

RECEIVED-FPSC
SEP 10 PM 4:40
RECORDS AND REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In the Matter of:)
)
Petition by ICG TELECOM GROUP, INC.)
for Arbitration of an Interconnection)
Agreement with BELLSOUTH)
TELECOMMUNICATIONS, INC. Pursuant to)
Section 252(b) of the Telecommunication)
Act of 1996)

Docket No. 990691-TP
Filed: September 10, 1999

**ICG TELECOM GROUP, INC.'S OBJECTIONS TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S
FIRST SET OF DISCOVERY REQUESTS**

ICG Telecom Group, Inc. (ICG), pursuant to the Order Establishing Procedure (Order No. PSC-99-1532-PCO-TP), hereby files the following objections to BellSouth Telecommunications, Inc.'s (BellSouth) First Set of Interrogatories and First Request for Production of Documents served on August 31, 1999.

General Objections

1. To the extent, BellSouth's discovery requests seek information outside of Florida, ICG objects and ICG will limit its responses to the jurisdiction of Florida. Information in regard to other jurisdictions is irrelevant and immaterial in a Florida-specific arbitration. Further, such requests are overly broad, unduly burdensome, and oppressive.
2. ICG objects to each and every request to the extent that such request is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege.
3. ICG objects to providing information to the extent that such information is already a public record before the Florida Public Service Commission.

Objections to Interrogatories

INTERROGATORY NO. 3: Identify each person whom you have consulted as an expert in

DOCUMENT NUMBER-DATE
10931 SEP 10 99
FPSC-RECORDS/REPORTING

anticipation of this arbitration or in preparation for a hearing in this arbitration who is not expected to be called as a witness. With respect to each such expert, please state the facts known by and opinions held by this expert concerning any matters raised in the Arbitration Petition.

OBJECTION: ICG objects on the grounds that the requested information is not discoverable. See rule 1.280(b)(4)(B).

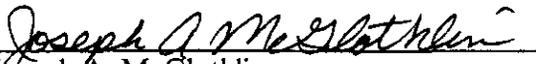
INTERROGATORY NO. 4: Identify all documents which refer or relate to any issues raised in the Arbitration Petition that were provided or made available to any expert identified in response to Interrogatory Nos. 2 or 3.

OBJECTION: ICG objects to the extent that this Interrogatory refers to experts requested under Interrogatory No. 3, on the same basis given in response to Interrogatory No. 3.

INTERROGATORY NO. 20: Identify all agreements between ICG and an Incumbent Local Exchange Carrier under Section 252 of the Act, whether the agreement was entered into through voluntary negotiation or compulsory arbitration. In answering this request, please:

- (a) identify the Incumbent Local Exchange Carrier that is a party to each such agreement;
- (b) state the effective date of each such agreement; and
- (c) state the expiration date of each such agreement.

OBJECTION: ICG objects on the grounds that the information is as available to BellSouth as it is to ICG. All agreements are on file with the regulatory bodies governing the states where ICG does business, namely, Alabama, Georgia, North Carolina, Tennessee, Kentucky, Florida, Texas, Colorado, California and Ohio.


Joseph A. McGlothlin
Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin,
Davidson, Decker, Kaufman,
Arnold & Steen, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
Telephone: (850)222-2525
Telecopy: (850)222-5606

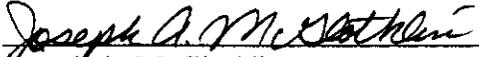
Attorneys for ICG Telecom Group, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing ICG Telecom Group, Inc.'s Objections to BellSouth Telecommunications, Inc.'s Discovery Requests was furnished by (*) hand delivery or U.S. Mail to the following parties of record this 10th day of September, 1999:

*Lee Fordham
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Gunter Building, Room 370
Tallahassee, Florida 32399

Nancy B. White
Michael P. Goggin
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301


Joseph A. McGlothlin

RECEIVED-EPSC
MCWHIRTER REEVES
ATTORNEYS AT LAW SEP 10 PH 4:40

ORIGINAL

TAMPA OFFICE:
400 NORTH TAMPA STREET, SUITE 2450
TAMPA, FLORIDA 33602
P. O. BOX 3350 TAMPA, FL 33601-3350
(813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO:
TALLAHASSEE

RECORDS AND
REPORTING

TALLAHASSEE OFFICE:
117 SOUTH GADSDEN
TALLAHASSEE, FLORIDA 32301
(850) 222-2525
(850) 222-5606 FAX

September 10, 1999

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

Re: Docket Number 990691-TP

Dear Ms. Bayo:

On behalf of ICG Telecom Group, enclosed for filing and distribution are the original and fifteen copies of the following:

- ▶ ICG Telecom Group's Objections to BellSouth Telecommunications, Inc.'s First Set of Discovery Requests

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

Yours truly,

Vicki Gordon Kaufman
Vicki Gordon Kaufman

VGK/dsn
enc.

AFA	_____
APP	_____
CAF	_____
CMU	_____
CTR	_____
EAG	_____
LEG	_____
MAS	_____
OPC	_____
PAI	_____
SEC	_____
WAW	_____
OTH	_____

RECEIVED & FILED
[Signature]
EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE
10931 SEP 10 99
EPSC-RECORDS/REPORTING