

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE:)
)
JOINT FILING OF AT&T, INC.,)
BELLSOUTH CORPORATION, and)
BELLSOUTH'S CERTIFIED TENNESSEE)
SUBSIDIARIES REGARDING CHANGE OF)
CONTROL)

DOCKET NO. 06-00093

TR.A. DOCKET NO. 06-00093

2006/11/13 11:11 AM

REC'D 11/13/06

DATA REQUESTS TO THE JOINT APPLICANTS PROPOUNDED BY INTERVENORS
NUVOX COMMUNICATIONS, INC.,
XSPEDIUS MANAGEMENT CO. SWITCHED SERVICES, LLC,
XSPEDIUS MANAGEMENT CO. OF CHATTANOOGA, LLC, AND
ITC^DELTACOM COMMUNICATIONS INC. D/B/A ITC^DELTACOM

Intervenors, NuVox Communications, Inc. ("NuVox"), Xspedius Management Co. Switched Services, LLC, Xspedius Management Co. of Chattanooga, LLC (collectively "Xspedius"), and ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom ("ITC^DeltaCom"), hereby propound the following Data Requests to be answered under oath by an authorized agent of Applicant BellSouth Corporation. ("BellSouth") and/or Applicant AT&T Inc., ("AT&T") (hereinafter "Joint Applicants").

DEFINITIONS

Unless a specific request indicates otherwise, the following definitions are applicable in providing the requested information:

1. "BellSouth" means BellSouth Corporation, and its subsidiaries and affiliates, including agents, servants, attorneys, investigators, employees, ex-employees, other representatives, individuals providing declarations or testimony on behalf of Joint Applicants,

and others who are in possession of, or who may have obtained information for or on behalf of, any of the above-mentioned persons or entities.

2. "AT&T" means AT&T Inc., and its subsidiaries and affiliates including agents, servants, attorneys, investigators, employees, ex-employees, other representatives, individuals providing declarations or testimony on behalf of AT&T, and others who are in possession of, or who may have obtained information for or on behalf of, any of the above-mentioned persons or entities.

3. "Joint Applicants" refers to AT&T and BellSouth collectively; or individually if the requested information is held by only one applicant.

4. "You," "your" or "your organization" means Applicants and includes every person and/or entity acting with or on behalf of the person or entity to whom the Data Requests are directed, including, without limitation, all parent, subsidiary, affiliate, and other corporations of Applicants.

5. "Authority" refers to the Tennessee Regulatory Authority.

6. The term "person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

7. "And" and "or" as used herein 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 discovery requests any information that would otherwise not be brought within their scope.

8. The singular as used herein shall include the plural, and vice versa, and the masculine gender shall include the feminine and the neuter.

9. “Data” means, without limitation, all documents and all other information, however produced or reproduced, whether or not privileged, responsive to a Data Request and includes the information provided by Applicants in response to the Data Requests of other parties to this proceeding.

10. “Identify,” “identity” or “identification,” when used in reference to a document, means to state the type of document (*e.g.*, computer stored information, microfilm, letter, memorandum, policy circular, minute book, telegram, chart, *etc.*), or some other means of identifying it, its present location and custodian, a description and the date on which it was made, prepared or received. The term “identify” when used with respect to an individual means to state the person’s full name, present position and business affiliation, the current business address and telephone number, or if not known, the person’s current home address and telephone number (if unknown, then last known address and telephone number). The term “identify” when used with respect to a business entity or with respect to a telecommunications facility, building or location means to furnish the name and address of the business entity or the telecommunications facility, building or location, as requested herein. The term “list” means to “identify” as defined herein.

INSTRUCTIONS

1. If any document is withheld on the ground of privilege, please produce a log setting forth the date of the document, the author(s), the recipient(s), a summary of the document generally describing its contents, the basis for the privilege asserted, and such additional information as is necessary to demonstrate the privileged nature of the document.

2. Identify each person providing information used in answering each Data Request. Such information shall include the full name, present business address, occupation title,

employer and organization for each such person. Please also indicate the information provided by each identified person.

3. These Data Requests shall be deemed to be continuing in nature so as to require supplementary answers to the requests and further production of documents if you obtain additional information or documents between the initial production or response and the time of hearing.

