

ORIGINAL

RECEIVED-FPSC

Legal Department

J. PHILLIP CARVER  
General Attorney

99 APR -5 PM 4:06

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(404) 335-0710

RECORDS AND  
REPORTING

April 5, 1999

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

Re: Docket Nos. 980946-TL, 980947-TL, 980948-TL,  
981011-TL, 981012-TL and 981250-TL

Dear Ms. Bayó:

Enclosed are an original and 15 copies of BellSouth Telecommunications, Inc.'s Objections to Supra Telecommunications and Information Systems, Inc.'s Second Supplemental Request for Production of Documents. Please file this document in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the

ACK \_\_\_\_\_ original was filed and return the copy to me.

AFA 3 \_\_\_\_\_

APP \_\_\_\_\_

CAF \_\_\_\_\_

CMU \_\_\_\_\_

CTR \_\_\_\_\_

EAG \_\_\_\_\_

LEG 1 \_\_\_\_\_ Enclosures

LIN 5 \_\_\_\_\_ cc: All parties of record

OPC \_\_\_\_\_ M. M. Criser, III


RCH \_\_\_\_\_ N. B. White

SEC 1 \_\_\_\_\_ William J. Ellenberg II (w/o enclosures)

WAS \_\_\_\_\_

QTH \_\_\_\_\_

Sincerely,



J. Phillip Carver (Pw)

DOCUMENT NUMBER-DATE

04358 APR-5 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for temporary waiver of )  
Physical collocation requirements set forth )  
In the 1996 Telecommunications Act and ) Docket No. 980946-TL  
The FCC's First Report and Order, for the )  
Daytona Beach Port Orange Central Office )  
By BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

In re: Petition for temporary waiver of )  
Physical collocation requirements set forth )  
In the 1996 Telecommunications Act and ) Docket No. 980947-TL  
The FCC's First Report and Order, for the )  
Boca Raton Boca Teeca Central Office, by )  
BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

In re: Petition for Waiver of Physical )  
Collocation Requirements Set Forth )  
In the Telecommunications Act of 1996 ) Docket No. 980948-TL  
And the FCC's First Report and Order, )  
for the Miami Palmetto Central )  
Office, By BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

In re: Petition for waiver of physical )  
Collocation requirements set forth in the )  
Telecommunications Act of 1996 and the ) Docket No. 981011-TL  
FCC's First Report and Order, for the )  
West Palm Beach Gardens Central Office, )  
By BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

In re: Petition for waiver of physical )  
Collocation requirements set forth in the )  
Telecommunications Act of 1996 and the ) Docket No. 981012-TL  
FCC's First Report and Order, for the )  
North Dade Golden Glades Central Office, by )  
BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

In re: Petition for temporary waiver of	)	
Physical collocation requirements set forth	)	
In the 1996 Telecommunications Act and	)	Docket No. 981250-TL
The FCC's First Report and Order, for the	)	
Lake Mary Main Central Office, by	)	
BellSouth Telecommunications, Inc.	)	Date: April 5, 1999
_____	)	

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
OBJECTIONS TO SUPRA'S SECOND SUPPLEMENTAL  
FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), hereby files, pursuant to Rule 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.340 and 1.280(b), Florida Rules of Civil Procedure, the following Objections to Supra Telecommunications and Information Systems, Inc.'s ("Supra") Second Supplemental Request for Production of Documents to BellSouth Telecommunications Inc. ("BellSouth").

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the 10-day requirement set forth in the procedural order issued by the Florida Public Service Commission ("Commission") in the above-captioned docket. Should additional grounds for objection be discovered as BellSouth prepares its answers to the above-referenced Request for Production of Documents, BellSouth reserves the right to supplement, revise, or modify its objections at the time it serves its answers. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the requested information, BellSouth reserves the right to file a

motion with the Commission seeking such an order at the time that it serves its answers.

### GENERAL OBJECTIONS

BellSouth makes the following General Objections to Supra's Second Supplemental Request for Production of Documents which will be incorporated by reference into BellSouth's specific answers when they are served on Supra.

1. BellSouth objects to the requests for production of documents to the extent they seek to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth objects to the requests for production of documents to the extent they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. BellSouth objects to such requests for production of documents as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request for production of documents and instruction to the extent that such request for production of documents or instruction calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to each and every request for production of documents insofar as the request for production of documents 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 these requests. Any answers provided by BellSouth in response to these requests for production of documents will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request for production of documents insofar as the request for production of documents is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will attempt to note each instance where this objection applies.

6. BellSouth objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

7. BellSouth objects to each and every request for production of documents to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. BellSouth also objects to each and every request for production that would require the disclosure of customer specific information, the disclosure of which is prohibited by Section 364.24, Florida Statutes. To the extent that Supra requests proprietary information that is not subject to the "trade secrets" privilege or to Florida Statutes Section 364.24, BellSouth will make such information available to Supra at a mutually agreeable time and place upon the execution of a confidentiality agreement.

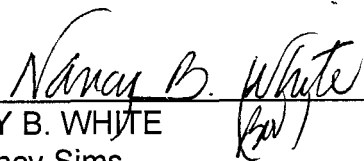
8. BellSouth objects to Supra's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

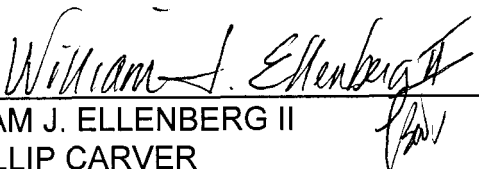
9. BellSouth objects to each and every request for production of documents, insofar as they are unduly burdensome, expensive, oppressive, or excessively time consuming as written.

10. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to Florida Public Service Commission or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document has been identified in response to these requests for production of documents. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests for production of documents purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

Respectfully submitted this 5th day of April, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
\_\_\_\_\_  
NANCY B. WHITE  
c/o Nancy Sims  
150 South Monroe Street, #400  
Tallahassee, Florida 32301  
(305)347-5555

  
\_\_\_\_\_  
WILLIAM J. ELLENBERG II  
J. PHILLIP CARVER  
675 West Peachtree Street, #4300  
Atlanta, Georgia 30375  
(404)335-0711

158172

**CERTIFICATE OF SERVICE**

**Docket Nos. 980946-TL, 980947-TL, 980948-TL, 981011-TL,  
981012-TI and 981250-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail this 5th day of April, 1999 to the following:

Beth Keating, Esq.  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Mr. Brian Sulmonetti  
WorldCom Technologies, Inc.  
1515 South Federal Highway  
Suite 400  
Boca Raton, FL 33432  
Tel. No. (561) 750-2940  
Fax. No. (561) 750-2629

Charles J. Pellegrini  
Wiggins & Villacorta, P.A.  
2145 Delta Boulevard  
Suite 200  
P.O. Drawer 1657  
Tallahassee, FL 32302  
Tel. No. (850) 385-6007  
Fax. No. (850) 385-6008

David V. Dimlich, Esq.  
Legal Counsel  
Supra Telecommunications &  
Information Systems, Inc.  
2620 S.W. 27<sup>th</sup> Avenue  
Miami, FL 33133  
Tel. No. (305) 476-4235  
Fax. No. (305) 443-1078

Steve Brown  
Intermedia Communications, Inc.  
3625 Queen Palm Drive  
Tampa, FL 33619-1309  
Tel. No. (813) 829-0011  
Fax. No. (813) 829-4923

Amanda Grant  
BellSouth Telecommunications, Inc.  
Regulatory & External Affairs  
675 West Peachtree Street, N.E.  
Room 38L64  
Atlanta, Georgia 30375

Floyd R. Self, Esq.  
Messer, Caparello & Self, P.A.  
215 South Monroe Street  
Suite 701  
Tallahassee, FL 32301-1876  
Tel. No. (850) 222-0720  
Fax. No. (850) 224-4359

Norman H. Horton, Jr.  
Messer, Caparello & Self, P.A.  
215 S. Monroe Street  
Suite 701  
Tallahassee, Florida 32301-1876  
Tel. No. (850) 222-0720  
Fax. No. (850) 224-4359  
Represents e.spire»



James C. Falvey, Esq.  
e.spire» Communications, Inc.  
133 National Business Parkway  
Suite 200  
Annapolis Junction, Maryland 20701  
Tel. No. (301) 361-4298  
Fax. No. (301) 361-4277

Kenneth A. Hoffman, Esq.  
John R. Ellis, Esq.  
Rutledge, Ecenia, Underwood,  
Purnell & Hoffman, P.A.  
P.O. Box 551  
Tallahassee, FL 32301  
Tel. No. (850) 681-6788  
Fax. No. (850) 681-6515

Steven Gorosh  
Vice President and General Counsel  
NorthPoint Communications, Inc.  
222 Sutter Street, 7th Floor  
San Francisco, CA 94108  
Tel. No. (415) 659-6518  
Fax. No. (415) 658-4190

Charles A. Hudak, Esq.  
Jeremy D. Marcus, Esq.  
Gerry, Friend & Saprnov, LLP  
Three Ravinia Drive, Suite 1450  
Atlanta, GA 30346-2131  
Tel. No. (770) 399-9500  
Fax. No. (770) 395-0000  
Attys. for ACI Corp.

Jeffrey Blumenfeld, Esq.  
Elise P.W. Kiely, Esq.  
Blumenfeld & Cohen  
1615 M Street, NW  
Suite 700  
Washington, DC 20036  
Tel. No. (202) 955-6300  
Fax. No. (202) 955-6460  
Attys. for ACI Corp.


Peter M. Dunbar, Esq.  
Barbara D. Auger, Esq.  
Pennington, Moore, Wilkinson  
& Dunbar, P.A.  
Post Office Box 10095  
Tallahassee, FL 32302-2095  
Tel. (850) 222-3533  
FAx (850) 222-2126  
Attys for Time Warner Telecom

Carolyn Marek  
VP of Reg. Affairs  
Time Warner Communications  
233 Bramerton Court  
Franklin, TN 37069  
Tel. (615) 376-6404  
Fax (615) 376-6405

Monica M. Barone  
Sprint Communications Company  
Limited Partnership  
3100 Cumberland Circle  
Mailstop GAATLN0802  
Atlanta, GA 30339

James D. Earle, Esq.  
Covad Communications, Inc. d/b/a  
DIECA Communications  
700 Thirteenth Street NW  
Suite 950  
Washington, DC 20005  
Tel: (202) 434-8902  
Fax: (202) 434-8932

Richard D. Melson  
Gabriel E. Nieto  
Hopping Green Sams & Smith  
Post Office Box 6526  
Tallahassee, FL 32314  
Attys. for ACI Corp.

  
J. Phillip Carver (JPC)