

**DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY  
COMMONWEALTH OF MASSACHUSETTS**

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**Investigation by the Department of Telecommunications  
and Energy on its own Motion to Implement the  
Requirements of the Federal Communications Commission's  
Triennial Review Order Regarding Switching  
for Mass Market Customers**

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**D.T.E. 03-60**

**JOINT PARTIES' FIRST SET OF DISCOVERY REQUESTS TO VERIZON**

Broadview Networks, Inc., BullsEye Telecom, InfoHighway Communications Corporation, McGraw Communications, Inc., and Metropolitan Telecommunications, Inc. ("MetTel"), hereinafter the "Joint Parties") hereby propound the following discovery requests to Verizon New England Inc. ("Verizon") to be answered by those officers, employees or agents of Verizon (or its affiliates or parent companies) as may be cognizant of the requested information and who are authorized to answer on behalf of Verizon. Responses to these requests shall be served in accordance with the procedural schedule adopted by the Massachusetts Department of Telecommunications and Energy ("Department").

**INSTRUCTIONS**

Please answer each question separately and in the order that it is asked. The number of the answers should correspond to the number of the Discovery Request being answered. Please copy each question immediately before the answer. Following each answer, please identify the person or persons responsible for the answer and indicate what person or witness provided responsive information or documents, and where applicable, what witness will sponsor each answer in testimony.

In response to any Discovery Request seeking the production of documents, please produce all responsive documents for inspection and copying unaltered and/or unredacted as they are kept in the usual course of business and organize and label them to correspond to the categories in this request. If the requested documents are kept in an electronic format, you shall produce the requested document in such format. If any part of a document is responsive to any request, the whole document is to be produced. If there has been any alteration, modification or addition to a document (whether in paper form or electronic), including any marginal notes, handwritten notes, underlining, date stamps, received stamps, attachments, distribution lists, drafts, revisions or redlines, each such alteration, modification or addition is to be considered as a separate document and it must be produced.

In response to Discovery Requests requesting you to identify documents or other items, information or materials for disclosure, please identify the document(s) or other item(s), information or material(s) in sufficient detail so that they can be produced in response to a separate Discovery Request for production. Such identification shall contain the number (and subpart, if applicable) of the Discovery Request requesting the identification and the page count or description of the document or item. Additionally, to the extent known, the listing shall include the author, publisher, title, date, and any “Bates” or other sequential production numbering for the document or item. When responding to any request for production of documents, please produce copies of all documents, other items, information or materials that were identified in response to a request or directive to “identify for disclosure” in Joint Parties’ Discovery Requests. For each document or other item, please identify by number (including subpart, if any) the interrogatory which caused the “identification for disclosure”.

Please produce the requested information at the most granular level you possess.

If a Discovery Request seeks information at a level more granular than you possess, please do not object or decline to answer or produce on that basis, but rather state that you do not possess information at that level and produce the information requested at the most granular level that you possess. The Joint Parties are not asking for the creation of new data, but are seeking all available data for the specific categories and sub-categories described.

Please produce all information requested on any table by filling in the table provided in these Discovery Requests. If additional explanation is required, please copy the question and provide your response below.

If you are unable to respond fully and completely to a document request, explain the reasons why you are unable to do so. The terms defined herein and the individual Discovery Requests should be construed broadly to the fullest extent of their meaning, in a good faith effort to comply with all applicable rules.

This request is directed to all documents and information in your possession, custody or control. A document is deemed to be in your possession, custody or control if you have possession of the document, have the right to secure such document or communication from another person having possession thereof, or the document or communication is reasonably available to you (including those documents or communications in the custody or control of your company's present employees, attorneys, agents, or other persons acting on its behalf and its affiliates. In response to requests for production of documents contained in these Discovery Requests, you shall produce the documents, including all appendices, exhibits, schedules, and attachments, that are most relevant to the request.

If you are unable to produce a document or information based on a claim that the document is not in your possession, custody or control, state the whereabouts of such document or information when it was last in your possession, custody or control, and provide a detailed description of the reason the document is no longer in your possession, custody or control, and the manner in which it was removed from your possession, custody or control.

These Discovery Requests are continuing in nature, and should there be a change in circumstances which would modify or change an answer you have supplied, then in such case, you should change or modify such answer and submit such changes answer as a supplement to the original answer. Further, should a subsequent version(s) of a document be created or exist after the date of these Discovery Requests, such version(s) must be produced. Where prior versions or drafts of documents exist, please produce all such documents in your possession, custody or control.

Joint Parties request that you answer these Discovery Request under oath or stipulate in writing that your Discovery Request responses can be treated exactly as if they were filed under oath.

