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EXECUTIVE SECRETARY

January 16, 2001

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TN REGULATORY AUTHORITY
GENERAL COUNSEL'S OFFICE

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

RE: TRA Data Request - Docket 00-01138, Tariff Filing for CSA TN99-8681-01

Dear Mr. Waddell:

This is in response to the Authority's Data Request, dated January 4, 2001.

We trust that this information will be helpful to the Staff in their review of these these tariff filings. Please contact me or Paul Stinson at 214-3839 if there are any questions about this information.

Yours truly,

Paul Stinson for

Attachments

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 1

REQUEST: Has the customer of the CSA referenced above entered into an interconnection agreement with BellSouth that has been approved by the Authority? If yes, please reference the appropriate TRA Docket.

RESPONSE: Yes. The interconnection agreement for this customer was filed under Docket No. 97-00320.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 2

REQUEST: Is the customer of the above referenced CSA using the services covered under the volume and term agreement to interconnect with BellSouth's network pursuant to an interconnection agreement approved by the Authority?

RESPONSE: Yes. The rates for these services are not set forth in the approved Interconnection Agreement between this customer and BellSouth. Instead, Section VI.A of that Interconnection Agreement allows the customer to order these services from BellSouth's tariff. This is appropriate because this is a negotiated (rather than arbitrated) Interconnection Agreement, and § 252(a) of the 1996 Act expressly allows parties to agree to rates, terms, and conditions "without regard to the standards set forth in subsections (b) and (c) of § 251."

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 3

REQUEST: If the answer to question 2 is anything but "no", then is the above referenced CSA being filed pursuant to the terms and conditions of the respective interconnection agreements? If yes, please cite the specific contract language in each case.

RESPONSE: No. As explained in BellSouth's response to Item No. 1, the Interconnection Agreement allows this customer to order the services at issue from BellSouth's tariff. Like any other customer ordering from the tariff, this customer is entitled to negotiate a CSA regarding those tariffed services. Again, this is appropriate because parties to a negotiated interconnection agreement are allowed to agree to rates, terms, and conditions without regard to the standards of § 251.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 4

REQUEST: Is it BellSouth's position that a volume and term CSA can be used to effect the rates or terms or conditions of an interconnection agreement approved by the Authority? Explain your answer.

RESPONSE: Yes, in the context of the agreement at issue. As they were permitted to do by the 1996 Act, the parties to this Interconnection Agreement agreed to tariffed rates for the services at issue. If these tariffed rates were reduced, the customer clearly would be entitled to the benefit of that reduction. Similarly, the customer is entitled to receive lower rates by negotiating a CSA with BellSouth.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 5

REQUEST: Is the above-referenced CSA being filed as an interconnection agreement pursuant to the 1996 Federal Telecom Act?

RESPONSE: No. It is being filed as a CSA pursuant to TRA Rule 1220-4-1-.07.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 6

REQUEST: Will the customer of the above-referenced CSA be able to opt-in another Authority approved interconnection agreement subject to the provisions of Section 251 and 252 of the 1996 Act?

RESPONSE: Yes. This CSA has no effect on the Customer's ability to opt-in another Authority approved interconnection agreement subject to the provisions of Section 251 and 252 of the 1996 Act.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 7

REQUEST: If the answer to question 6 is "yes", then will the termination provisions of the volume and term agreement be enforced if the customer opts into another interconnection agreement before the expiration of the volume and term agreement? If applicable, will tariff termination provisions of services underlying the volume and term agreement additionally be enforced?

RESPONSE: A retail customer under a V&T CSA may order additional services from another provider and, as long as it continues to meet the V&T provisions of its CSA, no termination liability will apply. Similarly, this customer may order additional services under a different interconnection agreement if it opts into that agreement. If this customer continues to meet the V&T provisions in its CSA, no termination liability will apply. If the customer terminates the CSA before its term expires, termination liability will apply.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 8

REQUEST: Is BellSouth proposing to establish rates or modify rates in existing interconnection agreements with this CSA? If so, explain why BellSouth chose to utilize a CSA to establish rates or modify rates instead of amending the existing interconnection agreement.

RESPONSE: No. As explained earlier, this customer's Interconnection Agreement allows it to order the services at issue as described in the response to Item No. 1, including from BellSouth's tariffs. This CSA simply provides even lower rates for these services which, in turn, will allow the customer to provide its end users with lower rates.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 9

REQUEST: Will other carriers be able to "pick and choose" portions of the above referenced CSA subject to the provisions of Section 251 and 252 of the 1996 Federal Telecom Act?

RESPONSE: No. This CSA is filed pursuant to TRA Rule 1220-4-1-.07. It appears as a tariff in Section B.5 of BellSouth's Private Line Services Tariff (PLST) and is not subject to the provisions of Sections 251 and 252 of the 1996 Federal Telecom Act. However, BellSouth's PLST provides tariff services to retail customers, and as a tariff, this CSA, as are all CSAs, is available in its entirety to any similarly-situated customer and is also subject to resale by CLECs.

BellSouth Telecommunications, Inc.
Tennessee Regulatory Authority
Staff's First Data Request
Docket No. 00-01138
January 4, 2001
Item No. 10

REQUEST: Are there any other carriers in the state of Tennessee that BellSouth has entered into an interconnection agreement which BellSouth provisions interconnection services via CSAs? If so, please reference said CSAs and their TRA docket numbers.

RESPONSE: BellSouth has entered into CSAs with other parties who appear to be carriers or affiliates of carriers. These CSAs involve only services tariffed in BellSouth's General Subscriber Services Tariff (GSST) or the Private Line Services Tariff (PLST) and do not involve the provisioning or sale of interconnection services governed by interconnection agreements subject to Sections 251 and 252 of the 1996 Federal Telecom Act. The CSA numbers and TRA Docket/Tariff numbers are as follows:

Tariff #	CSA #
96-191	TN96-0079-04
96-275	TN96-0100-00
97-227	TN97-0930-00
97-255	TN97-1641-00
99-00026	TN98-5664-01
99-00056	TN99-0076-00
99-00062	TN98-6446-00
99-00128	TN98-4289-00
00-00724	TN99-3327-00
00-00726	GA00-1797-00