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August 24, 2001

**By Hand**

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re:** ***Cox ads. Verizon***
**CC Docket Nos. 00-249**

Dear Ms. Salas:

Enclosed for filing on behalf of Verizon, please find four copies of Verizon's Objections to Cox' Second Set of Discovery Requests.

Please do not hesitate to call me with any questions.

Very truly yours,

Kimberly Newman /cwc

Kimberly A. Newman

cc: Dorothy T. Attwood (8 copies)(by hand)
Carrington F. Phillip, Esq,
Donald L. Crosby, Esq.
J.G. Harrington, Esq.

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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| In the Matter of<br>Petition of WorldCom, Inc. Pursuant to Section 252(e)(5) of the Communications Act for Expedited Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia Inc., and for Expedited Arbitration | ) | CC Docket No. 00-218 |
| In the Matter of<br>Petition of Cox Virginia Telecom, Inc. Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia Inc. and for Arbitration | ) | CC Docket No. 00-249 |
| In the Matter of<br>Petition of AT&T Communications of Virginia Inc., Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia Corporation Commission Regarding Interconnection Disputes With Verizon Virginia Inc. | ) | CC Docket No. 00-251 |

**VERIZON VIRGINIA INC.'S OBJECTIONS TO COX VIRGINIA TELECOM, INC.'S SECOND SET OF DISCOVERY REQUESTS**

In accordance with the Procedures Established for Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom, CC Docket Nos. 00-218, 00-249, 00-251, DA 01-270, Public Notice (CCB rel. February 1, 2001), Verizon Virginia Inc. ("Verizon VA") objects to the Second Set of Discovery Requests served on Verizon VA by Cox on August 21, 2001.

## GENERAL OBJECTIONS

1. Verizon VA objects to Cox's Discovery Requests to the extent that all or any of them seek confidential business information covered by the agreed-to Protective Order jointly submitted by the Parties.[1] Such information will be designated and produced in accordance with the terms of the Protective Order.

2. Verizon VA objects to Cox's Discovery Requests to the extent that all or any of them seek attorney work product or information protected by the attorney-client privilege.

3. Verizon VA objects to Cox's Discovery Requests to the extent that all or any of them, when read in conjunction with the instructions and definitions contained therein, seek information that is neither relevant to this case nor likely to lead to the discovery of admissible evidence, or otherwise seek to impose upon Verizon VA discovery obligations beyond those required by 47 CFR § 1.311 *et seq.*

4. Verizon VA objects to Cox's Discovery Requests to the extent that all or any of them, when read in conjunction with the instructions and definitions contained therein, are overly broad and unduly burdensome.

5. Verizon VA objects to Cox's Discovery Requests to the extent that all or any of them, when read in conjunction with the instructions and definitions contained therein, seek information from independent corporate affiliates of Verizon VA, or from

[1] On April 2, 2001, the Parties jointly submitted, in a by-hand filing, an agreed-to Protective Order. To Verizon VA's knowledge, that Order remains pending before the Commission for adoption and release.

board members, officers or employees of those independent corporate affiliates, that are not parties to this proceeding.

6. Verizon VA objects to Cox's Discovery Requests to the extent that all or any of them, when read in conjunction with the instructions and definitions contained therein, seek information relating to operations in any territory outside of Verizon VA territory.

7. Verizon VA objects to Cox's Discovery Requests to the extent that all or any of them, when read in conjunction with the instructions and definitions contained therein, seek discovery beyond the Verizon VA footprint. This proceeding involves only Verizon VA and relates only to the terms of interconnection and resale in Virginia. Moreover, as the Commission has assumed the jurisdiction of the Virginia State Corporation Commission in this matter, it has no jurisdiction over Verizon entities that do not conduct business in Virginia. *See* Memorandum Opinion and Order, *In the Matter of Petition of AT&T Communications of Virginia, Inc. for Preemption Jurisdiction of the Virginia State Corporation Commission Pursuant to Section 252(E)(5) of the Telecommunications Act of 1996*, CC Docket No. 00-251 (January 26, 2001).