4. Where the response includes documents that are available in both paper form and electronic form, please provide both forms unless otherwise indicated in a specific request, and provide a complete copy of all electronic versions in their entirety on Microsoft Windows-based CD ROM in an executable format. Do not provide output and results created using electronic means (word processing, spreadsheets, etc.) in the form of a non-executable image file (PDF, TIF, etc.) When the request calls for data and that data is maintained in a database, please identify the database, all extracts from the database used in the response and documentation that explains the meaning of the data (*i.e.*, documentation that describes the meaning of the various fields in the database, all acronyms used, *etc.*).

5. If any material or information is redacted from a document, please so indicate on the document and in your written response. Please produce a log identifying the document, generally describing the redacted material, providing the basis for the privilege asserted, and providing such additional information as is necessary to demonstrate the privileged nature of the redacted material.

6. If Joint Applicants dispute or object to the scope of any request, please provide a response to all portions of the request that are undisputed on the date requested.

7. If Joint Applicants have data that is partially responsive to a request, but are unable to supply a complete response or unable to supply a response in the specific format requested, Joint Applicants should supply the data that is available and an explanation concerning the portions of the requested data not available.

DATA REQUESTS

1. Please provide in electronic spreadsheet form (Excel) each telecommunications facility that AT&T provides to any Authority-certified competitive local exchange carrier ("CLEC") in BellSouth's Tennessee service area and identify each such CLEC separately using a numerical or other coded designation assigned to the entity by AT&T. Separately identify the geographic location (*i.e.* the end termination points of a transport facility) of each such facility and separately identify each such facility as:

- a. A "transport" facility between two BellSouth wire centers, identified by CLLI code;
- b. Any facility between an AT&T network node and point of presence (POP); and
- c. Any "loop" facility, *i.e.*, a facility that terminates at one end at a location of an end user customer of the CLEC.

2. For each facility listed in response to Data Request No. 1 above, indicate whether the facility is owned by AT&T (or its affiliate), leased by AT&T from an entity other than BellSouth, or leased from BellSouth. If leased from BellSouth, indicate whether the facility is leased as special access or as a UNE.

3. Please list each individual entity that connects to AT&T's Internet backbone facilities at one or more locations in BellSouth's Tennessee service territory and identify the location(s) where each connection occurs. In addition, identify each such entity separately using a numerical or other coded designation assigned by AT&T.

4. Please provide a listing of each wire center in Tennessee in which AT&T is a fiber based collocater.

5. Please provide, for each wire center in Tennessee, the number of "business lines" attributable to AT&T claimed by BellSouth in business line count in Docket No. 04-00381.

6. Please provide all documents that have been created by, without limitation, any executives, managers, directors, staff or other personnel or agents of AT&T that are or were involved, whether directly or indirectly, in the consideration, analysis, planning, implementation,

design or any other facets of the proposed merger between the Joint Applicants, from and after January 2006 and continuing until the present time, which in any way discuss or refer to the effect or possible effect of the proposed merger on any interconnection agreements, contracts, BellSouth Carrier Notifications or other documents affecting interconnection and any other relations, contractual or otherwise, between BellSouth and AT&T, between AT&T and any CLEC operating in Tennessee and between BellSouth and any CLEC operating in Tennessee.

7. Provide a list in the form of an Excel or other editable electronic spreadsheet of each fiber optic wireline telecommunications facility owned by AT&T that both originates and terminates telecommunications in BellSouth's Tennessee service territory, and provide:

- a. The location of each end point of termination of each such facility; and
- b. The capacity of each facility, on an end to end basis.

8. As part of the spreadsheet referenced in Data Request No. 7 above, identify and classify each point of termination served by the wireline telecommunications facility listed in response thereto. Classify each such point of termination and provide its geographic location as:

- a. An AT&T point of presence (POP);
- b. Another non-ILEC POP within BellSouth's Tennessee service territory;
- c. A BellSouth - Tennessee wire center;
- d. Another ILEC wire center;
- e. A place known to contain one or more Internet Service Providers ("ISPs");
- f. A location known to contain one or more entities that are not a carrier certified in Tennessee or an ISP (note the same location on the list for both this and the proceeding category), or
- g. Each termination, if any, not covered by one of the above categories.

