

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Review of the Commission’s Rules Regarding)
the Pricing of Unbundled Network Elements)
and the Resale of Service by Incumbent Local)
Exchange Carriers)

WC Docket No. 03-173

)

**MOTION TO REQUIRE INCUMBENT LOCAL EXCHANGE
CARRIERS TO RESPOND TO DATA REQUESTS**

AT&T Corp. requests the Commission to require the four Regional Bell Operating Companies (“Bells”) – Verizon Communications Inc., BellSouth Corporation, SBC Communications Inc., and Qwest Communications International, Inc. – to respond to the data requests attached hereto as Attachments A through D. The principal purpose of these requests is to verify a critical assumption of the Bells’ comments in this proceeding: that they maintain sufficient internal data from which UNE rates could be determined under the “more real-world” methodologies that they ask the Commission to adopt.

Although the Commission’s rules normally contemplate discovery procedures only in adjudicatory proceedings (*see* 47 C.F.R. § 1.311), the Commission plainly has the discretion to permit discovery in rulemaking proceedings as well. The notice-and-comment procedures for rulemaking in the Administrative Procedure Act represent only the minimum procedural rights that agencies must allow in rulemaking. “Agencies are free to grant additional procedural rights in the exercise of their discretion.” *Vermont Yankee Nuclear Power Corp. v. Natural Resources*

Defense Council, 435 U.S. 519, 524 (1978). Thus, the Supreme Court has held that the Commission and other administrative agencies may use additional procedures “adapted to the peculiarities of the industry and the tasks of the agency involved,” to “pursue methods of inquiry capable of permitting them to discharge their multitudinous duties.” See *FCC v. Shreiber*, 381 U.S. 279, 290 (1965); *FCC v. Pottsville Broadcasting Co.*, 309 U.S. 134, 143 (1940).

Moreover, Section 154(j) of the Communications Act of 1934, 47 U.S.C. § 154(j), empowers the Commission to “conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice.” The Supreme Court has held that this provision gives the Commission “broad discretion to prescribe rules for specific investigations” and “to make *ad hoc* procedural rulings in specific instances.” *FCC v. Schreiber*, 381 U.S. at 289.¹

Consistently with these provisions, the Commission has long recognized that authorizing discovery in rulemaking proceedings is within its “broad discretion in formulating appropriate procedures, particularly when doing so “will conduce to effective and expeditious resolution of the issues” and “ensure that the record contains information essential to rulemaking decision.”² The data requests proposed herein by AT&T will promote those objectives in this proceeding.

¹ See also, e.g., *City of Angels Broadcasting, Inc. v. FCC*, 745 F.2d 656, 664 (D.C. Cir. 1984) (Commission “enjoys wide discretion in fashioning its own procedures”); *Bell Telephone Co. of Pennsylvania v. FCC*, 503 F.2d 1250, 1265 (3d Cir. 1974), *cert. denied*, 422 U.S. 1026 (1975) (Section 154(j) “leaves to the agency the determination of the type of procedure to be employed in a particular case”).

² See *In the Matter of California Water and Telephone Co.*, 23 F.C.C.2d 840, ¶ 7 (1970) (finding “no legal or equitable bar to [the] extension of discovery rights” to a rulemaking proceeding). See also, e.g., *In the Matter of Representing the Authorized Rate of Return for Interstate Services of Local Exchange Carriers*, 8 FCC Rcd. 3533, ¶ 30 (1990); *In the Matter of International Record Carrier’s Scope of Operations in the Continental United States, Including Possible Revisions to the Formula Prescribed Under Section 222 of the Communications Act*, 68 F.C.C.2d 1045, ¶ 11 (1978); *In the Matter of Petition of Offshore Telephone Co., as amended, for*

First, the requested data are needed for an informed assessment of the Bells' claims regarding their internal data on their "actual" networks. In their initial and reply comments, the Bells repeatedly assert that UNE rates should be based on the costs of their "actual" or "real-world" networks, because (*inter alia*) such an approach would eliminate the "black box speculation" that is purportedly necessary to determine prices under the current TELRIC methodology. The Bells' position assumes, however, that their internal data on their "actual" networks are sufficiently reliable and complete to enable regulators to determine UNE rates under the "more real-world" methodology which the Bells propose.³ The Bells have provided essentially no concrete evidence to support their claim that this assumption is correct.

In fact, the Bells' claims regarding the adequacy of their data have been vigorously challenged by the CLECs. For example, AT&T's evidence—including experience to date in UNE rate proceedings—belied the notion that UNE rates can be determined on the basis of the Bells' internal data on their "actual" networks under their proposed methodology.⁴

Establishment of Charges For Through Interstate Communications Service and Division of Such Charges With South Central Bell Telephone Co. and American Telephone and Telegraph Co., 68 F.C.C.2d 63, ¶ 8 (1978).

³ See, e.g., Verizon Initial Comments at 28 (inputs "can be determined on an objective basis largely by looking to the incumbent's real-world network. With such robust, real-world data, the process of determining UNE rates is vastly simplified and far more predictable"); Verizon Reply Comments at 25 ("there is objective [ILEC] data concerning critical inputs such as operating expenses, customer locations, distribution terminal locations, depreciation lives, and the prices for facilities such as cables, digital loop carrier systems, and switching equipment"); *id.* at 35 ("The incumbents do maintain verifiable engineering records and ARMIS accounts that contain substantial amounts of data relevant to network routing"); BellSouth Reply Comments at 18 ("Actual data in many instances are reflective of forward-looking cost characteristics"); SBC Reply Comments at 6 ("it is not only appropriate but perfectly practicable to model forward-looking network costs on the basis of an incumbent's real-world accounting data"); Qwest Reply Comments at 28 ("Data on the actual costs, networks, and practices of facilities-based carriers is the best, most objective evidence of forward-looking costs").

⁴ See, e.g., AT&T Initial Comments at 29-30, 38, 56; Klick Decl. ¶ 51, 58-74, 122-130; Riolo Decl. ¶ 50; Murray Decl. ¶¶ 160-171; Bryant Essay at 4; AT&T Reply Comments at 5, 29-30,

Clearly, the adequacy of the data that the Bells maintain on their “actual” networks is a critical issue in this proceeding. If (as the CLECs’ evidence shows) such data are insufficient to permit a determination of UNE prices under the Bells’ “more real-world” methodology, that methodology necessarily must be rejected, even if it otherwise meets the costing criteria of Section 252(d)(1) of the 1996 Act (and it does not).

In the face of the CLECs’ evidence, the Commission cannot – and should not – take at face value the Bells’ bald assertions regarding the adequacy of their data. Because the issue is in dispute, further inquiry and verification is necessary before the Commission can make a meaningful assessment of the Bells’ assertions. The Bells, however, generally have possession and control over the data regarding their “actual” networks. Consequently, their claims can be tested only if they are required to produce a reasonable sample of such data for their networks in this proceeding.

The attached data requests would require the Bells to provide such data without imposing an undue burden on them. For example, AT&T’s Data Request Nos. 1-5 seek data from the Bells regarding:

- The Bells’ equipment and assets, and the ILECs’ plans to continue using them;
- The Bells’ “actual” and planned expenses;
- The upgrades planned by the ILECs during the next three to five years, and during any longer objective time horizons used by the Bells for planning;
- Upgrade plans, evolution plans, and similar forecasts prepared by the Bells during the last ten years that relate to local network assets;

48, 63, 85; Klick Reply Decl. ¶¶ 43-44, 53-54, 60-66; Murray Reply Decl. ¶¶ 67-72; Riolo Reply Decl. ¶¶ 46, 84. *See also, e.g.*, MCI Initial Comments at 6-7 & Pelcovits Decl. at 20-21; MCI Reply Comments at 20; CLEC TELRIC Coalition Reply Comments at 8-10.