## SPECIFIC OBJECTIONS

Cox's discovery requests are untimely. On July 25, 2001, Verizon VA, on behalf of the Parties, sought clarification regarding the Commission's July 11 letter that followed the status conference and addressed discovery. *See* Letter from Michael P. Oates, Hunton & Williams (Verizon VA), to Jeffrey Dygert, Assistant Bureau Chief, Common Carrier Bureau, FCC (July 25, 2001) (Attachment 1). In its July 11 letter, the Commission

informed the Parties that it had extended the discovery cut-off date "to allow parties time to seek discovery on the 'mediation issues' ... and on the parties' rebuttal on cost issues." The schedule attached to the Commission's letter listed a single discovery cut-off date, August 21. The Parties asked the Commission to clarify whether the August 21 date applied to discovery generally or only to discovery on the mediation and cost rebuttal issues.

The Commission Staff replied to the Parties' question via e-mail and stated:

> We intended to avoid the complication of having two separate discovery deadlines. However, we also wanted to limit the discovery being propounded so late in the process to issues legitimately raised by the August 17 set of testimony on cost and 'mediation' issues. That was the limitation we meant to describe with the sentence stating that '[n]ew discovery requests during this extended period will be limited to subjects raised in direct testimony on '"mediation issues,"' or rebuttal testimony on cost issues.' Given how late we are permitting discovery to run, we were concerned that parties not have to respond, late in the process, to broad requests, not related to the most recent round of testimony - requests that should have been served earlier in the process.

E-mail from Dygert to Oates, Baldanzi, Harrington, Stanley, Farroba, and Kelly (July 25, 2001) (Attachment 2).

Pursuant to the FCC's guidance, Cox's discovery requests should have been served no later than August 10 since they do not pertain to mediation or rebuttal testimony on cost issues. Accordingly, they are untimely and Verizon VA objects to responding to any of the requests.

In addition to the foregoing General Objections and timeliness objection, and without waiver of same, Verizon VA objects specifically to Cox's Discovery Requests as follows:

**Issue I-1 (Geographically relevant interconnection points - GRIP)**

**1. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 3, where the witness makes reference to Exhibit NAR-1, which shows a hypothetical interconnection arrangement that makes unusual demands on Verizon's facilities. What is the distance from each Verizon tandem switch to each Cox switch to which the Verizon tandem switch interconnects?**

OBJECTION: No additional objection.

**2. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, pages 2-9 where the witnesses describe Verizon's proposed point of interconnection arrangements as the only equitable means of resolving the point of interconnection dispute. Describe the terms of Verizon's interconnection arrangements with each of the other incumbent local exchange carriers in Virginia. In particular, describe whether those arrangements require the other carrier to establish multiple interconnection points or to subsidize Verizon's transport if they do not establish multiple interconnection points and indicate which, if any of those agreements contain provisions analogous to the "GRIP" proposal made by Verizon in this proceeding.**

OBJECTION: No additional objection.

**3. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, pages 2-9, where the witnesses describe Verizon's proposed point of interconnection arrangements as the only equitable means of resolving the point of interconnection dispute. Identify any current agreement between Verizon and a CLEC (other than Cox) or CMRS provider that operates in Virginia that does not contain the "GRIP" provisions proposed by Verizon in this proceeding or analogous provisions.**

OBJECTION: See General Objection 4. The terms of Verizon VA's interconnection arrangements with competitive local exchange carriers and CMRS providers are public information on file with the Virginia State Corporation Commission. Accordingly, Verizon VA objects to this discovery request as it is unduly burdensome.

**Issue I-2 (Mileage-sensitive entrance facility rates)**

**4. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 12, where the witnesses state that CLEC requests that Verizon pay mileage-sensitive rates for transport of Verizon traffic are "outrageous." Does Verizon charge mileage-sensitive rates for its entrance facilities purchased by other carriers when the distance exceeds a specified threshold?**

OBJECTION: No additional objection.

**Issue I-3 (Cox collocation)**

**5. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 17, where the witnesses state that "reciprocal collocation is appropriate." Identify any interconnection agreements between Verizon or any of Verizon's ILEC affiliates and another ILEC not affiliated with Verizon (in Virginia or elsewhere) under which Verizon is entitled to collocation at the premises of the other ILEC.**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or

services in other states is relevant to a specific dispute over contract language presented in this proceeding.

6. **This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 17, where the witnesses state that Verizon is currently experiencing a collocation space shortage. Is Verizon contending that its proposed provision granting Verizon collocation rights would alleviate that shortage? If so, explain the reasons for that contention.**

OBJECTION: No additional objection.