9. Provide a list of each alternative provider[s] of special access services that currently serve the areas covered by AT&T's network showing the specific areas defined as:

- a. Each area corresponding to the on-net service territory of facilities owned by AT&T or one of its affiliates; and
- b. Each area corresponding to the service area of each BellSouth Tennessee wire center where at least one such alternative provider currently provides a special access service.

10. Provide a listing of all providers of transport service (other than BellSouth) from which AT&T leases transport capacity in Tennessee. Identify the number of analog, DS1, DS3 and OC-level transport facilities AT&T leases by corresponding BellSouth wire center. (If AT&T is unable to determine the corresponding wire center, provide the information requested by city).

11. Provide a listing of all providers of loop facilities (other than BellSouth) from which AT&T leases loop capacity in Tennessee. Identify the number of analog, DS1, DS3 and OC-level loop facilities AT&T leases by corresponding BellSouth wire center. (If AT&T is unable to determine the corresponding wire center, provide the information requested by city).

12. Provide a copy of the current contract/agreement under which AT&T leases special access service (interstate and intrastate) from BellSouth.

13. Please set forth the number of Cingular subscribers, by year, since 2000: (a) in Tennessee; (b) in BellSouth's footprint in Tennessee; (c) in BellSouth's 9-state region; (d) in AT&T's footprint in legacy SBC's 13-state region and (e) nationwide.

14. State whether BellSouth considers AT&T an actual or potential competitor in the mass market in Tennessee. If the answer is no, please provide a full explanation.

15. State whether BellSouth considers AT&T an actual or potential competitor in the business market in Tennessee. If the answer is no, please provide a full explanation.

16. Please provide copies of all internal memos and documents produced or amended in the last two (2) years that evaluate the nature and extent of competition in various product markets in Tennessee.

17. Please state whether AT&T continues to provision new orders for long distance service to residential customers in Tennessee.

18. Provide the number of new residential customers provisioned by AT&T in Tennessee since it closed its merger with SBC.

19. Please state whether AT&T continues to provision new orders for long distance service to business customers in Tennessee.

20. Provide the number of new long distance business lines provisioned by AT&T to business customers in Tennessee since AT&T closed its merger with SBC.

21. Please state how many local customers, residential and business, AT&T has in Tennessee together with the number of access lines and amount of revenue derived therefrom.

22. For the lines, orders, or customers referred to in response to Data Request Nos. 17-21, provide the number that are directly served by AT&T and that are (a) served by UNE

elements, (b) served by special access, or (c) served under a Commercial Agreement, replacing UNE-P.

23. Please provide all public filings and comments as well as internal memos dating from the announcement of the AT&T-SBC merger, addressing plans to compete outside of the SBC region, including anywhere in the nine BellSouth states and specifically in Tennessee.

24. Identify the thirty (30) out-of-region cities in the BellSouth region SBC expanded into as part of the "National-Local" strategy. Provide documentation supporting the claim of \$1 billion invested in this "strategy," including a break-down, by city, of where funds were invested and what types of investments were made. Provide copies of all media advertising and direct mail advertising used by SBC for the purpose of marketing local or long distance, mass market or enterprise services in each of the thirty (30) out-of-region markets in the BellSouth region that SBC was obligated to enter in fulfillment of the requirements of its merger with Ameritech.

25. Separately for each of the thirty (30) out-of-region markets in the BellSouth region as described in Data Request No. 24 above, and separately for each year commencing with the year in which SBC first began offering service in each market, provide total SBC revenues, total SBC expenditures on switched and special access services purchased from LECs, and SBC market shares separately for the mass market and enterprise segments.

26. Describe and quantify the major types of cost savings, benefits, and/or efficiencies that SBC achieved through its acquisition of Ameritech. For each of these types of cost savings, benefits, or efficiencies, explain whether such savings, benefits and/or efficiencies will be achieved in the BellSouth/AT&T merger, and compare the amount of each cost savings, benefits, or efficiencies with its counterpart from the earlier merger.

27. Describe and quantify any additional cost savings, benefits, or efficiencies that AT&T intends to achieve through its acquisition of BellSouth.

28. Describe all plans Joint Applicants have to reduce wholesale and retail prices in Tennessee as a result of the cost savings that result from the merger.

