

**MACFARLANE AUSLEY FERGUSON & McMULLEN**

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(904) 224-9115 FAX (904) 222-7560

111 MADISON STREET, SUITE 2300  
P.O. BOX 1531 (ZIP 33601)  
TAMPA, FLORIDA 33602  
(813) 273-4200 FAX (813) 273-4396

400 CLEVELAND STREET  
P. O. BOX 1669 (ZIP 34617)  
CLEARWATER, FLORIDA 34615  
(813) 441-8966 FAX (813) 442-8470

February 22, 1996

IN REPLY REFER TO:

Tallahassee

**BY HAND DELIVERY**

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**FILE COPY**

Re: Resolution of Petition to Establish Non  
Discriminatory Rates, Terms, and Conditions  
for Interconnection Involving Local Exchange  
Companies and Alternative Local Exchange  
Companies pursuant to Section 364.162,  
Florida Statutes - Docket No. 950985-TP

Dear Ms. Bayo:

Enclosed for filing in the above-styled docket are the original and fifteen (15) copies of Central Telephone Company of Florida and United Telephone Company of Florida's Objections to Time Warner's First Set of Interrogatories and Motion for Protective Order.

ACK  Please acknowledge receipt and filing of the above by stamping  
AFA  the duplicate copy of this letter and returning the same to this  
APP  writer.

CAF  Thank you for your assistance in this matter.

CMU  *[Signature]*

CTR

EAG

LEG

LIN  JJW/csu

OPC  Enclosures

RCH  cc: All parties of record

SEC  utd\950985.byd

WAS

OTH

Sincerely,

*[Signature]*  
J. Jeffrey Wahlen

DOCUMENT NUMBER-DATE

02179 FEB 22 96

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of Petition to )  
Establish Non Discriminatory Rates,) )  
Terms, and Conditions for Inter- )  
connection Involving Local Exchange) )  
Companies and Alternative Local )  
Exchange Companies pursuant to )  
Section 364.162, Florida Statutes )  
\_\_\_\_\_ )

DOCKET NO. 950985-TP

Filed: 02/22/96

**CENTRAL TELEPHONE COMPANY OF FLORIDA AND  
UNITED TELEPHONE COMPANY OF FLORIDA'S  
OBJECTIONS TO TIME WARNER'S FIRST SET OF INTERROGATORIES  
AND MOTION FOR PROTECTIVE ORDER**

United Telephone Company of Florida ("Sprint/United") and Central Telephone Company of Florida ("Sprint/Centel") (collectively "Sprint-United/Centel" or the "Companies"), pursuant to Rule 25-22.034, Florida Administrative Code, Florida Rule of Civil Procedure 1.340, and the Procedural Order in this Docket, hereby submit the following Objections and Motion for Protective Order with respect to Time Warner AxS of Florida, L.P.'s ("TW") First Set of Interrogatories ("TW's First Set"), which was served by hand delivery on February 12, 1996.

**Preface**

The objections are being made for the purpose of complying with the Order on Prehearing Procedure in this docket. The Companies have made a good faith effort to identify any and all objections they may have to TW's First Set, but reserve the right to raise additional objection up to the time of their answers if

DOCUMENT NUMBER-DATE

02179 FEB 22 88

FPSG-RECORDS/REPORTING 1071

the need for additional objections becomes apparent while preparing the answers. If it becomes necessary to raise additional objections, the Companies will promptly file those objections and notify counsel for TW of the basis for the objection.

**General Objections of TW's First Set**

The Companies make the following general objections to TW's First Set. These general objections apply to each of the individual interrogatories in TW's First Set, whether or not a specific objection is raised, and to TW's First Set in its entirety, and are incorporated in the specific objections below as though fully set forth therein.

1. The Companies have interpreted TW's First Set to apply to the Companies' regulated intrastate operations in Florida and will limit their responses accordingly. To the extent that any interrogatory is intended to apply to matters other than the Florida intrastate operations subject to the jurisdiction of the Commission, the Companies object on the basis that such interrogatories are irrelevant, overly broad, unduly burdensome and oppressive.

2. The Companies object to each and every interrogatory to the extent that such requests call for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege. To the extent that the Companies identify privileged information during the preparation of the answers to TW's First Set, they will,

without waiving any applicable privilege, disclose the nature of the information and the basis for the claim of privilege to counsel for TW.

3. The Companies object to each and every interrogatory insofar as the interrogatories are vague, ambiguous, overly broad, duplicative, imprecise or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of the interrogatories. Any answer provided by the Companies will be provided subject to, and without waiver of, the foregoing objection.

4. The Companies object to each and every interrogatory insofar as the interrogatories are not reasonably calculated to lead to the discovery of admissible evidence, are not relevant to the subject matter of this action, and are beyond the scope of discovery as described in Florida Rule of Civil Procedure 1.280. The Companies will attempt to note each instance where this objection applies.

5. The Companies object to producing answers, documents, records and information to the extent that such information is already in the public record before the Florida Public Service Commission, or is equally available to TW from some other source.

6. The Companies object to each and every interrogatory, and all of the interrogatories taken together, insofar as they are unduly burdensome, expensive, oppressive, or excessively time-consuming to answer as written.

7. The Companies object to each and every interrogatory to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that the interrogatories seek proprietary confidential business information which is not subject to the "trade secrets" privilege, the Companies will make such information available to counsel for TW pursuant to a mutually acceptable Protective Agreement, subject to any other general or specific objections contained herein. The Companies have attempted to identify all instances where confidential information has been requested, but reserve the right to claim additional information as confidential if the need to do so becomes apparent while preparing the answers to TW's First Set.