**Issue I-4 (Direct end office trunking trigger)**

7. **This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 22, where the witnesses state that CLEC direct end office trunking is necessary when traffic exceeds the DS-1 level to avoid tandem exhaust. Identify all interconnection agreements between Verizon and any other ILEC in Virginia that contain provisions requiring direct trunking between the other ILEC and Verizon end offices, including all agreements that impose such a requirement only when a traffic-level threshold is reached.**

OBJECTION: No additional objection.

**8. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 23, where the witnesses state that Verizon's demands of CLECs regarding end-office trunking are "not meant to harm CLECs," and are consistent with the demands that Verizon places on itself. Identify each Verizon end office in Virginia where trunks owned or leased by another ILEC terminate and, for each such office, identify each such ILEC and the level of traffic terminated at that office by such ILEC. For purposes of this question, "level of traffic" means the number of DS-1 links that would be required to accommodate the traffic flow from the other ILEC to Verizon at that end office.**

OBJECTION: No additional objection.

**9. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, pages 22 and 23, where the witnesses state that "Verizon is installing ten new tandems, one of which is in Virginia at the Turner Road location" and that it is "virtually impossible for Verizon VA to predict accurately how many tandems need to be built," because of "how fast its tandems are being exhausted." In regard to that testimony:**

**(a) Has Verizon projected an exhaust date for its tandem switch at Bute Street in Norfolk (identified by CLLI code NRFLVABS52T)? If so, what is the projected exhaust date?**

**(b) How many tandem switches does Verizon Corporation operate in the Verizon East territory, as the term "Verizon East" is used in the Albert and D'Amico direct testimony?**

OBJECTION: No additional objection.

**10. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 23, where the witnesses state that Verizon's demands of CLECs regarding end-office trunking are consistent with the demands that Verizon places on itself. Identify the engineering guidelines used by Verizon for direct interconnection between its own end offices and the Verizon South network in Virginia.**

OBJECTION: No additional objection.

**11. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 23, where the witnesses state that Verizon's demands of CLECs regarding end-office trunking are consistent with the demands that Verizon places on itself. Identify any**

**pairs of Verizon end offices or pairs of Verizon and Verizon South end offices that exchange more than one DS-1's-worth of traffic via a Verizon tandem.**

**(a) For each such pair of end offices, provide the level of traffic exchanged between those end offices, with the term "level of traffic" defined in the same was as in data request 7 above; and**

**(b) For each such pair of end offices, explain why Verizon is not following the "design criteria" described in the testimony of Messrs. Albert and D'Amico.**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or

services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**12. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 23, where the witnesses state that Verizon's demands of CLECs regarding end-office trunking are "not meant to harm CLECs," and that the DS-1 threshold "is a reasonable standard." Does Verizon or Verizon South require IXCs to establish and/or augment direct end office trunk groups based on a specific traffic usage calculation and/or trigger? If so, what triggers are used?**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a

sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**13. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 23, where the witnesses state that Verizon's demands of CLECs regarding end-office trunking are consistent with the demands that Verizon places on itself. For each Verizon and Verizon South tandem in Virginia, how many Verizon end offices (for Verizon tandem switches) and Verizon South end offices (for Verizon South tandems) "home" on each tandem?**

**(a) What is the average size (i.e., number of trunks) of the end office-tandem trunk groups that carry intraLATA traffic between Verizon tandem switches and end offices and between Verizon South tandem switches and end offices?**

**(b) What is the average size of the end office-tandem trunk groups that carry interLATA traffic to and from Verizon and Verizon South end offices?**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3

Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**14. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 23, where the witnesses state that Verizon "has experienced more frequent and more rapid exhaust of its tandem switches," and that "[r]equiring Verizon VA to build more switches is just another example of the CLECS forcing Verizon VA to incur unnecessary costs." For each Virginia tandem operated by Verizon or Verizon South, what percentage of in-service/equipped trunks are directly connected to each of the following categories of carriers:**

