

# RECEIVED

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BEFORE THE

TENNESSEE REGULATORY AUTHORITY

TN REGULATORY AUTHORITY  
GENERAL COUNSEL'S OFFICE

In Re:

Petition for Arbitration of  
Bluestar Networks, Inc. with  
BellSouth Telecommunications,  
Inc. Pursuant to the  
Telecommunications Act of 1996 )  
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Docket No. 99-00945

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EXECUTIVE SECRETARY

**BLUESTAR NETWORKS, INC.'S FIRST REQUEST FOR PRODUCTION OF  
DOCUMENTS TO BELL SOUTH TELECOMMUNICATIONS, INC. (NOS. 1 - 11)**

Pursuant to the rules of the Tennessee Regulatory Authority (Authority), Bluestar Networks, Inc., (BlueStar), serves the following request for production of documents upon BellSouth Telecommunications, Inc. (BellSouth).

Please produce the following documents to Michael B. Bressman, Associate General Counsel, BlueStar Networks, Inc., 414 Union Street, Suite 900, Nashville, Tennessee 37219 on or before May 24, 2000.

**I. DEFINITIONS AND INSTRUCTIONS**

1. For the purposes of these data requests, the following definitions shall apply:

"Documents" is used in the broadest sense and includes all tangible things that record information, whether or not such things are in BellSouth's possession, custody or control, and regardless of who prepared or signed them. "Documents" includes both the original and any copy or draft, and all copies which contain any notation not on the original. Examples of "documents" include, but are not limited to, handwritten, typed or printed papers, handwritten notations, office notes, calendar entries, diaries, notes of telephone conversations, photographs, reports, receipts,

invoices, memoranda, correspondence, notes, ledger entries, and computer printouts, cards, tapes, disks, and other means of electronically or magnetically maintained information, including on computer diskettes and CD ROM.

“Identify” means (1) when used with reference to a natural person, give the person’s full name, business or residence address, business or residence telephone numbers, occupation and employer; (2) when used with reference to an entity, give the entity’s full name, principal place of business, address and telephone number; (3) when used with reference to a document, give the document’s date, title, author, recipient, type (*e.g.*, letter, memorandum, note, *etc.*), name of the custodian of the document, and a description of the contents with sufficient specificity to be the basis for discovery; and (4) when used with reference to an action taken by an entity, identify the person(s) taking the action, describe the nature of the action, and give the date on which the action was taken. If any action identified pursuant to (4) involved a communication with another person, identify the person(s) with whom the actor(s) communicated; and, if the communication was through the use of a document, identify the document through which the communication was made.

“Person” includes a natural person, partnership, joint venture, firm, corporation, association, organization, or any other type of business or legal entity.

“CLEC” means a competitive local exchange carrier.

“DLC” means a digital loop carrier system.

“New outside plant” means feeder and/or distribution facilities engineered from the ground up to serve new demand.

“NID” means network interface device.

2. If you maintain that any document or record which refers to or relates to anything about which these production requests ask or that would be responsive to any of the production requests has been destroyed, set forth the contents of said document, the location of any copies of said document, the date and circumstances of said destruction and the name of the person who ordered or authorized such destruction.

3. In answering these production requests, furnish all information and responsive documents in the possession of BellSouth or in the possession of any director, officer, employee, agent, representative, or attorney of BellSouth.

4. If you cannot answer any production request in full after exercising due diligence to secure all the information requested, or do not have precise information with regard to any part of a production request, you should so state, describing in full your efforts to obtain the information requested, and then proceed to answer to the fullest extent possible.

5. When the information requested by a production request varies over time, state the response for each period of time as to which the response differs, and identify the time periods applicable to each portion of the response.

6. Where the document requested, including but not limited to cost studies and related information, is or can be made available on diskette, please provide the documentation on diskette and indicate the format in which the data is provided.

## **II. DOCUMENT REQUESTS**

The following document requests should be answered separately, fully and served on Michael B. Bressman, Associate General Counsel, BlueStar Networks, Inc., 414 Union Street, Suite

900, Nashville, Tennessee 37219. Each of the following document requests is intended to be a continuing document request; in the event that at any later date BellSouth obtains any additional facts or documentation, or forms any conclusions, opinions or contentions that are different from those set forth in its answers to such document requests, BellSouth shall amend and/or supplement its answers to such document requests promptly, and sufficiently in advance of any hearing on this matter before the Authority.