If you claim a privilege, or otherwise decline to produce or provide, any document or information responsive to one or more Discovery Requests, then in addition to, and not in lieu of, any procedure that you must follow under law to preserve your objection(s) and/or privilege(s), within the time allowed for responding to these Discovery Requests, the attorney asserting the privilege shall:

- a. identify in the objection to the request for information, or sub-part thereof, detailed reasons for your claim of privilege or other basis for protecting the

document or information from disclosure; and the nature of the privilege (including work product) that is being claimed; and

- b. provide the following information in the objection, unless divulgence of such information would cause disclosure of the allegedly privileged information:
- (i) for documents: (1) the type of document; (2) subject matter of the document; (3) the date of the document; (4) the number of pages in the document; (5) the location or custodian of the document; (6) such other information as is sufficient to identify the document for a subpoena *duces tecum*, including, where available, the names(s), address(es) and telephone number of the author(s) of the document and all recipient(s), and, where not apparent, the relationship of the author and addressee to each other;
  - (ii) for oral communications: (1) the name(s), address(es) and phone number(s) of the person making the communication and the name(s), address(es) and phone number(s) of the persons present while the communication was made; (2) the relationship of the person(s) present to the person(s) making the communication; (3) the date and place of each communication; (4) the general subject matter of the communication.

In the event that any requested information is considered by you to be confidential, the attorney asserting such confidential status shall inform Joint Parties of this designation as soon as he or she becomes aware of it, but in any event, prior to the time the responses to these Discovery Requests are due to discuss or attempt to negotiate a compromise. However, the confidential documents should be produced pursuant to the protective order and/or non-disclosure agreement executed in this proceeding.

Answers to these Discovery Requests are to be provided within the time period set forth by the Department. Service of responses, and all notifications, shall be made in person or by facsimile or email to:

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### **DEFINITIONS**

1. The term “analog” refers to electrical signals representing sound or data which are transmitted in a linear, non-digital format.
2. The terms “and” and “or” as used herein shall be construed as both conjunctive and disjunctive.
3. The term “any” shall be construed to include “all,” and “all” shall be construed to include “any.”
4. The term “business end user” refers to an end user customer entity that purchases voice or data services, typically supported on multiple loops, to support a commercial enterprise. To the extent that your own tariff and/or business practices define this term differently, please use this definition in your response.
5. The acronym “CLEC” refers to competitive local exchange carriers.

6. The acronym “CLLI” refers to common language location identifier, a multi-character code generally composed of numerals and letters that provides a unique identifier for circuit switches used by ILECs and CLECs.
7. The acronym “CO” refers to central office, the single physical ILEC building that houses one or more Class 5/end office ILEC switch(es), and in which end user customers’ loops are cross connected to ILEC switching equipment or CLEC collocation arrangements.
8. The term “communication” includes, without limitation of its generality, correspondence, email, statements, agreements, contracts, reports, white papers, users guides, job aids, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by documents or by media such as intercoms, telephones, television, radio, electronic mail or the Internet.
- 9.. The term “cross connect/jumper” refers to a copper pair that connects at the vertical and horizontal sides of the ILEC MDF.
10. The term “customer location” refers to a building or set of connected, contiguous, or adjacent buildings in a common area, used by residential, commercial, and/or governmental customers that share a primary street address or group of street addresses. It includes multi-unit residential, commercial, and/or governmental premises.
11. The term “customer premises” refers to the physical point at which the end user customer assumes responsibility for telecommunications wiring (i.e., the network interface device

(“NID”) for single unit dwellings, and the individual point of demarcation at the end user customer’s unit for multi-unit buildings such as office buildings and apartment buildings).

12. The term “digital” refers to electrical or optical signals representing sound or data which are transmitted in a binary, discontinuous, non-linear format.

13. The term “DLC” refers to Digital Loop Carrier and includes UDLC, IDLC, and NGLDC.

14. The term “document,” as used herein, shall include, without limitation, all written, reported, recorded, magnetic, graphic, photographic matter, however produced or reproduced, which is now, or was at any time, in the possession, custody, or control of your company and its affiliates including, but not limited to, all reports, memoranda, notes (including reports, memoranda, notes of telephone, email or oral conversations and conferences), financial reports, data records, letters, envelopes, telegrams, messages, electronic mail (e-mail), studies, analyses, books, articles, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, accounts, pamphlets, pictures, films, maps, work papers, arithmetical computations, minutes of all communications of any type (including inter- and intra-office communications), purchase orders, invoices, statements of account, questionnaires, surveys, graphs, recordings, video or audio tapes, punch cards, magnetic tapes, discs, data cells, drums, printouts, records of any sort of meeting, invoices, diaries, and other data compilations from which information can be obtained, including drafts of the foregoing items and copies or reproductions of the foregoing upon which notations and writings have been made which do not appear on the originals.