**(a) CLECs?**

**(b) CMRS providers?**

**(c) IXCs?**

**(d) Other ILECs (excluding trunks between Verizon and Verizon South?**

**(e) Verizon and/or Verizon South switches?**

**(f) Other connections? (Describe each type and the percentage of trunks directly connected to the tandems).**

**Provide the answer to this data request as of the date of Verizon's response and as of year-end 1999 (or another reasonably comparable date). The response to this data request may be provided on a tandem-by-tandem basis or aggregated for all tandems in Virginia.**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or

services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**15. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, pages 22-24, where the witnesses state generally that Verizon's rationale for requiring direct end office trunking is its belief that tandem exhaust is exacerbated by CLEC interconnection practices. For each Virginia tandem operated by Verizon or Verizon South, what percentage of in-service/equipped trunks are directly connected to Cox switches? Provide the answer to this data request as of the date of Verizon's response and as of year-end 1999 (or another reasonably comparable date).**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection*

*Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**16. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 23, where the witnesses state that Verizon "has experienced more frequent and more rapid exhaust of its tandem switches," and that "[r]equiring Verizon VA to build more switches is just another example of the CLECS forcing Verizon VA to incur unnecessary costs." For trunks identified in response to data request 13(e), what percentage of trunks for each tandem carry:**

**(a) IXC traffic?**

**(b) CLEC traffic?**

**(c) CMRS traffic?**

**(d) Verizon traffic (to and from Verizon tandems) or Verizon South traffic (to and from Verizon South tandems)?**

**(e) As to the tandems that carry such traffic, Cox traffic?**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA

territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**17. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 22, where the witnesses state that "[i]nstalling new tandems is an expensive proposition and has a significant impact on Verizon VA." What are the average costs per trunk added of expanding or augmenting the capacity of a Verizon tandem switch? Please provide the methodology used to calculate the average costs.**

OBJECTION: No additional objection.

**18. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 22, where the witnesses state that "[i]nstalling new tandems is an expensive proposition and has a significant impact on Verizon VA." Does Verizon contend that it is unable to recover the portions of the costs of new tandems attributable to CLEC traffic? If so, explain in detail the reasons for this contention.**

OBJECTION: No additional objection.

**19. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 22, where the witnesses state that CLEC direct end office trunking is necessary when traffic exceeds the DS-1 level to avoid tandem exhaust. Identify all current switched access tariffs of Verizon and its affiliates in Virginia and other states, including the former Bell Atlantic and the former GTE and all of their incumbent local exchange company affiliates, that contain a DS-1 trigger for mandatory direct end office trunking when Feature Group D traffic reaches that level.**

OBJECTION: See General Objections 4, 5, 6 and 7. To the extent that Cox seeks any access tariffs of Verizon and its affiliates in Virginia, Verizon VA objects. The terms of Verizon VA's current switched access tariffs are public information on file with the appropriate regulating commission. Accordingly, Verizon VA objects to this discovery request as it is unduly burdensome. Moreover, Cox seeks information that should not be

discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**20. This question relates to the rebuttal testimony of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, pages 22-24, where the witnesses state generally that Verizon's rationale for requiring direct end office trunking is its desire to avoid tandem exhaust and state that "the cost of the tandem is not cheap." How much revenue has Verizon obtained from providing tandem switching services to other carriers (for transiting, reciprocal compensation, switched access and any other purpose) in each year since 1996? For purposes of this question, any amounts that Verizon has offset against reciprocal**

**compensation charges from other carriers shall be included in revenues obtained by Verizon.**

OBJECTION: No additional objection.

**Issue I-5 (Reciprocal compensation for ISP-bound traffic)**

**21. This question relates to the rebuttal testimony of Steven J. Pitterle and Peter J. D'Amico regarding Intercarrier Compensation filed August 17, 2001, page 17, where the witnesses state that "[g]enerally Verizon VA's disagreements with Cox over this issue mirror those set forth above." For each provision set forth by Cox in the July 27, 2001 joint decision point list filed in this proceeding, describe in detail Verizon's "disagreements with" that provision.**

OBJECTION: No additional objection.