- The Bells' cable maps and other specified records needed to identify accurately the information needed to determine the routing and topography of the Bells' "real-world" networks.

See Attachments A-D hereto, Data Request Nos. 1-5.

Data Request Nos. 1 through 5 are reasonable in scope, because they seek these data only from a *sample* of the Bells' networks. Specifically, AT&T has confined the scope of these requests to a total of 15 specified wire centers in the particular State in which each RBOC maintains its headquarters. For example, for Verizon, these requests are confined to five specific wire centers located in each of three density zones in New York (Zone 1, Zone 2, and Zone 3). See Attachment D at 1 (Definition and Instruction "B"). This sampling approach will yield sufficient information to verify the adequacy and completeness of the data types in question, while avoiding any undue burden on the Bells in responding to these requests.⁵

AT&T's data requests test the accuracy of the Bells' representations regarding their data in other respects. For example, AT&T's evidence showed that the Bells do not have reliable data on the configurations and compositions of their outside plant because, *inter alia*, they fail to update their records (including outside plant cable diagrams) for retired or removed plant.⁶ Thus, Data Request Nos. 6 and 7 request information regarding the procedures that the Bells use to remove from their records any cable that has been retired or physically removed.

Data Requests 8 through 10 seek substantiation of the Bells' assertions regarding their fill factors. Some Bells have asserted that their fill factors are based on engineering guidelines,

⁵ Verizon, for example, has over 500 wire centers in New York State. Fifteen wire centers thus constitute a sample of less than three percent of Verizon's statewide total.

⁶ See, e.g., AT&T Reply Comments at 30, 38; Klick Reply Decl. ¶ 54.

while other Bells have remained silent on the issue.⁷ Thus, Data Request 8 asks the Bells to verify whether the fill factors in their particular networks are, in fact, based on “engineering guidelines” and, if so, to produce any engineering guidelines on which they have relied. Production of these engineering guidelines will enable the Commission to determine whether the Bells’ current low fill levels are dictated by the guidelines (as some Bells have asserted), or whether (as AT&T’s testimony has shown) the guidelines encourage the maximization of outside plant to the greatest extent possible and place no constraints on the Bells’ engineers in determining plant capacity.⁸ The Bells have routinely produced engineering guidelines of the kind requested in UNE pricing litigation at state commissions. Production of the guidelines, however, has occurred under protective orders that forbid use of the material in other proceedings (including this rulemaking proceeding). Accordingly, AT&T asks the Commission to require production of the material directly in this proceeding (subject, of course, to the protective order entered by the Commission on January 12, 2004).

Similarly, Data Request No. 9 asks the Bells to provide data on their average fill factors for feeder and distribution cable, in view of the Bells’ position that: (1) the Commission should determine rates on the basis of their “actual” fills, and (2) their current fill levels are efficient because they have remained relatively “stable” and are unlikely to change significantly on a forward-looking basis.⁹ With the exception of BellSouth (which provided certain data on copper

⁷ *E.g.*, Verizon Initial Comments at 43; Verizon Reply Comments at 36-37; BellSouth Initial Comments at 3-4, 27; SBC Initial Comments at 64; Qwest Initial Comments at 38-43.

⁸ *See* Riolo Decl. ¶¶ 14, 33, 57; Riolo Reply Decl. ¶¶ 15, 28-29.

⁹ *See, e.g.*, Verizon Initial Comments at v, 43 (UNE prices should reflect “the actual levels of fill,” and Commission should provide that fill levels reflected in UNE rates “are consistent with the ILEC’s engineering guidelines and actual network experience”); *id.* at 44 (“Average fill in Verizon’s network has been stable over the years, and there is no reason to believe that existing fills will increase in any significant way on a forward-looking basis”); BellSouth Initial Comments at 27 (Commission should adopt guidelines requiring State commissions to “consider

feeder and copper distribution fills, for each State in its region), the Bells have failed to provide *any* empirical data regarding their “actual” fill factors in this proceeding.¹⁰ Administrative due process forbids the Commission from acquiescing in such a “trust us” approach. Only by requiring the Bells to provide their “actual” fill data (as calculated in accordance with the attached data requests) can the Commission verify whether the Bells have such data and whether their “actual” fills are as claimed.

Likewise, Data Request No. 10 ask for documents that should shed light on the *actual* utilization rates of the Bells’ feeder and distribution facilities at the point of relief.

recent ILEC utilization rates,” because “fill factors tend to be fairly stable over time”); SBC Initial Comments at 4, 64 (UNE rates should be calculated based on “the current fills in an ILEC’s existing network,” which “are the *only* reliable evidence of the fills that are demonstrably achievable in a functional network capable of meeting the service standards imposed on a ubiquitous carrier”) (emphasis in original); Qwest Initial Comments at 43 (“the Commission should also establish a rebuttable presumption in favor of using the ILEC’s actual . . . fill factors”).

¹⁰Although BellSouth provided data on its copper distribution and copper feeder fills, it provided no data on its fiber feeder fills and no data covering part or all of 2003. *See* BellSouth Initial Comments at 27 & Exh. 4. Furthermore, BellSouth provided no description of the methodology or formula that it used to calculate the fill data that it did provide. Nor did BellSouth describe the points in its network at where it measured these fills. *Id.* Thus, it is impossible to determine whether, for example, BellSouth included working pairs, idle assigned pairs, and defective pairs in the numerator of its calculation, as would be required under standard engineering principles. *See* Riolo Opening Decl. ¶ 22; Riolo Reply Decl. ¶ 31 n.42. To the contrary, BellSouth’s Reply Comments suggested that it did *not* include defective pairs in the numerator of its calculation of distribution fills. *See* BellSouth Reply Comments at 35 (defining actual distribution fill as “(working + cut through)/(available)”). Nor has BellSouth described the points in its network where it measured fills for purposes of the data that it has provided. *See, e.g.,* Riolo Decl. ¶¶ 50-51 (describing flaws in ILECs’ approach of measuring copper distribution utilization rates at the serving area interface, and of measuring copper feeder fill at the vertical side of the Main Distribution Frame). Accordingly, AT&T’s Data Request No. 9 requests all Bells, including BellSouth, to: (1) provide fill factor data from 1998 and 2003 using the methodology specified in the data request, (2) identify the points in the network where BellSouth measured these fills, and (3) provide all documents used or relied upon by the RBOC to determine the fill percentages.

Second, AT&T's data requests ask each RBOC to provide current line counts, by service type (including high-capacity loops) and provisioning technology.¹¹ As AT&T has previously demonstrated, complete and accurate data on line counts are essential to a proper determination of forward-looking costs.¹² Indeed, Verizon, SBC, and Qwest have provided line count data in some (but not all) previous proceedings involving their UNE rates, in response to the CLECs' requests for such data.¹³ If, in fact, the Bells maintain sufficient data reflecting their "actual" networks, they must have sufficient line count data in their possession.¹⁴

Third, two of AT&T's data requests are specifically directed to Qwest alone, in order to test the accuracy of certain of Qwest's assertions regarding fill factors and expenses. Data Request No. 11 to Qwest seeks all documents that Qwest used or relied upon in preparing the two charts that it presented to support its claim that capacity is "lumpy" (*i.e.*, that much of the equipment on the market increases in capacity only in large increments that do not correspond to the amounts of demand at given locations).¹⁵ AT&T believes that Qwest's argument is specious. *See* Riolo Reply Decl. ¶ 18 n.11. The requested data are likely to shed light on the actual facts.

¹¹ *See* Attachments A, C and D, Data Request No. 11; Attachment B, Data Request No. 12.