29. Provide in electronic spreadsheet (Excel) form, for each wire center in Tennessee, the number of DS1 UNE loops without transport, the number of DS1 UNE loops with transport (*i.e.*, as part of an EEL), and the number of DS3 UNE loops provided by BellSouth as of the end of the most recent quarter for which information is available.

30. Provide in electronic spreadsheet (Excel) form, for each wire center in Tennessee, the number of retail DS1 loops, the number of retail DS3 loops and the number of retail OC-level loops (with retail defined for purposes of this Data Request as loops used to provide non-special access or non-UNE service, where the high capacity loop arrangement is a featured part of the retail service provided by BellSouth. That is, BellSouth should not include in this count, multi-business line services that happen to be offered using a high-capacity access connection, if the customer is unaware of the access technology used to connect to BellSouth's wire center).

Provide the data requested in this interrogatory for the same quarter that BellSouth is providing data in response to Data Request No. 29 above.

31. Provide in electronic spreadsheet (Excel) form, for each wire center in Tennessee, the number of DS1 special access loops without transport, the number of DS1 special access loops with transport, and the number of DS3 special access loops provided by BellSouth as of the end of the quarter for which information is provided in response to Data Requests Nos. 29 and 30 above.

32. Provide in electronic spreadsheet (Excel) form, for each wire center in Tennessee, the number of DS1 UNE loops without transport, the number of DS1 UNE loops with transport (*i.e.*, as part of an EEL), and the number of DS3 UNE loops provided by BellSouth to AT&T as of the end of the quarter for which information is provided in response to Data Requests Nos. 29, 30 and 31 above.

33. Provide in electronic spreadsheet (Excel) form, for each wire center in Tennessee, the number of DS1 special access loops without transport, the number of DS1 special access loops with transport, and the number of DS3 special access loops provided by BellSouth as of the end of the quarter for which information is provided in response to Data Requests Nos. 29, 30, 31 and 32 above. Please report interstate and intrastate special access separately.

34. Provide in electronic spreadsheet (Excel) form, for each wire center in Tennessee, the number of DS1 special access loops without transport, the number of DS1 special access loops with transport, and the number of DS3 special access loops provided by BellSouth to AT&T as of the end of the quarter for which information is provided in response to Data Requests Nos. 29, 30, 31, 32 and 33 above. Please provide interstate and intrastate special access separately.

35. Please provide a breakdown, for the most recent calendar year that such information is available, of the amount of BellSouth's Tennessee special access revenues (separately for interstate and intrastate), separated by term discount pricing plans (*i.e.*, the level of revenue under month-to-month pricing, 12 month commitment, *etc.*).

36. Has BellSouth obtained interstate special access pricing flexibility for any exchange in Tennessee? If so, identify each exchange and provide a listing of each rate change in that exchange from the end of 2000 to the present.

37. Provide the total revenues received from the lease of UNEs in Tennessee for each year since 1996. Please provide revenues received from UNE-P separately from the lease of all other UNEs and revenues received from the lease of UNEs.

38. Provide the number of lines providing switched (*i.e.*, voice) business line service provided by AT&T over the UNEs and special access lines leased by AT&T from BellSouth in Tennessee for the most recent calendar year for which such information is available. For the same period, separately provide the number of analog UNE loops (leased without switching),

DS1 UNE loops (including loops used in combination with UNE transport), DS3 loops, analog special access lines (both interstate and intrastate), DS1 special access lines (both interstate and intrastate), and DS3 special access lines (both interstate and intrastate) leased from BellSouth.

39. Please provide a matrix of the performance metrics payments made by BellSouth to CLECs on a state-by-state basis for the last two (2) years. Please provide data in the aggregate and on a carrier-by-carrier basis. Include a list of actual performance metrics payments made to Tennessee CLECs for the last two (2) years and the manner in which those payments were made.

40. Please describe the manner in which BellSouth makes state-by-state information available to CLECs about performance metrics payments, including recent payments and historical payments dating back two (2) years.

41. What actions are BellSouth taking to fulfill its obligation under section 271 to provide line sharing to CLECs in Tennessee?

42. Please describe the development of the ordering process for CLECs to order Section 271 network elements? In Tennessee, what is the current ordering process available today for CLECs to order Section 271 network elements?