**Specific Objections to TW's First Set**

1. The Companies object to Interrogatories Nos. 5, 7, 9, 10, 12, 13, 14, and 16 through 20 on grounds that the answers to these interrogatories, if any, will likely contain proprietary confidential business information. To the extent the Companies have information to put in an answer, the Companies will provide answers to these interrogatories to TW on a confidential basis pursuant to a mutually acceptable non-disclosure agreement.

**Motion for Protective Order**

The Companies submit their objections to TW's First Set pursuant to the authority contained in Slatnik v. Leadership Housing Systems of Florida, Inc., 368 So.2d 79 (Fla. 3d DCA

1979). To the extent that a Motion for Protective Order is required, the objections set forth herein are to be construed as a request for protective order.

DATED this 22nd day of February, 1996.



LEE L. WILLIS and  
J. JEFFRY WAHLEN  
Macfarlane Ausley Ferguson  
& McMullen  
P. O. Box 391  
Tallahassee, Florida 32302  
(904) 224-9115

ATTORNEYS FOR UNITED TELEPHONE  
COMPANY OF FLORIDA AND CENTRAL  
TELEPHONE COMPANY OF FLORIDA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (\*) this 22nd day of February, 1996, to the following:

Robert V. Elias \*  
Division of Legal Services  
Florida Public Service Comm.  
2540 Shumard Oak Blvd., Rm 370  
Tallahassee, FL 32399-0850

Donald L. Crosby  
Continental Cablevision, Inc.  
Southeastern Region  
7800 Belfort Pkwy, Suite 270  
Jacksonville, FL 32256-6925

Anthony P. Gillman  
Kimberly Caswell  
GTE Florida Incorporated  
Post Office Box 110, FLTC0007  
Tampa, FL 31601-0110

Steven D. Shannon  
MCI Metro Access Transmission  
Svcs., Inc.  
2250 Lakeside Blvd.  
Richardson, TX 75082

Leslie Carter  
Digital Media Partners  
1 Prestige Place, Suite 255  
2600 McCormack Drive  
Clearwater, FL 34619-1098

James C. Falvey  
Swidler & Berlin, Chartered  
3000 K Street, N.W., Suite 300  
Washington, DC 20007

David Erwin  
Young Van Assenderp et al.  
Post Office Box 1833  
Tallahassee, FL 32302-1833

Richard A. Gerstemeier  
Time Warner AxS of FL, L.P.  
2251 Lucien Way, Suite 320  
Maitland, FL 32751-7023

Leo I. George  
Lonestar Wireless of FL, Inc.  
1146 19th St., NW, Suite 200  
Washington, DC 20036

Robert S. Cohen \*  
Pennington Law Firm  
Post Office Box 10095  
Tallahassee, FL 32302

Patrick K. Wiggins  
Wiggins & Villacorta, P.A.  
Post Office Drawer 1657  
Tallahassee, FL 32302

Andrew D. Lipman  
Metropolitan Fiber Systems  
of FL, Inc.  
One Tower Lane, Suite 1600  
Oakbrook Terrace, IL 60181

Richard D. Melson \*  
Hopping Boyd Green et al.  
Post Office Box 6526  
Tallahassee, FL 32314

J. Phillip Carver  
c/o Nancy H. Sims  
BellSouth Telecommunications  
150 S. Monroe St., Suite 400  
Tallahassee, FL 32301

John Murray  
Payphone Consultants, Inc.  
3431 NW 55th Street  
Ft. Lauderdale, FL 33309-6308

Patricia Kurlin  
Intermedia Communications  
9280 Bay Plaza Blvd.  
Suite 720  
Tampa, FL 33619-4453

Gary T. Lawrence  
City of Lakeland  
501 East Lemon Street  
Lakeland, FL 33801-5079

Jill Butler  
Digital Media Partners/  
Time Warner Communications  
2773 Red Maple Ridge  
Tallahassee, FL 32301

Graham A. Taylor  
TCG South Florida  
1001 W. Cypress Creek Rd.,  
Suite 209  
Ft. Lauderdale, FL 33309-1949

Clay Phillips  
Utilities & Telecommunications  
Room 410  
House Office Building  
Tallahassee, FL 32399

Greg Krasovsky  
Commerce & Economic  
Opportunities  
Room 4265  
Senate Office Building  
Tallahassee, FL 32399

Charles Beck  
Office of Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, FL 32399-1400

Nels Roseland  
Executive Office of the  
Governor  
Office of Planning & Budget  
The Capitol, Room 1502  
Tallahassee, FL 32399

Paul Kouroupas  
Director, Regulatory Affairs  
Teleport Communications Group  
Two Teleport Drive, Suite 300  
Staten Island, NY 10311

Floyd R. Self  
Messer, Capareello, et al.  
Post Office Box 1876  
Tallahassee, FL 32302

Michael W. Tye  
AT&T  
101 N. Monroe St., Suite 700  
Tallahassee, FL 32301

Robin D. Dunson  
1200 Peachtree Street, NE  
Promenade I, Room 4038  
Atlanta, GA 30309

Sue E. Weiske  
Time Warner Communications  
160 Inverness Drive West  
Englewood, CO 80112

Laura L. Wilson  
FCTA  
310 North Monroe Street  
Tallahassee, FL 32301

Ken Hoffman  
Rutledge, Ecenia, et. al  
215 S. Monroe St., Suite 420  
Tallahassee, FL 32301-1841

Jodie Donovan-May  
Eastern Region Counsel  
Teleport Communications Group  
1133 21st St., NW, Suite 400  
Washington, DC 20036

  
ATTORNEY