¹² AT&T Initial Comments at 59-61; Riolo Decl. ¶¶ 111-133; Klick Decl. ¶ 80; AT&T Reply Comments at 67.

¹³ *See* AT&T Initial Comments at 61; Riolo Decl. ¶ 130. Although Verizon has provided line count data in some UNE rate proceedings, it has refused to do so in others. *See* Riolo Decl. ¶¶ 129-130 (contrasting Verizon's willingness to provide such data in California with its refusal to do so in other States in its region). When Verizon and other Bells have provided such data, they have often classified the data as proprietary, thereby precluding the use of the data in other proceedings. *Id.* ¶ 130 n.100.

¹⁴ The production of current line count data by SBC, Verizon, and Qwest in previous UNE rate proceedings belies BellSouth's contention that such production would be "unreasonable." *See* AT&T Initial Comments at 61; Riolo Decl. ¶ 130; BellSouth Reply Comments at 11 n.12.

¹⁵ *See* Attachment B, Data Request No. 11; Qwest Initial Comments at 40-41 & n.105.

Data Request No. 13 to Qwest seeks production of the “study” (and information and other documents regarding the “study”) that Qwest purportedly performed to determine the correlation of expenses and investment of nine local exchange carriers.¹⁶ AT&T expects that the documents and information sought in this data request will verify that Qwest’s study falls far short of the analysis necessary to test whether the relationship between investment and expense per line has changed. *See* AT&T Reply Comments at 118; Klick Reply Decl. ¶¶ 77-83.

CONCLUSION

Ordering the Bells to respond to the attached data requests will not impose an unreasonable burden on the Bells. The data requests are limited in number and scope. As previously discussed, Data Request Nos. 1 through 5 – which seek information regarding equipment, expenses, and other aspects of the Bells’ “actual” networks – are limited to a sample of the wire centers in one State in the service territory of each Bell. The remaining data requests seek information that – if the Bells possess it – should be relatively simple for the Bells to provide.

More importantly, whatever burden the Bells might experience in responding to these requests is vastly outweighed by the need for such information to be included in the record of this proceeding, in order that the Commission can resolve the issues here correctly and effectively. The Bells are pressing the Commission to adopt a new, more “real-world” cost methodology on the basis of their assurances that they maintain sufficient internal data on their

¹⁶*See* Attachment B, Data Request No. 13. Although Qwest contended that its “study” demonstrates that no correlation exists between per-line changes in investment and expenses, Qwest submitted only a two-page “chart” summarizing the results of the study – not the study itself. *See* Qwest Initial Comments at 49 and chart attached thereto (“Comparison of Investment Per Line to Expense Per Line Correlation Analysis”).

“actual” networks to enable State commissions to determine rates using that approach. Mere assurances, however, are not enough. Before the Commission even reaches the issue of whether the Bells’ proposed methodology is otherwise proper, it should determine whether, as the Bells claim, they maintain data that are sufficiently complete and reliable to permit accurate determinations under that methodology. Because such data are in the Bells’ exclusive possession, only the use of discovery here will permit the Commission to make that determination.

For the foregoing reasons, the Commission should order Verizon, BellSouth, SBC, and Qwest to respond to the data requests attached hereto.

Respectfully submitted,

/s/ Lawrence J. Lafaro

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March 16 2004

CERTIFICATE OF SERVICE

I hereby certify that copies of this pleading have been served today by e-mail, overnight FedEx, or hand delivery upon the following counsel for BellSouth, Qwest, SBC and Verizon:

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/s/

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March 16 2004

Attachment A

**Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Review of the Commission’s Rules Regarding)
the Pricing of Unbundled Network Elements)
and the Resale of Service by Incumbent Local)
Exchange Carriers)

WC Docket No. 03-173

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**DATA REQUESTS OF AT&T CORP. TO
BELLSOUTH CORPORATION**

AT&T Corp. hereby propounds the following data requests upon BellSouth Corporation and its affiliated local telephone companies (“BellSouth”), to be answered by those officers, employees or agents of BellSouth as may be cognizant of the requested information and who are authorized to answer on behalf of BellSouth.

DEFINITIONS AND INSTRUCTIONS

- A. Please produce the requested information within 30 days.
- B. For purposes of these data requests, the term “study area” encompasses each of the following wire centers:

Georgia (BellSouth):

	Zone 1 CLLI	Zone 2 CLLI	Zone 3 CLLI
1	LTVLGACS	HMTNGAMA	ETTNGAES
2	CDTWGAMA	CLMBGABV	CXTNGAMA
3	TMPLGAMA	AGSTGAMT	LKPKGAMA

4

ATLNGAEL

SVNHGAWI

WYCRGAMA

5

SMYRGAMA

WRRBGAMA

JHCRGAES

- C. All information should be provided in a consistent electronic format (e.g., Access database, Excel spreadsheet, etc.—not scanned PDFs) to allow for immediate quantitative analysis by the Commission, AT&T, and other parties.
- D. Information for each study area should be accompanied by an affidavit from an officer of BellSouth certifying either (1) that identical information is available for every other wire center owned by the company and can similarly be made available in consistent electronic format within 60 days at the Commission’s direction, or (2) explaining why the data is not available for every other wire center, describing the effort that would be required to develop it in a comparable manner and make it available in consistent electronic format, and estimating how long that effort would take if the Commission were to order it produced for all wire centers..
- E. If you contend that the requested information is too voluminous to produce within 30 days, AT&T is willing to narrow its request to a subset of your company’s service territory within the state if the parties can agree on a mutually acceptable sample.
- F. If you contend that any of the requested information is proprietary or commercially sensitive, AT&T hereby agrees to subject production of the information on the protective order already adopted by the Commission in this proceeding.

QUESTIONS

- 1. This question refers to Exhibit 1, paragraph 6 of BellSouth’s Initial Comments, where BellSouth argues that the technology used in a TELRIC cost study should “represent the types of equipment that are currently being deployed for new, growth or replacement projects.” For each study area covered by these data requests, please provide the following:
 - a. An inventory of each piece of equipment or other asset in the study area, by location (precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that would permit the asset to be located with geographic specificity). For each asset, identify its manufacturer, model number, acquisition date, and install date.
 - b. For each asset identified in response to part (a), please state whether the asset is currently used to provide UNES, retail local telephone service, or both.

- c. For each asset identified in response to part (a), please state whether BellSouth intends to continue using the asset during the next 3 to 5 years. If your answer to is anything but an unqualified negative, please state the value of the asset, and the basis on which the value was determined.
 - d. For each asset identified in response to part (a), please state whether BellSouth intends to upgrade or modify the asset or augment its capacity during the next 3 to 5 years. (If your company maintains a standard planning period that differs from 3 to 5 years, state the length of this planning period and answer the following questions consistently with this period.) If your answer is anything but an unqualified negative, please provide details, including the nature of the upgrade, modification or augmentation, the capacities and functionalities that BellSouth anticipates adding, and the cost of the upgrade, modification or augmentation. Provide copies of all BellSouth procedures that are followed internally in deciding when to upgrade or modify the asset or augment its capacity.
2. This question refers to paragraph 98 of the NERA Declaration attached to BellSouth's Initial Comments, which argues that current Annual Cost Factors may be used calculate forward-looking operating expenses, "provided that the FCC's proposed reformed TELRIC methodology is adopted." For each study area encompassed by these data requests, please provide the following information:
 - a. Specify each expenditure that BellSouth has made in the past three years relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this request, all expenditures in a given study area that are covered by a single "authorization for expenditure," or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by BellSouth, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by BellSouth, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.
 - b. Produce business records sufficient to verify your responses to part (a).
 - c. Specify each expenditure that BellSouth plans to make during the next five years on local network assets, broken down by relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this

request, all expenditures in a given study area that are covered by a single “authorization for expenditure,” or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by BellSouth, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by BellSouth, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.