43. Please state whether BellSouth assesses CLECs a separate charge for any kind of commingling network elements. If so, please identify the amount of any such charges, and the services, activities and/or elements to which such charges relate.

44. Please list the number of security deposits held by or on behalf of BellSouth pursuant to the terms of its interconnection agreements with CLECs.

45. Please provide the number of open disputes pending between BellSouth and any CLEC concerning security deposits.

46. Please state whether BellSouth has a security deposit with any of the following: a) Qwest; b) AT&T Communications of the South Central States, LLC; c) TC Systems, Inc.; d) SBC Long Distance, LLC d/b/a AT&T Long Distance; e) Cingular Wireless; f) Verizon Wireless; g) BellSouth Long Distance, Inc.

47. What is your definition of a voice over Internet protocol?

48. For calls that originate voice over Internet protocol (VoIP) by your end user that are to be terminated to an interconnected CLEC's end user's POTs line:

- a. Over what type of interconnection trunks (e.g., local, long distance, Internet, other) would you deliver such traffic to the CLEC if the originating and terminating callers were located:
 - (i) in the same local calling area;

- (ii) outside the local calling area but within the LATA
- (iii) intrastate but in different LATAs;
- (iv) In different states

- b. What is the appropriate classification of intercarrier compensation (e.g., reciprocal compensation, intrastate access, interstate access, none) due to a CLEC for the calls referred to at (a)(i), above? (a)(ii), above? (a)(iii), above? (a)(iv), above?
- c. How would your response change, if at all, to subparts (a) and (b) above, in the absence of specific language in a given interconnection agreement governing such traffic?

49. Assume the same set of circumstances as set forth in Data Request No. 48, except that it is the CLEC end user that originates the VoIP call for termination to your end-user's POTs line.

- a. Over what type of interconnection trunks (e.g., local, long distance, Internet, other) should the CLEC deliver such traffic to you if the originating and terminating callers were located:
 - (i) in the same local calling area;
 - (ii) outside the local calling area but within the LATA;
 - (iii) intrastate but in different LATAs; and
 - (iv) in different states.
- b. What is the appropriate classification of intercarrier compensation (e.g., reciprocal compensation, intrastate access, interstate access, transit traffic, none) due to you for the calls referred to at (a)(i), above? (a)(ii), above? (a)(iii), above? (a)(iv), above?
- c. How would your response change, if at all, to subparts (a) and (b) above, in the absence of specific language in a given interconnection agreement governing such traffic?

50. For calls that originate by an affiliated CMRS carrier's end user that are to be terminated to an interconnected CLEC's end user's POTs line:

- a. Over what type of interconnection trunks (e.g., local, long distance, Internet, other) would you deliver such traffic to the CLEC if the originating and terminating callers were located:
 - (i) in the same MTA;
 - (ii) intrastate but in different MTAs;
 - (iii) in different states.
- b. What is the appropriate classification of intercarrier compensation (e.g., reciprocal compensation, intrastate access, interstate access, transit traffic,

none) due to a CLEC for the calls referred to at (a)(i), above? (a)(ii), above? (a)(iii), above? (a)(iv), above?

- c. How would your response change, if at all, to subparts (a) and (b) above, if the CMRS carrier was unaffiliated with you?
- d. How would your response change, if at all, to subparts (a), (b), and (c) above, in the absence of specific language in a given interconnection agreement governing such traffic?

51. Assume the same set of circumstances as set forth in Data Request No. 50, except that it is the CLEC delivering CMRS traffic for termination to your end user's POTs line:

- a. Over what type of interconnection trunks (e.g., local, long distance, Internet, other) should the CLEC deliver such traffic to you if the originating and terminating callers were located:
 - (i) in the same local calling area;
 - (ii) intrastate but in different LATAs; and
 - (iii) in different states.
- b. What is the appropriate classification of intercarrier compensation (e.g., reciprocal compensation, intrastate access, interstate access, transit traffic, none) due to you for the calls referred to at (a)(i), above? (a)(ii), above? (a)(iii), above?
- c. How would your response change, if at all, to subparts (a) and (b) above, in the absence of specific language in a given interconnection agreement governing such traffic?

52. What can carriers expect to see with respect to decreases in special and wholesale service rates as a result of the merger?