### **PRODUCTION REQUESTS**

1. Please produce all documents relied upon in responding to BlueStar's First Set of Data Requests to BellSouth Telecommunications, Inc., Nos. 1-14.
2. Please provide a complete copy of any cost study BellSouth has developed (for submission to any state or federal regulatory agency or for internal business case analysis) to determine rates for xDSL capable loops (including ADSL and HDSL capable loops). Please identify any differences in methodology between the costs in the studies provided. Please include a complete working copy of all computerized models involved in preparing the costs with data intact; a complete set of working papers with all special studies, data sources, data inputs and assumptions and a complete set of cost study documentation.
3. Please provide a complete copy of any cost study BellSouth has developed (for submission to any state or federal regulatory agency or for internal business case analysis) to determine rates for the "unbundled copper loop" offered by BellSouth. Please identify any differences in methodology between the costs in the studies provided. Please include a complete working copy of all computerized models involved in preparing the costs with data intact; a complete

set of working papers with all special studies, data sources, data inputs and assumptions and a complete set of cost study documentation.

4. Please provide a complete copy of any cost study BellSouth has developed (for submission to any state or federal regulatory agency or for internal business case analysis) to determine rates for line conditioning (*e.g.*, removing load coils or bridge taps, adding or removing repeaters, rearranging outside plant facilities) offered by BellSouth. Please identify any differences in methodology between the costs in the studies provided. Please include a complete working copy of all computerized models involved in preparing the costs with data intact; a complete set of working papers with all special studies, data sources, data inputs and assumptions and a complete set of cost study documentation.

5. Please provide a complete copy of any cost study BellSouth has developed (for submission to any state or federal regulatory agency or for internal business case analysis) to determine rates for 2-wire analog voice grade loops. Please identify any differences in methodology between the costs in the studies provided. Please include a complete working copy of all computerized models involved in preparing the costs with data intact; a complete set of working papers with all special studies, data sources, data inputs and assumptions and a complete set of cost study documentation.

6. Please provide a complete copy of any cost study BellSouth has developed (for submission to any state or federal regulatory agency or for internal business case analysis) to determine rates for intrabuilding network cable (INC), riser cable and/or network terminating wire (NTW) offered by BellSouth. Please identify any differences in methodology between the costs in

the studies provided. Please include a complete working copy of all computerized models involved in preparing the costs with data intact; a complete set of working papers with all special studies, data sources, data inputs and assumptions and a complete set of cost study documentation.

7. Please provide all documents and data relating to BellSouth's manual "Loop Make-Up Service Inquiry" process (LMUSI), including a complete copy of any cost study BellSouth has developed (for submission to any state or federal regulatory agency or for internal business case analysis) to determine rates for the LMUSI. Please identify any differences in methodology between the costs in the studies provided. Please include a complete working copy of all computerized models involved in preparing the costs with data intact; a complete set of working papers with all special studies, data sources, data inputs and assumptions and a complete set of cost study documentation.

8. Please provide all documents and data relating to electronically obtaining loop make-up information and/or electronically preordering or ordering loops, including a complete copy of any cost study BellSouth has developed (for submission to any state or federal regulatory agency or for internal business case analysis) to determine rates for electronically obtaining loop make-up information and/or electronically preordering or ordering loops. Please identify any differences in methodology between the costs in the studies provided. Please include a complete working copy of all computerized models involved in preparing the costs with data intact; a complete set of working papers with all special studies, data sources, data inputs and assumptions and a complete set of cost study documentation.

9. Please provide all documents and data relating to BellSouth's determination of the

demarcation point in multitenant buildings in Tennessee. These documents should include any information concerning the use of the minimum point of entry (MPOE) as the demarcation point in any multitenant buildings in Tennessee.

10. Please provide copies of all agreements or documents between BellSouth and the owners or managers of multitenant buildings in Memphis and Nashville, Tennessee concerning the ownership of INC, riser cable or network terminating wire in such buildings.

11. For each document production request, identify the individual that BellSouth relied upon to provide the documents.

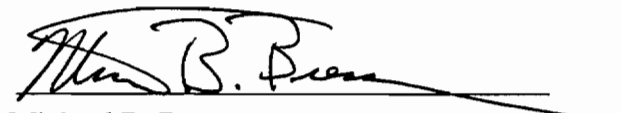
## CERTIFICATE OF SERVICE

**I HEREBY CERTIFY** that a true and correct copy of the foregoing BlueStar Networks, Inc. First Request for Production of Documents to BellSouth Telecommunications, Inc. (Nos. 1-11), has been furnished by (\*) hand delivery or U.S. Mail to the following parties this 3rd day of May, 2000:

(\*) Honorable Gary Hotvedt, Hearing Officer  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

(\*) Guy M. Hicks  
BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300

R. Douglas Lackey  
J. Phillip Carver  
General Attorneys  
Suite 4300. BellSouth Center  
675 West Peachtree Street, N.E.  
Atlanta, Georgia 30375

  
Michael B. Bressman