- d. Produce business records sufficient to verify your responses to part (c).
3. The Commission has requested comment on whether it should “define the relevant network as one that incorporates upgrades planned by the incumbent LEC over some objective time horizon (*e.g.*, three or five years), as documented, for example, in an incumbent LEC’s actual engineering plans.” NPRM ¶ 54. Although BellSouth stated in its Initial Comments that it disagreed with this approach, it contended in its Reply Comments that “Data for a 3-5 year planning period *can* be used to develop long run costs.” BellSouth Initial Comments at 15-16; NERA Reply Decl. ¶ 20 (emphasis in original). Thus, for each study area encompassed by these data requests, please identify the particular upgrades planned by BellSouth during the next three years, the next five years, and any other objective time horizon currently used by BellSouth for planning. Your response should identify:
- a. Each specific asset or upgrade that BellSouth plans to install or make during the relevant period.
 - b. The precise location where each investment or upgrade is planned (using precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that would permit the upgrade to be located with geographic specificity).
 - c. The date when each investment or upgrade is expected to begin.
 - d. The date when each investment or upgrade is expected to be completed.
 - e. The specific change in capacity or functionality to be added by each investment or upgrade.
 - f. Other benefits that BellSouth anticipates from each investment or upgrade (in addition to those identified in e) that were considered in deciding to undertake each investment or upgrade.

- viii. the extent to which the fiber strand identified in (iii) is lit or dark;
 - ix. the capacity of each fiber strand identified in (iii), i.e., is it operating at DS-1, DS-3, OC-3, OC-12, etc.; and
 - x. the extent to which each identified copper sheath or fiber cable is used to provide local telephone service in that study area.
- b. For each cable map, cable inventory, or other piece of documentation responsive to part (a), please state when it was last updated.
6. Please describe the standards and procedures, if any, used by BellSouth to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been retired (wholly or in part) from BellSouth's financial accounts, but not physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does BellSouth perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this request.
7. Please describe the standards and procedures, if any, used by BellSouth to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does BellSouth perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this question.
8. This question refers to the discussion of fill factors in BellSouth's Initial and Reply Comments. *See* BellSouth Initial Comments at 3-4, 27; BellSouth Reply Comments at 18, 33-36. State whether BellSouth has relied on engineering guidelines (whether industry-promulgated engineering guidelines or BellSouth's own internal engineering guidelines) in determining fill factors and utilization rates. If your response is in the affirmative, please produce copies of all such guidelines (including updates thereto) that have been in effect at any time from 1998 through the present.
9. Describe the average fills for feeder and distribution cable (separately for copper and for fiber) in BellSouth's network, for each State in its service region, for each year from 1998 through 2003. For purposes of this calculation, BellSouth should include in the numerator of its calculation all working pairs, idle assigned pairs (cut-through pairs), and defective pairs. In addition, as part of your response:
- a. Describe the point(s) in BellSouth's network at which BellSouth measured feeder fill and distribution fill.
 - b. Provide all documents that BellSouth used or relied upon to determine the fill percentages.

10. Produce all documents (including but not limited to work authorizations and estimate cases) generated from 1998 through 2003 that: (a) relate to the feeder and/or distribution relief and rehabilitation projects that have been undertaken in BellSouth's network; and (b) identify the utilization rate at the time of relief of the feeder and/or distribution cable.
11. Please provide current service type counts, by CLLI, for the categories identified below. The intent of this request is to obtain actual current service counts related to all loops that are currently part of BellSouth's outside plant regardless of tariffed service type (*i.e.*, regardless of whether the loop is used in BellSouth's retail service, private line service, special access, Official Company Service, for UNEs, for wholesale, or for any other purpose). Report separately the percent of each of the services listed below provisioned over home-run copper, copper carrier, copper DLC, fiber carrier and fiber DLC.
 - a. Switched Basic Residential lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line-shared DSL or ADSL service).
 - b. Residential and business DSL and ADSL lines below 1.544 Mbps in symmetric capacity.
 - c. Switched Basic Business lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line shared DSL service).
 - d. Business switched DS-0 lines
 - e. Switched business DS-1 lines (or equivalent -- HDSL)
 - f. Payphone lines
 - g. ISDN-PRI lines
 - h. ISDN-BRI lines (or equivalent IDSL)
 - i. Non-switched DS-0 or lower and analog voice grade lines
 - j. Non-switched UNE-L lines (including DSL lines that do not carry a switched voice channel except HDSL)
 - k. Non-switched DS-1 lines (or equivalent – HDSL)
 - l. Non-switched DS-3 lines
 - m. PBX trunk
 - n. OCn
 - o. Each other service type not listed in the previous parts of this question (provide a basic service description for each).

12. Provide a description of all actions BellSouth has taken pursuant to the Commission's directive to "evaluate and improve the accuracy of [its] property records and accounts to ensure compliance with [the Commission's] requirements going forward." *Second Report and Order in CC Docket No. 99-137 and Order in CC Docket No. 99-117 and AAD File No. 98-26*, 16 FCC Rcd 4083 (released Nov. 7, 2000) at ¶ 13.
13. Produce business records sufficient to verify your responses to the previous questions.

3	FTCLCOHM	FRSCCOMA	STNGCOMA
4	LTTNCOHL	CSRKCONM	MEADCOMA
5	ASPECOMA	LNMTCOMA	ALMSCOMA

- C. All information should be provided in a consistent electronic format (e.g., Access database, Excel spreadsheet, etc.—not scanned PDFs) to allow for immediate quantitative analysis by the Commission, AT&T, and other parties.
- D. Information for each study area should be accompanied by an affidavit from an officer of Qwest certifying either (1) that identical information is available for every other wire center owned by the company and can similarly be made available in consistent electronic format within 60 days at the Commission’s direction, or (2) explaining why the data is not available for every other wire center, describing the effort that would be required to develop it in a comparable manner and make it available in consistent electronic format, and estimating how long that effort would take if the Commission were to order it produced for all wire centers..
- E. If you contend that the requested information is too voluminous to produce within 30 days, AT&T is willing to narrow its request to a subset of Qwest’s service territory within the state if the parties can agree on a mutually acceptable sample.
- F. If you contend that any of the requested information is proprietary or commercially sensitive, AT&T hereby agrees to subject production of the information on the protective order already adopted by the Commission in this proceeding.

QUESTIONS

- 1. This question refers to pages 15-19 of Qwest’s Initial Comments, where Qwest argues, *inter alia*, that cost determinations should “be based upon network designs, technologies, and practices that are currently used by telecommunications carriers, as demonstrated by marketplace evidence.” For each study area covered by these data requests, please provide the following:
 - a. An inventory of each piece of equipment or other asset in the study area, by location (precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that would permit the asset to be located with geographic specificity). For each asset, identify its manufacturer, model number, acquisition date, and install date.
 - b. For each asset identified in response to part (a), please state whether the asset is currently used to provide UNEs, local telephone service, or both.