53. Will AT&T and Cingular continue to order out of Interconnection Agreements or Tariffs? If not, describe the accounting controls to be put in place to control regulated and non-regulated portions of the subsidiaries.

54. What protections will you have in place to prevent cross-subsidization:

- a. generally
- b. between wireline and wireless operations
- c. between regulated and non-regulated operations

55. Does BellSouth maintain local call detail records made by its customers with fixed priced services. And if yes, for how long are those records maintained?

56. Does BellSouth believe it would be economical to begin to capture and maintain a database of all local calls made to and from its subscribers for any length of time? What length of time would it be reasonable to maintain local call detail records?

57. Provide a copy of each e-mail, document, memorandum, correspondence between BellSouth and AT&T that shared any strategies with respect to the FCC handling of the TRRO rulings during 2004 and 2005 before the merger announcements.

58. Does BellSouth consider CLECs to be competitors or customers for the wholesale services it provides? To the extent that the answer is "customers," does BellSouth treat commercial customers of BellSouth differently to those of CLECs of relative revenue size?

59. For the service offered under a Commercial Agreement that replaces UNE-P service, does BellSouth offer retail rates to large commercial customers at rates that are less than the current, non-discounted Commercial Agreements?

60. Is it your intent to raise UNE rates to carriers within the State of Tennessee within the next 2 years?

61. Is it your intent to remove or further restrict the use of UNEs to carriers within the State of Tennessee within the next 2 years?

62. Do you plan to offer any discounts to the rates contained in Commercial Agreements other than what was offered to MCI and AT&T?

63. Is it your intent to continue to make available wholesale data services to carriers other than AT&T and its subsidiaries for the next five years?

64. With AT&T and MCI now merged with SBC and Verizon respectively, do you intend to increase rates for special and switched access services?

65. When does BellSouth plan to offer IP interconnection to CLECs for local traffic?

66. What plans or intent does AT&T or BellSouth have to begin or increase local competition in the independent markets within the State of Tennessee?

67. Does BellSouth believe that there is a quality difference between the service centers processing UNE elements and the service centers processing special access? If so, please detail the quality difference between the two centers.

68. What percent of the orders are automated through its ACCA versus its LCSC center for DS1 (a) special access and (b) UNEs?

69. Does BellSouth intend to improve the quality of its wholesale services to its CLEC customers? If yes, detail any improvements or programs to be implemented within the next 12 months.

70. Has BellSouth audited within the last 3 years MCI, Verizon, SBC or ATT on PIU/PLU or use of UNE elements?

- a. If yes, so what type of audit was performed, for what period of time and for what carrier?
- b. What was the net payment for each such carrier to BellSouth as a result of all the combined audits?

71. Has BellSouth audited within the last 3 years MCI, Verizon, SBC or ATT on EELs?

- a. If yes, so what type of audit was performed, for what period of time and for what carrier?
- b. What was the net payment for each such carrier to BellSouth as a result of all the combined audits?

72. Please identify all fiber projects in Tennessee replacing facilities for which BellSouth claims that it may limit CLEC access to serve customers wanting DS1 (or higher speed) service.

73. Please provide a copy of all form 477 local competition reports filed by AT&T and BellSouth with data as of December 30, 2005.

74. Please provide, separately for each year beginning in 1995: a) the total annual revenue, separately by rate element, received by BellSouth for intrastate switched access in Tennessee; and, b) the total annual revenue, separately by rate element, received by BellSouth for intrastate switched access from AT&T in Tennessee.

75. What disaster recovery plans do you have for 2006? Explain how the disaster recovery plans have been modified over the past two years?

76. What plans do you have for the Operational Support Systems ("OSS") of the merged entity?

77. Identify each instance in which you issued an invoice more than 90 days after you rendered services to a: (a) retail customer; (b) wholesale customer. For each such instance, provide the amount invoiced, the type of service rendered, and the reason it took more than 90 days to issue the invoice.