**Issue I-6 (Methods for determining if a call is local)**

**(For the following questions, the term "foreign exchange" means any/all services where Verizon's customers' geographic location may differ from the rate center of its assigned telephone number).**

**22. This question relates to the rebuttal testimony of Steven J. Pitterle and Peter J. D'Amico regarding Intercarrier Compensation, filed August 17, 2001, pages 11-12 where the witnesses describe AT&T witness Mr. Talbott's assumptions**

**regarding Verizon's routing of FX service and explain that even if these assumptions are correct, Verizon's position would remain the same. Cox believes the facts as to Mr. Talbott's assumptions, particularly with regard to whether Verizon routes its FX traffic over local interconnection trunks, are essential to the correct resolution of this issue. Does Verizon route calls from its foreign exchange service customers to Cox over local interconnection trunks or other trunks?**

**(a) If Verizon routes its calls from foreign exchange customers over local interconnection trunks, does it identify such traffic to Cox in any way and, if so, how does it identify that traffic?**

**(b) If Verizon routes its calls from foreign exchange customers over non local trunks, what types of trunks does it use for such traffic?**

**(c) If Verizon routes its calls from foreign exchange customers over non-local trunks, does it identify such traffic to Cox in any way and, if so, how does it identify that traffic?**

OBJECTION: No additional objection.

**23. This question relates to the rebuttal testimony of Steven J. Pitterle and Peter J. D'Amico regarding Intercarrier Compensation, filed August 17, 2001, page 17, where the witnesses state that "when a Verizon VA customer calls a CLEC customer in a different local calling area, it is not a local call, regardless of where the CLEC's switch is located." Does Verizon adjust its percent local usage (PLU) factor provided to Cox to reflect as non-local those calls originated by Verizon**

**subscribers whose geographic location differs from the rate centers of their assigned telephone numbers?**

**(a) If so, what method does Verizon use to calculate that adjustment?**

**(b) If not, does Verizon propose to make such an adjustment in the future and, if so, what method does it propose to calculate such an adjustment?**

**(c) If Verizon does not propose to adjust its PLU to reflect as non-local those calls originated by Verizon subscribers whose geographic location differs from the rate centers of their assigned telephone numbers, how does it propose to account for those calls?**

OBJECTION: No additional objection.

**24. This question relates to the rebuttal testimony of Steven J. Pitterle and Peter J. D'Amico regarding Intercarrier Compensation, filed August 17, 2001, page 17 where the witnesses state "when a Verizon VA customer calls a CLEC customer in a different local calling area, it is not a local call, regardless of where the CLEC's switch is located." What method, if any, does Verizon propose for Cox to adjust its PLU factor provided to Verizon to reflect as non-local those calls originated by Cox subscribers and destined to Verizon subscribers whose geographic location differs from the rate centers of their assigned telephone numbers? If Verizon does not propose a method for Cox to adjust its PLU, how does it propose for Cox to identify such calls as non-local?**

OBJECTION: No additional objection.

**25. This question relates to the rebuttal testimony of Steven J. Pitterle and Peter J. D'Amico regarding Intercarrier Compensation, filed August 17, 2001, page 17 where the witnesses state "when a Verizon VA customer calls a CLEC customer in a different local calling area, it is not a local call, regardless of where the CLEC's switch is located." How many minutes of foreign exchange traffic has Verizon sent to Cox since the parties began exchanging traffic?**

OBJECTION: No additional objection.

**26. This question relates to the rebuttal testimony of Steven J. Pitterle and Peter J. D'Amico regarding Intercarrier Compensation, filed August 17, 2001, page 11, where the witnesses describe FX service as "an access service." Identify all provisions of Verizon interconnection agreements with ILECs and CLECs other than Cox that address the treatment of foreign exchange traffic as access traffic or another type of traffic.**

OBJECTION: See General Objection 4. It would be unduly burdensome for Verizon VA to provide the terms of Verizon VA's interconnection arrangements with each of the other incumbent local exchange carriers in Virginia. The terms of Verizon VA's interconnection arrangements with competitive local exchange carriers are public

information on file with the Virginia State Corporation Commission. Accordingly, Verizon VA objects to this discovery request as it is unduly burdensome.

**27. This question relates to the rebuttal testimony of Steven J. Pitterle and Peter J. D'Amico regarding Intercarrier Compensation, filed August 17, 2001, page 10, where the witnesses describe differences between Verizon foreign exchange service and "virtual FX service." The following description of a Verizon product, "ISDN Anywhere" was obtained from Verizon's web site: "Through ISDN Anywhere, Verizon customers served by non-ISDN equipped central offices will receive ISDN services (both BRI & PRI) from designated Verizon 'host offices.' Even though ISDN service is not being delivered via local facilities, customers will not be charged for the mileage and channel termination charges normally associated with the extension of the service from an alternate central office (or designated host office)."**

**Please explain how this product differs from Verizon's understanding of "Virtual FX" (as described in the rebuttal testimony of Mr. Pitterle and Mr. D'Amico). Please explain how this product is similar to Verizon's understanding of "Virtual FX" (as described in the rebuttal testimony of Mr. Pitterle and Mr. D'Amico).**

OBJECTION: No additional objection.