- c. For each asset identified in response to part (a), please state whether Qwest intends to continue using the asset during the next 3 to 5 years. If your answer to is anything but an unqualified negative, please state the value of the asset, and the basis on which the value was determined.
 - d. For each asset identified in response to part (a), please state whether Qwest intends to upgrade or modify the asset or augment its capacity during the next 3 to 5 years. (If your company maintains a standard planning period that differs from 3 to 5 years, state the length of this planning period and answer the following questions consistently with this period.) If your answer is anything but an unqualified negative, please provide details, including the nature of the upgrade, modification or augmentation, the capacities and functionalities that Qwest anticipates adding, and the cost of the upgrade, modification or augmentation. Provide copies of all Qwest procedures that are followed internally in deciding whether and when to upgrade or modify the asset or augment its capacity.
2. This question refers to Qwest's assertion, in its Initial and Reply Comments, that the Commission should adopt a rebuttable presumption that costs are to be determined based on, *inter alia*, the ILEC's "current" or "actual" expenses. See Qwest Initial Comments at 19-20; Qwest Reply Comments at 1. For each study area encompassed by these data requests, please provide the following information:
- a. Specify each expenditure that Qwest has made in the past three years relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this request, all expenditures in a given study area that are covered by a single "authorization for expenditure," or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by Qwest, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by Qwest, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.
 - b. Produce business records sufficient to verify your responses to part (a).
 - c. Specify each expenditure that Qwest plans to make during the next five years on local network assets, broken down by relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this

request, all expenditures in a given study area that are covered by a single “authorization for expenditure,” or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by Qwest, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by Qwest, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.

- d. Produce business records sufficient to verify your responses to part (c).
3. The Commission has requested comment on whether it should “define the relevant network as one that incorporates upgrades planned by the incumbent LEC over some objective time horizon (*e.g.*, three or five years), as documented, for example, in an incumbent LEC’s actual engineering plans.” NPRM ¶ 54. For each study area encompassed by these data requests, please identify the particular upgrades planned by Qwest during the next three years, the next five years, and any other objective time horizon currently used by Qwest for planning. Your response should identify:
- a. The specific assets or upgrades that Qwest plans to install or make during the relevant period.
 - b. The precise location where each investment or upgrade is planned (using precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that would permit the upgrade to be located with geographic specificity).
 - c. The date when each investment or upgrade is expected to begin.
 - d. The date when each investment or upgrade is expected to be completed.
 - e. The specific change in capacity or functionality to be added by each investment or upgrade.
 - f. Other benefits that Qwest anticipates from each investment or upgrade (in addition to those identified in e) that were considered in deciding to undertake each investment or upgrade.
 - g. The cost of each investment or upgrade, segregated by individual UNE and USOA account.
4. Produce all upgrade plans, network evolution plans, and similar forecasts prepared by Qwest during the past ten years that relate to the local network assets in one or more of

the study areas encompassed by these data requests. For each such upgrade plan, network evolution plan, or similar forecast prepared by Qwest, identify which of the study areas encompassed by these data requests would be affected.

5. This question refers to page 30 of Qwest's Initial Comments, where Qwest supports "the Commission's tentative conclusion that its 'TELRIC rules should more closely account for the real-world attributes of the routing and topography of an incumbent's network in the development of forward-looking economic costs.'"
- a. For each study area encompassed by these data requests, please produce the most current cable maps, outside plant ("OSP") location records, OSP mortality records, cable inventories, and any other documentation needed to identify accurately:
 - i. the physical location (using V&H coordinates or some other objective grid description that would permit the asset to be located with geographic specificity) of all company-owned or leased outside plant structure within the wire center, by type of structure (buried, underground, or aerial);
 - ii. a description of the terrain (e.g., soil type, water table level, slope, etc.) and population density characteristics through which the structure passes;
 - iii. each metallic cable sheath and fiber cable that runs along the structure routes identified in (i);
 - iv. for each metallic sheath or fiber cable identified in (ii), identify whether the cable is distribution cable, feeder cable, or interoffice cable (if a cable is used for more than one of the above purposes, provide the percentage usage of the cable for each of its stated purposes);
 - v. the locations (using V&H coordinates or some other objective grid description that would permit the asset to be located with geographic specificity) of each distribution drop terminal, serving area interface (SAI), feeder distribution interface (FDI), remote terminal unit (RTU), digital loop carrier (DLC), and remote switch located in the study area;
 - vi. the number of copper pairs in each copper cable sheath, and the number of strands of fiber in each fiber cable identified in (ii);
 - vii. for each copper sheath identified in (ii), identify the number of copper pairs that are active, inactive, or defective.
 - viii. the extent to which the fiber strand identified in (iii) is lit or dark;
 - ix. the capacity of each fiber strand identified in (iii), i.e., is it operating at DS-1, DS-3, OC-3, OC-12, etc.; and

- x. the extent to which each identified copper sheath or fiber cable is used to provide local telephone service in that study area.
 - b. For each cable map, cable inventory, or other piece of documentation responsive to part (a), please state when it was last updated.
- 6. Please describe the standards and procedures, if any, used by Qwest to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been retired (wholly or in part) from the company's financial accounts, but not physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does Qwest perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this request.
- 7. Please describe the standards and procedures, if any, used by Qwest to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does Qwest perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this question.
- 8. This question refers to pages 38-43 of Qwest's Initial Comments, and pages 43-48 of Qwest's Reply Comments, which discuss fill factors. State whether Qwest has relied on engineering guidelines (whether industry-promulgated engineering guidelines or Qwest's own internal engineering guidelines) in determining fill factors and utilization rates. If your response is in the affirmative, please produce copies of all such guidelines (including updates thereto) that have been in effect at any time from 1998 through the present.
- 9. Describe the average fills for feeder and distribution cable (separately for copper and for fiber) in Qwest's network, for each State in its service region, for each year from 1998 through 2003. For purposes of this calculation, Qwest should include in the numerator of its calculation all working pairs, idle assigned pairs (cut-through pairs), and defective pairs. In addition, as part of your response:
 - a. Describe the point(s) in Qwest's network at which Qwest measured feeder fill and distribution fill.
 - b. Provide all documents that Qwest used or relied upon to determine the fill percentages.
- 10. Produce all documents (including but not limited to work authorizations and estimate cases) generated from 1998 through 2003 that: (a) relate to the feeder and/or distribution relief and rehabilitation projects that have been undertaken in Qwest's network; and (b) identify the utilization rate at the time of relief of the feeder and/or distribution cable.

11. Produce all documents that Qwest used or relied upon in preparing the two charts (“Incremental Investment by System Size and Demand” and “Incremental Fill by System Size and Demand”) that are attached to Qwest’s Comments, and that are discussed in footnote 105 on pages 40 and 41 of its Initial Comments.
12. Please provide current service type counts, by CLLI, for the categories identified below. The intent of this request is to obtain actual current service counts related to all loops that are part of Qwest’s outside plant regardless of tariffed service type (*i.e.*, regardless of whether the loop is used in Qwest’s retail service, private line service, special access, Official Company Service, for UNEs, for wholesale, or for any other purpose). Report separately the percent of each of the services listed below provisioned over home-run copper, copper carrier, copper DLC, fiber carrier and fiber DLC.
 - a. Switched Basic Residential lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line-shared DSL or ADSL service).
 - b. Residential and business DSL and ADSL lines below 1.544 Mbps in symmetric capacity.
 - c. Switched Basic Business lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line shared DSL service).
 - d. Business switched DS-0 lines
 - e. Switched business DS-1 lines (or equivalent -- HDSL)
 - f. Payphone lines
 - g. ISDN-PRI lines
 - h. ISDN-BRI lines (or equivalent IDSL)
 - i. Non-switched DS-0 or lower and analog voice grade lines
 - j. Non-switched UNE-L lines (including DSL lines that do not carry a switched voice channel except HDSL)
 - k. Non-switched DS-1 lines (or equivalent – HDSL)
 - l. Non-switched DS-3 lines
 - m. PBX trunk
 - n. OCn
 - o. Each other service type not listed in the previous parts of this question (provide a basic service description for each).