78. BellSouth and AT&T have asserted that merging will significantly enhance their ability to respond to natural disasters and other crises:

- a. Please provide all documentation that sets forth explicit ways that the merged entity will be better able to respond to crises as they affect end user customers.
- b. Please provide all documentation that sets forth explicit ways that the merged entity will be better able to respond to crises as they affect wholesale customers like CLECs.
- c. For calls that originate voice over Internet protocol (VoIP) by your end user via a foreign exchange ("FX") telephone number that are to be terminated to an interconnected CLEC's end user's POTs line:
 - (i) Over what type of interconnection trunks (e.g., local, long distance, Internet, other) would you deliver such traffic to the CLEC if the originating and terminating callers were located:
 - (1) in the same local calling area;
 - (2) outside the local calling area but within the LATA
 - (3) intrastate but in different LATAs;
 - (4) in different states
 - (ii) What is the appropriate classification of intercarrier compensation (e.g., reciprocal compensation, intrastate access, interstate access, none) due to a CLEC for the calls referred to at (i)(1) above? (i)(2) above? (i)(3) above? (i)(4) above?
 - (iii) How would your response change, if at all, to subparts (i) and (ii) above, in the absence of specific language in a given interconnection agreement governing such traffic?

79. Assume the same set of circumstances as set forth in Data Request No. 78, except that it is the CLEC end user that originates the VoIP call via a foreign exchange ("FX") telephone number for termination to your end-user's POTs line:

- a. Over what type of interconnection trunks (e.g., local, long distance, Internet, other) should the CLEC deliver such traffic to you if the originating and terminating callers were located:
 - (i) in the same local calling area;
 - (ii) outside the local calling area but within the LATA;
 - (iii) intrastate but in different LATAs; and
 - (iv) in different states.
- b. What is the appropriate classification of intercarrier compensation (e.g., reciprocal compensation, intrastate access, interstate access, transit traffic, none) due to you for the calls referred to at (i)(1) above? (i)(2), above? (i)(3), above? (i)(4), above?

- c. How would your response change, if at all, to subparts (a) and (b) above, in the absence of specific language in a given interconnection agreement governing such traffic?

Respectfully submitted,



H. LaDon Baltimore, No. 3836
FARRAR & BATES, LLP
211 Seventh Avenue North, Suite 420
Nashville, TN 37219
Phone: (615) 254-3060
Facsimile: (615) 254-9835
don.baltimore@farrar-bates.com

*Counsel for NuVox Communications, Inc.,
Xspedius Management Co. Switched Services, LLC,
Xspedius Management Co. of Chattanooga, LLC,
and ITC^DeltaCom Communications, Inc. d/b/a
ITC^DeltaCom*

Susan Berlin
NuVox Communications
Two North Main Street
Greenville, SC 29601
Phone: (864) 331-7323
Facsimile: (864) 672-5105
sberlin@nuvox.com

James C. Falvey, Sr. VP - Regulatory Affairs
Xspedius Communications
7125 Columbia Gateway Drive, Suite 200
Columbia, MD 21024
Phone: (301) 361-4298
Facsimile: (301) 361-7654
jim.falvey@xspedius.com

D. Anthony Mastando, Esq.
VP Regulatory/Senior Regulatory Attorney
ITC^DeltaCom, Inc.
7037 Old Madison Pike, Suite 400
Huntsville, AL 35806
Phone: (256) 382-3856
Facsimile: (256) 382-3936
tonymastando@itcdeltacom.com

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing has been forwarded via electronic transmission to:

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201
Guy.Hicks@bellsouth.com with copy to: Carolyn.Hanesworth@bellsouth.com

Jack W. Robinson, Jr., Esq.
Gullet Sandford, Robinson & Martin, PLLC
P.O. Box 198888
Nashville, TN 37219-8888
jrobinsonjr@gsrm.com

and via U. S. Mail, first class postage prepaid, to:


Charles B. Welch, Jr., Esq.
Farris, Mathews, ct al.
618 Church Street, #300
Nashville, TN 37219

Timothy Phillips, Esq.
Office of the Attorney General
Consumer Advocate & Protective Division
P.O. Box 20207
Nashville, TN 37202

Donald Scholes, Esq.
Branstetter, Stranch & Jennings, PLLC
227 Second Avenue North, Fourth Floor
Nashville, TN 37219

Debbie Goldman
CWA
501 Third Street, NW
Washington, DC 20001

Charles E. (Gene) Watkins
Covad Communications Company
1230 Peach Tree Street, NE, Suite 1900
Atlanta, GA 30309


H. LaDon Baltimore