10, 2000.

INSTRUCTIONS

(a) If any response required by way of answer to these Data Requests is considered to contain confidential or protected information, please produce the information subject to the Protective Order that has been entered in this docket.

(b) If any response required by way of answer to these Data Requests is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion. If any document is withheld under a claim of privilege, furnish a list of each document for which the privilege is claimed, reflecting the name and address of the person who prepared the document, the date the document was prepared, each person who was sent a copy of the

document, each person who has viewed or has had custody of a copy of the document, and a statement of the basis on which the privilege is claimed.

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

(d) If any Data Request cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of a Data Request, answer all parts of the Data Request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These Data Requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these Data Requests subsequently become known or should your initial response be incorrect or untrue.

DEFINITIONS

(a) "CAD" means Consumer Advocate Division, its present and former employees, agents, and all other persons acting or purporting to act on behalf of the CAD.

(b) "You" and "your" refer to the CAD.

(c) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(d) "And" and "or" 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 Data Requests information that would not otherwise be brought within their scope.

(e) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

DATA REQUESTS

1. Does the CAD contend that BellSouth does not incur costs when its customers do not pay for services that are provided by third parties and billed by BellSouth? If so, please explain in detail the factual and legal basis for your

contention, identifying all facts supporting your contention, and producing all documents supporting your contention.

2. Is the CAD aware of any consumer complaints regarding BellSouth's proposed late payment charge? If so, please identify in detail the nature of each such complaint and the persons or entity who registered each such complaint, and please produce all documents related to or arising out of each such complaint.

3. Please identify each and every person who provides answers to or otherwise participates in responding to each of these Data Requests.

4. Does the CAD contend that any of BellSouth's billing agreements with other telecommunications companies or clearing houses does not allow BellSouth to charge its proposed late payment charge to the consumer, in the event a consumer pays the bill late? If so, please explain in detail the factual and legal basis for your contention, identify all facts supporting your contention, and produce all documents supporting your contention.

5. Does the CAD contend that any of BellSouth's billing agreements with other telecommunications companies or clearing houses prohibits BellSouth from charging its proposed late payment charge to the consumer, in the event a consumer pays the bill late? If so, please explain in detail the factual and legal basis for your contention, identify all facts supporting your contention, and produce all documents supporting your contention.

6. Does the CAD contend that any of the billing agreements BellSouth has provided in discovery in this docket make no provision for late payment charges? If so, please identify each and every such contract.

7. Does the CAD contend that any of the billing agreements BellSouth has provided in discovery explicitly prohibits BellSouth from imposing a late payment charge upon end users who do not pay their BellSouth bills before the next billing date?

8. If your response to Request No. 7 is anything other than an unqualified no, please identify each and every provision (citing to each applicable page and/or section number) of each and every contract the CAD contends explicitly prohibits BellSouth from imposing a late payment charge upon end users who do not pay their BellSouth bills before the next billing date.

9. Does the CAD contend that the aggregate revenues for basic local exchange telephone services or non-basic services generated by the tariff at issue in this docket exceed the aggregate revenues generated by the maximum rates permitted by BellSouth's price regulation plan?

10. If your response to Request No. 9 is anything other than an unqualified no, please:

(a) State the amount by which you contend the aggregate revenues for basic local exchange telephone services or non-basic services generated by the tariff at issue in this docket exceed the aggregate revenues generated by the maximum rates permitted by BellSouth's price regulation plan;

- (b) Identify all facts supporting your contention; and
- (c) Produce all documents supporting your contention.

11. Does the CAD contend that any of the billing agreements BellSouth has provided in discovery provides that BellSouth will bill charges for services provided by third parties without purchasing the accounts receivable associated with such charges?

12. If your response to Request No. 11 is anything other than an unqualified no, please identify each and every provision (citing to each applicable page and/or section number) of each and every contract the CAD contends provides that BellSouth will bill charges for services provided by third parties without purchasing the accounts receivable associated with such charges.

13. Does the CAD contend that any of the billing contracts BellSouth has provided in discovery provides that BellSouth will bill charges for services provided by third parties without taking action to collect delinquent or unpaid amounts associated with such charges?

14. If your response to Request No. 13 is anything other than an unqualified no, please identify each and every provision (citing to each applicable page and/or section number) of each and every contract the CAD contends provides that BellSouth will bill charges for services provided by third parties without taking action to collect delinquent or unpaid amounts associated with such charges.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: Patrick Turner

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(404) 335-0747

202505

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2000, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☒ Facsimile
- ☐ Overnight

Cynthia Kinser, Esquire
Office of Tennessee Attorney General
425 Fifth Avenue North
Nashville, Tennessee 37243