15. The term “DS-0” refers to a loop or circuit operating at Digital Signal Level Zero, and capable of transmitting information at 64 kilobits per second.
16. The term “DS-0/voice grade” includes all loops or circuits normally used for the provision of a service to transmit human voice alone. In particular, it includes analog circuits and digital circuits capable of transmitting at levels greater than 2400 baud, up to and including 64 kilobits per second.
17. The term “DS-1” refers to Digital Signal Level 1, which has a transport speed of 1.544Mbps, and can be either unchannelized or channelized into 24 voice grade channels.
18. The term “identify” or “identifying” means:
- (a) When used in reference to natural persons: (1) full name; (2) last known address and telephone number; (3) whether the person is currently employed by, associated or affiliated with Verizon; (4) that person’s current or former position; and (5) dates of employment, association or affiliation.
  - (b) When used in reference to a document: (1) its author; (2) actual or intended recipient(s); (3) date of creation; and (4) brief description of its contents.
  - (c) When used in reference to a communication: (1) whether the communication was oral or written; (2) the identity of the communicator; (3) the person receiving the communication; and (4) the location of the communicator and the person receiving the information, if the communication was oral.

19. The acronym “IDF” refers to an intermediate distribution frame, a physical frame located between an MDF and (1) an ILEC switch in a central office or wire center over which end user customer loops are transited for connection to the ILEC switch, or (2) a CLEC collocation arrangement.
20. The term “ILEC” refers to an incumbent local exchange carrier, and includes the ILEC’s parent or any subsidiary or affiliate, and all current or former officers, directors, employees, agents, representatives, contractors or consultants of ILEC, as well as any persons or other entities who have acted or purported to act on its behalf.
21. The term “LATA” means “Local Access and Transport Area” as that term is defined in the *Modification of Final Judgment, United States v. Western Elec. Co.*, 552F. Supp. 131 (D.D.C. 1982), *aff’d sub nom., Maryland v. United States*, 460 U.S. 1001 (1983).
22. The term “MSA” refers to a Metropolitan Statistical Area as defined by the US Census Bureau and the Office of Management and Budget.
23. The term “qualifying service” refers to all telecommunications services, whether voice or data, and whether analog or digital, that have ever been offered or provided by an ILEC pursuant to tariff or an interconnection agreement.
24. The acronym “MDF” refers to main distribution frame, a physical frame located in a central office or wire center that connects loops coming from an end user customer premises to (1) an ILEC switch located in the central office or wire center, and (2) facilities leading to a CLEC collocation arrangement.
25. The past tense includes the present tense and vice-versa.

26. “Relate, mention, reference, or pertain” shall be used to mean documents or communications containing, showing, relating, mentioning, referring or pertaining in any way, directly, or indirectly to, or in legal, logical or factual way connection with, a document request, and includes documents underlying, supporting, now or previously attached or appended to, or used in the preparation of any document called for by such request.
27. The singular form of a word shall be interpreted to include the plural, and the plural form of a word shall be interpreted to include the singular whenever appropriate.
28. The term “residential end user” refers to an end user customer, typically an individual or family, who purchases voice or data services at his, her or their place of residence, or household. To the extent that your own tariff and/or business practices define this term differently, please use this definition in your response.
29. The term “wire center” is synonymous with the term “central office,” and refers to the single physical building that houses one or more Class 5/end office ILEC switch(es) and in which end user customer’s loops are cross connected to the Class 5/end office ILEC switch(es).
30. The term “you,” “your,” “yours,” or “your company” refers to the company responding to these Discovery Requests and its predecessors, parents, successors, subsidiaries, divisions and related or affiliated organizations.

## **INTERROGATORIES**

### **JOINT PARTIES-1:**

For each Verizon wire center in Massachusetts, please provide on a monthly basis the number of loops, by type listed below, in electronic spreadsheet form (i.e., as an Excel Spreadsheet), provisioned to CLECs in each of the past 12 months:

- a. UNE analog loop (residential);
- b. UNE analog loop (business);
- c. UNE DS-1 loop;
- d. Analog special access;
- e. DS-1 special access;
- f. UNE-P (residential);
- g. UNE-P (business);
- h. ADSL loop (residential);
- i. ADSL loop (business);
- j. DS-3 loop;
- k. Other.

### **JOINT PARTIES-2:**

For each Verizon wire center in Massachusetts, please provide the total number of currently active loops, by type listed below, in electronic spreadsheet form (i.e., as an Excel Spreadsheet), provisioned to CLECs:

- a. UNE analog loop (residential);
- b. UNE analog loop (business);
- c. UNE DS-1 loop;
- d. Analog special access;
- e. DS-1 special access;
- f. UNE-P (residential);
- g. UNE-P (business);
- h. ADSL loop (residential);
- i. ADSL loop (business);
- j. DS-3 loop;
- k. Other.