13. With respect to the study (described on page 49 of Qwest's Initial Comments) that Qwest undertook regarding the investment and expenses of nine local exchange carriers:
 - a. Produce a copy of the study, and any documents (including workpapers) that Qwest prepared, used, or relied upon in connection with the study.
 - b. Describe the criteria that Qwest used to determine the particular local exchange carriers whose investment and expense data it used for purposes of its study. As part of your response, state the reason or reasons why data from other local exchange carriers were not used in the study.
 - c. Describe the formula or method that Qwest used to determine the Correlation Coefficients and Coefficients of Determination set forth in the two-page attachment to its Comments ("Comparison of Investment Per Line to Expense Per Line Correlation Analysis"), using the data set forth in the two-page attachment.
14. Provide a description of all actions Qwest has taken pursuant to the Commission's directive to "evaluate and improve the accuracy of [its] property records and accounts to ensure compliance with [the Commission's] requirements going forward." *Second Report and Order in CC Docket No. 99-137 and Order in CC Docket No. 99-117 and AAD File No. 98-26*, 16 FCC Rcd 4083 (released Nov. 7, 2000) at ¶ 13.
15. Produce business records sufficient to verify your responses to the previous questions.

Attachment C

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Review of the Commission’s Rules Regarding)
the Pricing of Unbundled Network Elements)
and the Resale of Service by Incumbent Local)
Exchange Carriers)

WC Docket No. 03-173

)

**DATA REQUESTS OF AT&T CORP. TO
SBC COMMUNICATIONS INC.**

AT&T Corp. hereby propounds the following data requests upon SBC Communications Inc. and its affiliated local telephone companies (“SBC”), to be answered by those officers, employees or agents of SBC as may be cognizant of the requested information and who are authorized to answer on behalf of SBC.

DEFINITIONS AND INSTRUCTIONS

- A. Please produce the requested information within 30 days.
- B. For purposes of these data requests, the term “study area” encompasses each of the following wire centers:

Texas (SBC):

	Zone 1 CLLI	Zone 2 CLLI	Zone 3 CLLI
1	DLLSTXSU	BUMTTXUN	CTRNTXCR
2	DLLSTXEV	WACOTXSW	SMVLTXSM

3	HSTNTXHU	WACOTXGH	ABLNTXOR
4	DLLSTXRO	ARMLTXOS	REFGTXRF
5	DLLSTXDI	AUSTTXCR	PSBGTXUN

- C. All information should be provided in a consistent electronic format (e.g., Access database, Excel spreadsheet, etc.—not scanned PDFs) to allow for immediate quantitative analysis by the Commission, AT&T, and other parties.
- D. Information for each study area should be accompanied by an affidavit from an officer of SBC certifying either (1) that identical information is available for every other wire center owned by the company and can similarly be made available in consistent electronic format within 60 days at the Commission’s direction, or (2) explaining why the data is not available for every other wire center, describing the effort that would be required to develop it in a comparable manner and make it available in consistent electronic format, and estimating how long that effort would take if the Commission were to order it produced for all wire centers..
- E. If you contend that the requested information is too voluminous to produce within 30 days, AT&T is willing to narrow its request to a subset of SBC’s service territory within the state if the parties can agree on a mutually acceptable sample.
- F. If you contend that any of the requested information is proprietary or commercially sensitive, AT&T hereby agrees to subject production of the information on the protective order already adopted by the Commission in this proceeding.

QUESTIONS

- 1. This question refers to pages 3 and 4 of SBC’s Initial Comments, where SBC argues that “the Commission should modify TELRIC to take as given not just current wire center locations but also, more generally, the configuration, architecture, and technology mix present in the ILECs’ actual network.” *See also* SBC Initial Comments at 56 (“the Commission should . . . anchor the cost inquiry in the actual characteristics of the ILEC’s network, taking into account the ILEC’s plans to upgrade the network during the planning period”); SBC Reply Comments at 68 (“the Commission should require that cost studies assume the use of technologies that are or actually will be in place in the incumbent’s network during the UNE planning period”). For each study area covered by these data requests, please provide the following:
 - a. An inventory of each piece of equipment or other asset in the study area, by location (precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that

would permit the asset to be located with geographic specificity). For each asset, identify its manufacturer, model number, acquisition date, and install date.

- b. For each asset identified in response to part a, please state whether the asset is currently used to provide UNEs, local telephone service, or both.
 - c. For each asset identified in response to part a, please state whether SBC intends to continue using the asset during the next 3 to 5 years. If your answer to is anything but an unqualified negative, please state the value of the asset, and the basis on which the value was determined.
 - d. For each asset identified in response to part a, please state whether SBC intends to upgrade or modify the asset or augment its capacity during the next 3 to 5 years. (If your company maintains a standard planning period that differs from 3 to 5 years, state the length of this planning period and answer the following questions consistently with this period.) If your answer is anything but an unqualified negative, please provide details, including the nature of the upgrade, modification or augmentation, the capacities and functionalities that SBC anticipates adding, and the cost of the upgrade, modification or augmentation. Provide copies of all SBC procedures that are followed internally in deciding whether and when to upgrade or modify the asset or augment its capacity.
2. This question refers to pages 74-78 of SBC's Initial Comments, where SBC argues that TELRIC expenses should be based on the ILEC's "current expenses," subject to adjustments for certain planned upgrades of the ILECs' systems or network and expected changes in vendor prices or labor rates over the planning period. For each study area encompassed by these data requests, please provide the following information:
- a. Specify each expenditure that SBC has made in the past three years relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this request, all expenditures in a given study area that are covered by a single "authorization for expenditure," or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit), net of any discounts received by SBC, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit), net of any discounts received by SBC, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.
 - b. Produce business records sufficient to verify your responses to part a.

- c. Specify each expenditure that SBC plans to make during the next five years on local network assets, broken down by relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this request, all expenditures in a given study area that are covered by a single “authorization for expenditure,” or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by SBC, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by SBC, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.
 - d. Produce business records sufficient to verify your responses to part (c).
3. The Commission has requested comment on whether it should “define the relevant network as one that incorporates upgrades planned by the incumbent LEC over some objective time horizon (*e.g.*, three or five years), as documented, for example, in an incumbent LEC’s actual engineering plans.” NPRM ¶ 54. Thus, for each study area encompassed by these data requests, please identify the particular upgrades planned by SBC during the next three years, the next five years, and any other objective time horizon currently used by SBC for planning. Your response should identify:
- a. The specific assets or upgrades that SBC plans to install or make during the relevant period.
 - b. The precise location where each investment or upgrade is planned (using precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that would permit the upgrade to be located with geographic specificity).
 - c. The date when each investment or upgrade is expected to begin.
 - d. The date when each investment or upgrade is expected to be completed.
 - e. The specific change in capacity or functionality to be added by each investment or upgrade.
 - f. Other benefits that SBC anticipates from each investment or upgrade (in addition to those identified in e) that were considered in deciding to undertake each investment or upgrade.

