

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Discovery and related)
study on fair and reasonable)
rates and on relationships)
among costs and charges)
associated with certain tele-)
communications services)
Provided by local exchange)
companies (LECs), as required)
by Chapter 980277, Laws of)
Florida)

Special Project No. 980000A-SP
Docket No. 980733-TL

Filed: August 17, 1998

Sprint-Florida, Incorporated's Objections to the Attorney General's First Set of Interrogatories (1-47) and Third Request for Production of Documents (6-29)

Sprint-Florida, Incorporated (Sprint), by and through its undersigned attorneys, submits its objections to the Attorney General's First Set of Interrogatories (1-47 and Third Request for Production of Documents (6-29), served on Sprint by hand delivery on Friday August 7, 1998, stating as follows:

INRODUCTORY STATEMENT

The Order Establishing Procedure in this study requires that all objections to discovery be made within ten days of service of the discovery request. In the context of a legislatively requested study proceeding where discovery is limited to verification of the submitted cost data and analysis, this accelerated filing time is burdensome and provides inadequate time to carefully analyze and digest the nature and scope of discovery requests especially when the discovery consisting of approximately 130 interrogatories (including subparts) is hand delivered on a Friday afternoon.

Consequently, in order to avoid inadvertent waiver of its objection rights, Sprint must initially object to all discovery requests. It is not Sprint's intention by doing so to unduly delay responses to legitimate discovery requests. Should additional grounds for objection arise as Sprint prepares its response to this discovery, Sprint reserves the right to revise or supplement its objections.

Sprint will lodge these objections by setting out several general objections that will be identified by number. These numbers will then be listed next to the

DOCUMENT NUMBER-DATE

08757 AUG 17 88

FPSC-RECORDS/REPORTING

number of the discovery request to which an objection is directed. Additional objections or bases for objections may be indicated in addition to the number-coded objections.

Numbered Objections

1. Sprint-Florida objects to this discovery request on the grounds that it requests revenue information which is not relevant to the verification of the cost data and analysis submitted by Sprint-Florida in compliance with Ch. 98-277, Laws of Florida. Additionally, this discovery request seeks records and information unrelated to the cost of providing residential basic local telecommunications service.
2. Sprint-Florida objects to this discovery request on the grounds that it requires Sprint-Florida to perform a separate study and analysis which is outside the scope of the Commission Staff's original data request and is, in any event, not related to the verification of the cost data and analysis submitted by Sprint-Florida in compliance with Ch. 98-277, Laws of Florida.
3. Sprint-Florida objects to this discovery request on the grounds that it requests information concerning Sprint-Florida's unregulated services. Revenue or cost information relating to unregulated services is not relevant to the verification of the cost data and analysis submitted by Sprint-Florida in compliance with Ch. 98-277, Laws of Florida, or to the cost of providing residential basic local telecommunications service.
4. Sprint-Florida objects to this discovery request on the grounds that the requested information might be relevant, if at all, only to the cost of providing residential basic local telecommunications service in a rate base, rate of return environment. Sprint-Florida has elected price regulation pursuant to Section 364.051 (1), Florida Statutes. Having done so, Sprint-Florida is exempt from rate base, rate of return regulation and the requirements relating thereto. Nothing contained in Ch. 98-277, Laws of Florida, eliminates or modifies that exemption as it relates to the cost of providing residential basic local telecommunications

INTERROGATORIES

Interrogatory No. 1(a):

Objection(s): 1

Interrogatory No. 2(a)

Objection(s): 1,2

Objection(s): 1

Interrogatory Nos. 19 (a) & (b)

Objection(s): 1,2. Additionally, Sprint objects on the basis that the request seeks to require Sprint to conduct contribution analyses additional to those required by the Commission. Under the statutory authority for this proceeding, only the Commission is authorized to define the scope of the study and thus the contribution analyses to be conducted. The deadline for submittal of the required cost data and analysis was August 3, 1998. Sprint fully complied with that Data Request. The Commission should, in any event, decline to allow unlimited numbers of "intervenor" to submit individualized supplemental data and analyses requests.

Interrogatory No. 20

Objection(s): 1

Interrogatory No. 21

Objection(s): 1,2. Additionally, Sprint objects on the basis that the request seeks to require Sprint to conduct contribution analyses additional to those required by the Commission. Under the statutory authority for this proceeding, only the Commission is authorized to define the scope of the study and thus the contribution analyses to be conducted. The deadline for submittal of the required cost data and analysis was August 3, 1998. Sprint fully complied with that Data Request. The Commission should, in any event, decline, to allow unlimited numbers of "intervenor" to submit individualized supplemental data and analyses requests.

Interrogatory No. 23(a), (d)

Objection(s): 1

Interrogatory No. 28(a),(b)

Objection(s): 1,2

Interrogatory No. 28(c)-(e)

Objection(s): Sprint objects on the basis that it does not understand the question.

REQUESTS FOR PRODUCTION OF DOCUMENTS (P.O.D.)

P.O.D. No. 6

Objection(s): Sprint objects to the attempt to make this request continuing. The Florida Rules of Civil Procedure, Rule 1.280(c) make clear that a responding party has the obligation to make a complete response and thereafter has no duty to supplement responses. Any objection applicable to other parties' discovery requests will be applicable.

P.O.D. No. 9

Objection(s): 1,3,4

P.O.D. No. 11

Objection(s): 1,2,3,4 Sprint's objection to this discovery request is fundamental. The information sought is a recreation of a ratemaking adjustment that was done for purposes of establishing rates or refund entitlement when Sprint was subject to ratebase, rate-of-return regulation. The Commission and the Legislature have made clear that the study proceeding is not a rate case. Requiring Sprint to conduct a study of directory accounts to recreate a schedule that the Company has been statutorily exempt from would be improper and contrary to the plain scope of this proceeding and the limited discovery rights granted to "intervenors" in this study process. Furthermore, this document request seeks the creation of a document, rather than production of a document already in existence.

P.O.D. No. 12

Objection(s): 1,2,3,4 Sprint's objection to this discovery request is fundamental. The information sought is a recreation of a ratemaking adjustment that was done for purposes of establishing rates or refund entitlement when Sprint was subject to ratebase, rate-of-return regulation. The Commission and the Legislature have made clear that the study proceeding is not a rate case. Requiring Sprint to conduct a study of directory accounts to recreate a schedule that the Company has been statutorily exempt from would be improper and contrary to the plain scope of this proceeding and the limited discovery rights granted to "intervenors" in this study process.