**Issue I-7 (Forecasting)**

**28. This question relates to the direct testimony regarding mediation issues of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 4, where the witnesses describe the necessity to Verizon's network planning of receiving traffic forecasts from CLECS.**

**(a) Identify all current interconnection agreements between Verizon and other ILECs in which the other ILEC agrees to forecast its inbound interconnection trunking requirements.**

**(b) Identify all current interconnection agreements between the ILEC affiliates of Verizon Corporation other than Verizon and other ILECs in which the other ILEC agrees to forecast its inbound interconnection trunking requirements.**

OBJECTION: With respect to 28(a), Verizon VA has no additional objection. With respect to 28(b), see General Objections 4, 5, 6 and 7. The terms of Verizon VA's interconnection arrangements with competitive local exchange carriers are public information on file with the Virginia State Corporation Commission. Accordingly, Verizon VA objects to this discovery request as it is unduly burdensome. Moreover, Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's

objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**29. This question relates to the direct testimony regarding mediation issues of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 4, where the witnesses describe the necessity to Verizon's network planning of receiving traffic forecasts from CLECS. Identify all current interconnection agreements between Verizon or the ILEC affiliates of Verizon Corporation and other ILECs and/or CLECs other than Cox in which Verizon or an ILEC affiliate of Verizon Corporation agrees to forecast its outbound interconnection trunking requirements. For such agreements, identify (1) those involving traffic exchanged in Virginia specifically and (2) those involving traffic exchanged throughout the states constituting the current territory served by ILEC affiliates of Verizon Corporation.**

OBJECTION: See General Objections 4, 5, 6 and 7. The terms of Verizon VA's interconnection arrangements with competitive local exchange carriers are public information on file with the Virginia State Corporation Commission. Accordingly, Verizon VA objects to this discovery request as it is unduly burdensome. Moreover, Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**30. This question relates to the direct testimony regarding mediation issues of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 4, where the witnesses describe the necessity to Verizon's network planning of receiving traffic forecasts from CLECS. Identify all current**

**interconnection agreements with wireless carriers (e.g., PCS, CMRS, paging) in which Verizon and/or the ILEC affiliates of Verizon Corporation agree to forecast outbound interconnection trunking requirements. For such agreements, identify (1) those involving traffic exchanged in Virginia specifically and (2) those involving traffic exchanged throughout the states constituting the current territory served by the ILEC affiliates of Verizon Corporation.**

OBJECTION: See General Objections 4, 5, 6 and 7. The terms of Verizon VA's interconnection arrangements are public information on file with the Virginia State Corporation Commission. Accordingly, Verizon VA objects to this discovery request as it is unduly burdensome. Moreover, Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the

information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**31. This question relates to the direct testimony regarding mediation issues of Donald E. Albert and Peter J. D'Amico regarding Network Architecture, filed August 17, 2001, page 4, where the witnesses describe the necessity to Verizon's network planning of receiving traffic forecasts from CLECS. In how many states throughout the states constituting the current territory served by ILEC affiliates of Verizon Corporation have the ILEC affiliates included in their interconnection agreements provisions for such affiliates to forecast their own outbound traffic?**

OBJECTION: See General Objections 4, 5, 6 and 7. The terms of Verizon VA's interconnection arrangements are public information on file with the Virginia State Corporation Commission. Accordingly, Verizon VA objects to this discovery request as it is unduly burdensome. Moreover, Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language

presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**Issue I-8 (CPNI audits)**

**32. This question relates to the rebuttal testimony of Maryellen Langstine regarding Business Process, filed August 17, 2001, pages 2-4, where the witness states that Verizon has had problems with CLEC abuse of OSS and/or CPNI in the past that justify Verizon's demands in this proceeding. Identify all complaints received by or known to Verizon concerning Cox's use of CPNI.**

OBJECTION: No additional objection.

**33. This question relates to the rebuttal testimony of Maryellen Langstine regarding Business Process, filed August 17, 2001, pages 2-4, where the witness states that Verizon has had problems with CLEC abuse of OSS and/or CPNI in the past that justify Verizon's demands in this proceeding. Has Verizon been sanctioned by any regulatory agency for Cox's use of Verizon-provided CPNI? If so, describe the sanctions.**

OBJECTION: No additional objection.