- g. The cost of each investment or upgrade, segregated by individual UNE and USOA account.
- 4. Produce all upgrade plans, network evolution plans, and similar forecasts prepared by SBC during the past ten years that relate to the local network assets in one or more of the study areas encompassed by these data requests. For each such upgrade plan, network evolution plan, or similar forecast prepared by SBC, identify which of the study areas encompassed by these data requests would be affected.
- 5. This question refers to pages 56-58 of SBC's Initial Comments and pages 52-55 of SBC's Reply Comments, where SBC argues that TELRIC estimates should more closely account for the real-world attributes of the routing and topography of an incumbent's network, including the existing distribution areas and remote terminal locations, in the development of forward-looking economic costs.
 - a. For each study area encompassed by these data requests, please produce the most current cable maps, outside plant ("OSP") location records, OSP mortality records, cable inventories, and any other documentation needed to identify accurately:
 - i. the physical location (using V&H coordinates or some other objective grid description that would permit the asset to be located with geographic specificity) of all company-owned or leased outside plant structure within the wire center, by type of structure (buried, underground, or aerial);
 - ii. a description of the terrain (e.g., soil type, water table level, slope, etc.) and population density characteristics through which the structure passes;
 - iii. each metallic cable sheath and fiber cable that runs along the structure routes identified in (i);
 - iv. for each metallic sheath or fiber cable identified in (ii), identify whether the cable is distribution cable, feeder cable, or interoffice cable (if a cable is used for more than one of the above purposes, provide the percentage usage of the cable for each of its stated purposes);
 - v. the locations (using V&H coordinates or some other objective grid description that would permit the asset to be located with geographic specificity) of each distribution drop terminal, serving area interface (SAI), feeder distribution interface (FDI), remote terminal unit (RTU), digital loop carrier (DLC), and remote switch located in the study area;
 - vi. the number of copper pairs in each copper cable sheath, and the number of strands of fiber in each fiber cable identified in (ii);
 - vii. for each copper sheath identified in (ii), identify the number of copper pairs that are active, inactive, or defective.

- viii. the extent to which the fiber strand identified in (iii) is lit or dark;
 - ix. the capacity of each fiber strand identified in (iii), i.e., is it operating at DS-1, DS-3, OC-3, OC-12, etc.; and
 - x. the extent to which each identified copper sheath or fiber cable is used to provide local telephone service in that study area.
- b. For each cable map, cable inventory, or other piece of documentation responsive to part (a), please state when it was last updated.
6. Please describe the standards and procedures, if any, used by SBC to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been retired (wholly or in part) from SBC's financial accounts, but not physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does SBC perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this request.
7. Please describe the standards and procedures, if any, used by SBC to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does SBC perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this question.
8. This question refers to pages 63-69 of SBC's Initial Comments, and pages 55-64 of SBC's Reply Comments, which discuss fill factors. On page 64 of its Initial Comments, as part of its argument that UNE rates should be based on an ILEC's actual fills, SBC states that: "Like other ILECs, SBC follows engineering guidelines that have been developed through decades of experience and are designed to meet customer demand as efficiently as possible while enabling SBC to maintain the level of service quality expected of it as a ubiquitous carrier of last resort." *See also* SBC Reply Comments at 55 ("Fills in real networks reflect the application of the ILECs' engineering guidelines"); *id.* at 62 (discussing SBC's engineering guidelines).
- a. Please describe the engineering guidelines to which SBC refers (whether industry-promulgated engineering guidelines or SBC's own internal engineering guidelines).
 - b. Please produce copies of all guidelines identified in response to part (a) (including updates to those guidelines) that have been in effect at any time from 1998 through the present.
9. Describe the average fills for feeder and distribution cable (separately for copper and for fiber) in SBC's network, for each State in its service region, for each year from 1998 through 2003. For purposes of this calculation, SBC should include in the numerator of

its calculation all working pairs, idle assigned pairs (cut-through pairs), and defective pairs. In addition, as part of your response:

- a. Describe the point(s) in SBC's network at which SBC measured feeder fill and distribution fill.
 - b. Provide all documents that SBC used or relied upon to determine the fill percentages.
10. Produce all documents (including but not limited to work authorizations and estimate cases) generated from 1998 through 2003 that: (a) relate to the feeder and/or distribution relief and rehabilitation projects that have been undertaken in SBC's network; *and* (b) identify the utilization rate at the time of relief of the feeder and/or distribution cable.
11. Please provide current service type counts, by CLLI, for the categories identified below. The intent of this request is to obtain actual current service counts related to all loops that are part of SBC's outside plant regardless of tariffed service type (*i.e.*, regardless of whether the loop is used in SBC's retail service, private line service, special access, Official Company Service, for UNEs, for wholesale, or for any other purpose). Report separately the percent of each of the services listed below provisioned over home-run copper, copper carrier, copper DLC, fiber carrier and fiber DLC.
- a. Switched Basic Residential lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line-shared DSL or ADSL service).
 - b. Residential and business DSL and ADSL lines below 1.544 Mbps in symmetric capacity.
 - c. Switched Basic Business lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line shared DSL service).
 - d. Business switched DS-0 lines
 - e. Switched business DS-1 lines (or equivalent -- HDSL)
 - f. Payphone lines
 - g. ISDN-PRI lines
 - h. ISDN-BRI lines (or equivalent IDSL)
 - i. Non-switched DS-0 or lower and analog voice grade lines
 - j. Non-switched UNE-L lines (including DSL lines that do not carry a switched voice channel except HDSL)
 - k. Non-switched DS-1 lines (or equivalent – HDSL)

- l. Non-switched DS-3 lines
 - m. PBX trunk
 - n. OCn
 - o. Each other service type not listed in the previous parts of this question (provide a basic service description for each).
12. Provide a description of all actions SBC has taken pursuant to the Commission's directive to "evaluate and improve the accuracy of [its] property records and accounts to ensure compliance with [the Commission's] requirements going forward." *Second Report and Order in CC Docket No. 99-137 and Order in CC Docket No. 99-117 and AAD File No. 98-26*, 16 FCC Rcd 4083 (released Nov. 7, 2000) at ¶ 13.
13. Produce business records sufficient to verify your responses to the previous questions.

3	NYCMNYCA	NYCXNYCR	CLEVNYCE
4	NYCMNYVS	NYCQNYFH	SCLKNYQK
5	NYCMNYWA	NYCQNYMH	LKPCNYLA

- C. All information should be provided in a consistent electronic format (e.g., Access database, Excel spreadsheet, etc.—not scanned PDFs) to allow for immediate quantitative analysis by the Commission, AT&T, and other parties.
- D. Information for each study area should be accompanied by an affidavit from an officer of Verizon certifying either (1) that identical information is available for every other wire center owned by Verizon and can similarly be made available in consistent electronic format within 60 days at the Commission’s direction, or (2) explaining why the data is not available for every other wire center, describing the effort that would be required to develop it in a comparable manner and make it available in consistent electronic format, and estimating how long that effort would take if the Commission were to order it produced for all wire centers.
- E. If you contend that the requested information is too voluminous to produce within 30 days, AT&T is willing to narrow its request to a subset of Verizon’s service territory within the state if the parties can agree on a mutually acceptable sample.
- F. If you contend that any of the requested information is proprietary or commercially sensitive, AT&T hereby agrees to subject production of the information on the protective order already adopted by the Commission in this proceeding.

QUESTIONS

- 1. This question refers to page 25 of Verizon’s Initial Comments, where Verizon argues that UNE prices should be “based on the actual forward-looking costs of the incumbent – which in turn can be measured based on the actual mix of technologies in the incumbent’s network; the actual configuration of the network as it exists (unless changes are actually expected over the planning period); and the actual operational characteristics and costs of the network.” For each study area covered by these data requests, please provide the following:
 - a. An inventory of each piece of equipment or other asset in the study area, by location (precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that would permit the asset to be located with geographic specificity). For each asset, identify its manufacturer, model number, acquisition date, and install date.

