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April 29, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

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02 APR 29 PM 4:39
COMMISSION
CLERK

Re: Docket No.: 011119-TP

On behalf of XO Florida, Inc., enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ XO Florida, Inc.'s Objections to Staff's Second Set of Interrogatories (No. 10) to XO Florida, Inc. and, 04691 APR 29 8
- ▶ XO Florida, Inc.'s Objections to Staff's First Request for Production of Documents (Nos. 4 - 5) to XO Florida, Inc.. 04692 APR 29 8

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman

Vicki Gordon Kaufman

AUS _____
 CAF _____
 CMP _____
 COM _____
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 ECR _____
 GCL _____ Enclosure
 OPC _____
 MMS _____
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 OTH _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by XO Florida,
Inc. for arbitration of
Unresolved issues with BellSouth
Telecommunications, Inc.

Docket No.: 011119-TP
Filed: April 29, 2002

**XO FLORIDA, INC.'S OBJECTIONS TO STAFF'S SECOND SET OF
INTERROGATORIES (No. 10) TO XO FLORIDA, INC.**

Pursuant to Rule 28-106.206, Florida Administrative Code and Rule 1.340, Florida Rules of Civil Procedure, XO Florida, Inc. (XO) Objects to Staff's Second Set of Interrogatories (No. 10) to XO Florida, Inc., and states as follows:

General Objections

1. XO objects to any request that calls for responses or production of documents protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time the response is first made to these requests or is later determined to be applicable based on the discovery of documents, investigation or analysis. XO in no way intends to waive any such privilege or protection.

2. In certain circumstances, XO may determine upon investigation and analysis that information or documents that respond to certain requests to which objections are not otherwise asserted are confidential and proprietary and should be provided or produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to provide responses or produce documents in response to a request, XO is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement and protective order. XO hereby asserts its right to require such protection of any and all responses and/or documents that may qualify for protection under the Florida Rules of Civil Procedure and other applicable statutes, rules and legal principles.

DOCUMENT NUMBER-DATE

04691 APR 29 08

FPSC-COMMISSION CLERK

3. XO objects to the definitions and instructions to the extent they purport to require XO to provide responses or documents or other information on diskette. XO will entertain specific requests to produce electronic copies of documents that so exist in the normal course of business in a format designed to preserve the integrity of these documents.

4. XO objects to any requests to the extent they purport to require XO to prepare information or documents or perform calculations that XO has not prepared or performed in the normal course of business as an attempt to expand XO's obligations under applicable law. XO will comply with applicable law.

5. XO further objects to any requests and any definitions or instructions that purport to expand XO's obligations under applicable law. XO will comply with applicable law.

6. XO objects to any request that requires the production of "all" or "each" responsive document. It may well be impossible to assure compliance with this request with the exercise of reasonable diligence.

7. XO objects to each and every request insofar as it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such request. Any answers provided by XO in response to these requests will be provided subject to, and without waiver of, the foregoing objection.

8. XO objects to each and every request insofar as it is not reasonably calculated to lead to the discovery of admissible evidence and are not relevant to the subject matter of this action.

9. XO objects to each request insofar as any request is unduly burdensome, expensive, oppressive or excessively time consuming as written.

10. For each specific objection made below, XO incorporates by reference all of the foregoing general objections into each of its specific objections as though pleaded therein.

SPECIFIC OBJECTIONS

11. Staff's Interrogatory No. 10(b) asks that XO identify specific details about every request XO has made to a state Commission concerning XO's eligibility for reciprocal compensation at the tandem interconnection rate. XO objects to this request to the extent that requires XO to identify "all" responsive information or documents. It may well be impossible to assure compliance with this request with the exercise of reasonable diligence. Subject to and without waiving the foregoing objections, XO will identify information responsive to this request.

12. Staff's Interrogatory 10(d) asks that XO identify specific details about every instance in which XO is receiving reciprocal compensation at the tandem interconnection rate. XO objects to this request to the extent that requires XO to identify "all" responsive information or documents. It may well be impossible to assure compliance with this request with the exercise of reasonable diligence. Subject to and without waiving the foregoing objections, XO will identify information responsive to this request.

Dana Shaffer

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Attorneys for XO Florida, Inc.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing XO Florida, Inc.'s Objections to Staff's First Set of Interrogatories (No. 10) to XO Florida, Inc. has been furnished by (*) hand delivery or by U. S. Mail on this 29th day of April, 2002, to the following:

(*) Jason Fudge
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

James Meza
BellSouth Telecommunications, Inc.
c/o Nancy Sims
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301

Patrick Turner
BellSouth Telecommunications, Inc.
675 West Peachtree Street, Suite 430
Atlanta, Georgia 30375


Vicki Gordon Kaufman