**34. This question relates to the rebuttal testimony of Maryellen Langstine regarding Business Process, filed August 17, 2001, page 4, where the witness attempts to justify Verizon's demands regarding CPNI auditing by describing Verizon's "statutory duty" to protect its customers' CPNI. How would the contractual language proposed by Verizon in Issue I-8 prevent Cox from inappropriately using CPNI, or would that language merely provide Verizon with an after-the-fact remedy?**

OBJECTION: No additional objection.

**35. This question relates to the rebuttal testimony of Maryellen Langstine regarding Business Process, filed August 17, 2001, page 4, where the witness attempts to justify Verizon's demands regarding CPNI auditing by describing Verizon's "statutory duty" to protect its customers' CPNI. In monitoring Cox's activities (as proposed in Verizon's Section 18.4.4), how would Verizon determine whether or not Cox's "access and use and/or disclosure of CPNI" constituted "non-compliance with the requirements of Applicable Law" and the interconnection agreement?**

OBJECTION: No additional objection.

**36. This question relates to the rebuttal testimony of Maryellen Langstine regarding Business Process, filed August 17, 2001, page 4 where the witness attempts to justify Verizon's demands regarding CPNI auditing by describing Verizon's "statutory duty" to protect its customers' CPNI. In monitoring Cox activities (as proposed in Verizon's Schedule 11.7, Section 1.6.5.2), how would Verizon determine whether or not Cox's "access to and use of BA OSS Information" constituted non-compliance "with the requirements of Applicable Law" and the interconnection agreement?**

OBJECTION: No additional objection.

**37. This question relates to the rebuttal testimony of Maryellen Langstine regarding Business Process, filed August 17, 2001, page 3 where the witness states that "Verizon VA does nothing to intrude into a CLEC's internal systems." What safeguards does Verizon now have in place to ensure that data obtained through monitoring pursuant to proposed Section 18.4.4 of the Verizon-Cox interconnection agreement is not used for purposes other than detecting abuse of CPNI?**

OBJECTION: No additional objection.

**38. This question relates to the rebuttal testimony of Maryellen Langstine regarding Business Process, filed August 17, 2001, page 3 where the witness states**

**that "Verizon VA monitors the use of OSS use to ensure that Verizon VA maintains the necessary systems capacity to accommodate the legitimate use of all CLECS."**

**(a) What are the benefits to monitoring individual carriers' use of OSS (as opposed to aggregate usage of the system by all CLECs) in determining whether system capacity needs to be augmented?**

**(b) How does monitoring of CPNI usage (as opposed to usage of the OSS overall) enhance Verizon's ability to determine whether the overall capacity of its OSS needs to be augmented?**

OBJECTION: No additional objection.

**Issue I-9 (Cox rates)**

**39. This question relates to the rebuttal testimony of Michael A. Daly, Donna Finnegan, and Steven J. Pitterle regarding Pricing Terms and Conditions, filed August 17, 2001, page 6, where the witnesses state that "the only reason Petitioners could object [Verizon's pricing] standard is that they desire to charge more than their costs," and thereby imply that CLEC pricing is unfair. Which, if any, rates charged to Verizon today by Cox does Verizon believe are excessive?**

OBJECTION: No additional objection.

**40. This question relates to the rebuttal testimony of Michael A. Daly, Donna Finnegan, and Steven J. Pitterle regarding Pricing Terms and Conditions,**

**filed August 17, 2001, page 6, where the witness states that "the only reason Petitioners could object to [Verizon's pricing] standard is that they desire to charge more than their costs," and thereby imply that CLEC pricing is unfair. Has Verizon initiated any complaints or other proceedings with the Virginia State Corporation Commission ("VSCC")or FCC regarding Cox's rates?**

OBJECTION: No additional objection.

**41. This question relates to the rebuttal testimony of Michael A. Daly, Donna Finnegan, and Steven J. Pitterle regarding Pricing Terms and Conditions, filed August 17, 2001, page 6, where the witness states that "the only reason Petitioners could object to [Verizon's pricing] standard is that they desire to charge more than their costs," and thereby imply that CLEC pricing is unfair. Is there any reason Verizon would be unable to invoke the processes of the FCC or VSCC if it believed a specific Cox rate to be excessive?**

OBJECTION: No additional objection.