**JOINT PARTIES-3:**

For each Verizon wire center in Massachusetts, please provide the following information for the wire center in electronic spreadsheet form (i.e., as an Excel Spreadsheet):

- a. The UNE pricing zone;
- b. The Special Access Zone Density Pricing zone;
- c. The MSA the wire center predominately serves;
- d. The LATA the wire center predominantly serves;

**JOINT PARTIES-4:**

Provide in electronic spreadsheet form (i.e., as an Excel Spreadsheet) Verizon's total switched access lines in service in Massachusetts at the end of the most recent quarter for which such information is available, stated separately by wire center and state-wide.

**JOINT PARTIES-5:**

Provide the number of EEL local connections, in DS-1 equivalents, by Verizon wire center in Massachusetts for each month since the fourth quarter of 1999.

**JOINT PARTIES-6:**

Provide the number of EELs in service in Massachusetts at the end of the most recent quarter for which such information is available, stated separately for:

- a. EELs comprised of analog loops that are connected to analog transport;
- b. EELs comprised of analog loops that are multiplexed onto higher speed (DS-1 or higher) transport;
- c. EELs comprised of DS-1 loops that are connected to DS-1 transport;
- d. EELs comprised of DS-1 loops that are multiplexed onto DS-3 or higher transport.

**JOINT PARTIES-7:**

Using the following table, identify separately for each Verizon wire center for the most recent quarter for which the data is available, the number of end-user customer locations by the number of analog switched local service lines with regard to end-user customers using 24 or fewer analog UNE loops, split between residential and business end-user customers.

Lines	Number of Customer Locations
	Residential
1	
2	
3	

4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
<b>Lines</b>	<b>Number of Customer Locations Business</b>
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	

19	
20	
21	
22	
23	
24	

**JOINT PARTIES-8:**

Separately for each carrier you maintain meets the self-provisioning trigger standard established in the *Triennial Review Order* in any geographic market within the Verizon operating territory in Massachusetts, provide the total number of minutes (including both voice and data) exchanged within the past year, by switch, split between:

- a. Minutes that originated from Verizon retail customers and were delivered to the CLEC switch; and
- b. Minutes that originated from CLEC retail customers and were delivered to the Verizon switch.

**JOINT PARTIES-9:**

For the most recent time period that such information is available, provide the total number of Verizon loops in Massachusetts, and by central office (by applicable CLLI code), that are served by:

- a. IDLC arrangements;
- b. NGDLC arrangements;
- c. UDLC arrangements;
- d. Of the IDLC loops, please state how many loops are transferable to spare copper or universal digital loop carrier (UDLC) without additional construction.

**JOINT PARTIES-10:**

For the most recent time period that such information is available, provide the total number of Verizon UNE loops, and by central office (by applicable CLLI code), that are served by IDLC and NGDLC arrangements in Massachusetts that have been provided to a CLEC with unbundled local switching.

**JOINT PARTIES-11:**

For the most recent time period for which such information is available, provide the total number of Verizon UNE loops, and by central office (by applicable CLLI code), that are served by IDLC and NGDLC arrangements in Massachusetts that have been provided to a CLEC without unbundled local switching.

**JOINT PARTIES-12:**

Provide a forecast for the next five years, or the longest available forecast if a five-year forecast is not available, identifying the number of loops that you intend to serve in Massachusetts via:

- a. IDLC loop arrangements;
- b. NGDLC loop arrangements.

**JOINT PARTIES-13:**

For the most recent quarter for which such information is available, provide the:

- a. Total number of UNE-P lines in Massachusetts, and by central office (by applicable CLLI code);
- b. Total billed revenues for unbundled local switching, shared transport and any charges for call detail records/access records billed UNE-P carriers in Massachusetts;
- c. The number of shared transport (i.e., transport used in conjunction with unbundled local switching) minutes originating from each central office in Massachusetts; and
- d. The number of shared transport minutes terminating to each central office in Massachusetts.

**JOINT PARTIES-14:**

For each state in your region, provide the information requested in Part II (Wireline and Fixed Wireless Local Telephone) to the FCC's Form 477 (Local Competition and Broadband Reporting Data Request) with data as of September 2003.

**JOINT PARTIES-15:**

Separately for each geographic area in Massachusetts in which Verizon claims the self-provisioning trigger standard established in the *Triennial Review Order* has been met, identify all wire centers in that geographic area.

**REQUEST FOR PRODUCTION OF DOCUMENTS****JOINT PARTIES-1:**

Provide, for each state in your region, a copy of the completed Part II (Wireline and Fixed Wireless Local Telephone) to the FCC's Form 477 (Local Competition and Broadband Reporting Data Request) with data as of June 2003.

**JOINT PARTIES-2:**



Provide all written reports, studies and other documents forecasting the number of loops Verizon intends to serve in Massachusetts via IDLC loop arrangements and/or NGDLC loop arrangements within the next five years