- b. For each asset identified in response to part (a), please state whether the asset is currently used to provide UNEs, retail local telephone service, or both.
 - c. For each asset identified in response to part (a), please state whether Verizon intends to continue using the asset during the next 3 to 5 years. If your answer to is anything but an unqualified negative, please state the value of the asset, and the basis on which the value was determined.
 - d. For each asset identified in response to part (a), please state whether Verizon intends to upgrade or modify the asset or augment its capacity during the next 3 to 5 years. (If your company maintains a standard planning period that differs from 3 to 5 years, state the length of this planning period and answer the following questions consistently with this period.) If your answer is anything but an unqualified negative, please provide details, including the nature of the upgrade, modification or augmentation, the capacities and functionalities that Verizon anticipates adding, and the cost of the upgrade, modification or augmentation. Provide copies of all Verizon procedures that are followed internally in deciding whether and when to upgrade or modify the asset or augment its capacity.
2. This question refers to pages 35 and 57 of Verizon’s Initial Comments, where Verizon argues that operating expenses “should be determined by looking to the ILEC’s out-of-pocket expenditures,” and that UNE prices “should actually reflect the forward-looking operating expenses that an incumbent will actually incur over the period when the rates are effective.” *See also* Verizon Reply Comments at 56 (“The operating expenses the incumbent actually incurs are the best measure of forward-looking expenses”). For each study area encompassed by these data requests, please provide the following information:
- a. Specify each expenditure that Verizon has made in the past three years relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this request, all expenditures in a given study area that are covered by a single “authorization for expenditure,” or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit), net of any discounts received by Verizon, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit), net of any discounts received by Verizon, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.
 - b. Produce business records sufficient to verify your responses to part (a).

- c. Specify each expenditure that Verizon plans to make during the next five years on local network assets, broken down by relating to the installation, maintenance, operation, upgrade, decommission or retirement of local network assets, broken down separately by individual UNE and USOA account designation, regardless of whether the expenditure was expensed or capitalized. (For purposes of this request, all expenditures in a given study area that are covered by a single “authorization for expenditure,” or a single budget line item may be considered as a single expenditure, provided the dollars are segregated by individual UNE and USOA account number.) For each expenditure in each study area, describe the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by Verizon, and number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure. If the expenditure is an allocated subset of an expenditure that was incurred for the benefit of multiple wire centers, provide the total expenditure, the unit price (*e.g.*, dollars per hour, cost per unit,), net of any discounts received by Verizon, number of units (installation hours, testing hours, number of DLC line cards) associated with the expenditure, and the basis upon which the total was allocated to individual wire centers.
 - d. Produce business records sufficient to verify your responses to part (c).
3. The Commission has requested comment on whether it should “define the relevant network as one that incorporates upgrades planned by the incumbent LEC over some objective time horizon (*e.g.*, three or five years), as documented, for example, in an incumbent LEC’s actual engineering plans.” NPRM ¶ 54. For each study area encompassed by these data requests, please identify the particular upgrades planned by your company during the next three years, the next five years, and any other objective time horizon currently used by your company for planning. Your response should identify:
 - a. The specific assets or upgrades that your company plans to install or make during the relevant period.
 - b. The precise location where each investment or upgrade is planned (using precise coordinates of latitude and longitude with associated North American Datum, or some other objective grid description such as V&H that would permit the upgrade to be located with geographic specificity).
 - c. The date when each investment or upgrade is expected to begin.
 - d. The date when each investment or upgrade is expected to be completed.
 - e. The specific change in capacity or functionality to be added by each investment or upgrade.
 - f. Other benefits that Verizon anticipates from each investment or upgrade (in addition to those identified in e) that were considered in deciding to undertake each investment or upgrade.

- vii. for each copper sheath identified in (ii), identify the number of copper pairs that are active, inactive, or defective.
 - viii. the extent to which the fiber strand identified in (iii) is lit or dark;
 - ix. the capacity of each fiber strand identified in (iii), i.e., is it operating at DS-1, DS-3, OC-3, OC-12, etc.; and
 - x. the extent to which each identified copper sheath or fiber cable is used to provide local telephone service in that study area.
- b. For each cable map, cable inventory, or other piece of documentation responsive to part (a), please state when it was last updated.
6. Please describe the standards and procedures, if any, used by Verizon to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been retired (wholly or in part) from the company's financial accounts, but not physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does Verizon perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this request.
7. Please describe the standards and procedures, if any, used by Verizon to remove from its cable maps, cable inventory, or other accounting and financial data bases any cable that has been physically removed. What standards exist in terms of the timeliness of these modifications, and what audits does Verizon perform to ensure that its most current versions of these documents are accurate? Produce all internal guidelines and other similar business records sufficient to verify your response to this question.
8. This question refers to pages 43-46 of Verizon's Initial Comments and pages 36-42 of Verizon's Reply Comments, which discuss fill factors. On page 43 of its Initial Comments, Verizon asserts that "The amount of spare capacity in the network is a product of the incumbent's engineering guidelines and additional real-world constraints such as 'breakage' and churn." Similarly, on page 36 of its Reply Comments, Verizon states that "UNE rates must reflect the fill produced by the incumbent's engineering guidelines and real-world factors such as churn – not the hypothetical fills typically advocated by the ILECs."
- a. State whether Verizon has relied on engineering guidelines (whether industry-promulgated engineering guidelines or Verizon's own internal engineering guidelines) in determining fill factors and utilization rates.
 - b. If your response to part (a) is in the affirmative, please produce copies of all such guidelines (including updates thereto) that have been in effect at any time from 1998 through the present.

9. This question refers to page 44 of Verizon's Initial Comments, where Verizon asserts that "Average fill in Verizon's network has been stable over the years." Please describe the average fills for feeder and distribution cable (separately for copper and for fiber) in Verizon's network, for each State in its service region, for each year from 1998 through 2003. For purposes of this calculation, Verizon should include in the numerator of its calculation all working pairs, idle assigned pairs (cut-through pairs), and defective pairs. In addition, as part of your response:
 - a. Describe the point(s) in Verizon's network at which Verizon measured feeder fill and distribution fill.
 - b. Provide all documents that Verizon used or relied upon to determine the fill percentages.
10. Produce all documents (including but not limited to work authorizations and estimate cases) generated from 1998 through 2003 that: (a) relate to the feeder and/or distribution relief and rehabilitation projects that have been undertaken in Verizon's network; *and* (b) identify the utilization rate at the time of relief of the feeder and/or distribution cable.
11. Please provide current service type counts, by CLLI, for the categories identified below. The intent of this request is to obtain actual current service counts related to all loops that are part of Verizon's outside plant regardless of tariffed service type (*i.e.*, regardless of whether the loop is used in Verizon's retail service, private line service, special access, Official Company Service, for UNEs, for wholesale, or for any other purpose). Report separately the percent of each of the services listed below provisioned over home-run copper, copper carrier, copper DLC, fiber carrier and fiber DLC.
 - a. Switched Basic Residential lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line-shared DSL or ADSL service).
 - b. Residential and business DSL and ADSL lines below 1.544 Mbps in symmetric capacity.
 - c. Switched Basic Business lines (all voice grade service lines including retail, UNE (all types including UNE-P), resale, and lines with line shared DSL service).
 - d. Business switched DS-0 lines
 - e. Switched business DS-1 lines (or equivalent -- HDSL)
 - f. Payphone lines
 - g. ISDN-PRI lines
 - h. ISDN-BRI lines (or equivalent IDSL)
 - i. Non-switched DS-0 or lower and analog voice grade lines

- j. Non-switched UNE-L lines (including DSL lines that do not carry a switched voice channel except HDSL)
 - k. Non-switched DS-1 lines (or equivalent – HDSL)
 - l. Non-switched DS-3 lines
 - m. PBX trunk
 - n. OCn
 - o. Each other service type not listed in the previous parts of this question (provide a basic service description for each).
12. Provide a description of all actions Verizon has taken pursuant to the Commission’s directive to “evaluate and improve the accuracy of [its] property records and accounts to ensure compliance with [the Commission’s] requirements going forward.” *Second Report and Order in CC Docket No. 99-137 and Order in CC Docket No. 99-117 and AAD File No. 98-26*, 16 FCC Rcd 4083 (released Nov. 7, 2000) at ¶ 13.
13. Produce business records sufficient to verify your responses to the previous questions.