**Issue I-10 (Termination)**

**42. This question relates to the rebuttal testimony of Christos T. Antoniou, Michael A. Daly, and Steven J. Pitterle, regarding General Terms and Conditions, page 5, filed August 17, 2001, where the witnesses state that under Verizon's proposed contract language, the agreement would continue "for up to one**

**year." Since 1996, how many renewal agreements have been in negotiation between Verizon and other carriers throughout Verizon Corporation's territory (including former Bell Atlantic states and former GTE states) for more than one year after expiration?**

OBJECTION: See General Objections 5, 6 and 7. Cox seeks information that should not be discoverable in these proceedings, namely information regarding independent corporate affiliates, operations in any territory outside of Verizon VA territory, and discovery throughout the Verizon footprint. In the Commission's August 3 Letter granting, in part, AT&T's June 27 Motion to Compel Answers to its First Set of Data Requests, the Commission upheld Verizon VA's objections with respect to certain AT&T data requests seeking information about Verizon's facilities, practices or services in other states. The Commission ruled that a party requesting such information must sufficiently explain "why such information is relevant to the specific disputes over contract language presented in this proceeding." *Re Arbitration of Interconnection Agreements Between Verizon and AT&T, Cox and WorldCom*, CC Docket Nos. 00-218, 00-249 and 00-251, at 3 (August 3, 2001). In that same vein, Cox has not made a sufficient showing that the information it requests about Verizon's facilities, practices or services in other states is relevant to a specific dispute over contract language presented in this proceeding.

**43. This question relates to the rebuttal testimony of Christos T. Antoniou, Michael A. Daly, and Steven J. Pitterle, regarding General Terms and Conditions, page 5, filed August 17, 2001, where the witnesses state that they are "willing to agree to use with Cox and WorldCom the same contract language to which Verizon and AT&T have agreed on this issue." What, if anything, is the difference between this "compromise" proposal described in Verizon's Answer and its rebuttal testimony and the Verizon language described in Cox's Petition for Arbitration?**

OBJECTION: No additional objection.

**44. This question relates to the rebuttal testimony of Christos T. Antoniou, Michael A. Daly, and Steven J. Pitterle, regarding General Terms and Conditions, page 6, filed August 17, 2001, where the witnesses describe a provision proposed by WorldCom. Please describe in detail how Verizon's objections to the WorldCom proposal apply to Cox's proposed language on termination.**

OBJECTION: No additional objection.

**Issue I-11 (OSS termination)**

**45. The following question relates to the rebuttal testimony of Christos T. Antoniou, Michael A. Daly, and Steven J. Pitterle, regarding General Terms and Conditions, page 9, filed August 17, 2001, where the witnesses state that severe penalties are required to deter CLEC misuse of OSS. Identify all previous occurrences of CLEC misuse or abuse of Verizon's OSS in Virginia that would be addressed by its proposed language governing termination for OSS abuse.**

OBJECTION: No additional objection.

**46. The following question relates to the rebuttal testimony of Christos T. Antoniou, Michael A. Daly, and Steven J. Pitterle, regarding General Terms and Conditions, page 9-10, filed August 17, 2001, where the witnesses state that OSS misuse "would be harmful to the network and other carriers." Describe in detail the harms that could arise from the types of OSS usage covered by the proposed provision governing termination for OSS abuse. How would those harms be caused?**

OBJECTION: No additional objection.

**47. The following question relates to the rebuttal testimony of Christos T. Antoniou, Michael A. Daly, and Steven J. Pitterle, regarding General Terms and Conditions, page 9, filed August 17, 2001, where the witnesses state that severe penalties are required to deter CLEC misuse of OSS. Describe Verizon's efforts to**

**develop and implement technical means to prevent the harms addressed by the proposed OSS abuse provision.**

**(a) Has Verizon implemented any such measures?**

**(b) If Verizon has not implemented any such measures, describe the reasons that Verizon has not done so.**

OBJECTION: No additional objection.

Respectfully submitted,

Karen Zacharia /
by permission awc


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Dated: August 24, 2001

CERTIFICATE OF SERVICE

I do hereby certify that true and accurate copies of the foregoing Objections to Cox's First Set of Discovery Requests were served electronically and by overnight mail this 24th day of August, 2001, to:

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