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September 10, 2001

Ms. Blanca Bayo, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 323099-0850

Dear Ms. Bayo:

RE: Docket No. 001305-TP

Enclosed please find the original and 15 copies of Supra Telecommunications and Information Systems, Inc.'s Objections to BellSouth Telecommunications, Inc.'s First Set of Interrogatories and First Request For Production of Documents to Supra.

We have enclosed a copy of this letter, and ask that you mark it to indicate that the original was filed, and thereupon return it to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Chiaken", with a long horizontal line extending to the right.

Brian Chiaken  
General Counsel

DOCUMENT NUMBER · DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of the Interconnection Agreement Between BellSouth Telecommunications, Inc. and Supra Telecommunications and Information Systems, Inc., pursuant to Section 252(b) of the Telecommunications Act of 1996	Docket No. 001305-TP
Complaint of Supra Telecommunications and Information Systems Regarding BellSouth's Bad Faith Negotiation Tactics	Filed: September 10, 2001

**SUPRA'S OBJECTIONS TO BELL SOUTH TELECOMMUNICATIONS, INC.'S  
FIRST SET OF INTERROGATORIES AND  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO SUPRA**

Supra Telecommunications and Information Systems, Inc. ("Supra"), by and through its undersigned counsel, pursuant to the Commission's Order Establishing Procedure and the Florida Rules of Civil Procedure, hereby files its Responses and Objection to BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories and Request for Production of Documents to Supra and states:

1. Supra objects generally to BellSouth's Interrogatories and Request for Production of documents to the extent that BellSouth is requesting documents that are protected and thereby exempt from discovery by virtue of the attorney-client privilege, work product doctrine, or other relevant privileges.
2. Supra objects to each and every interrogatory and request for production to the extent such interrogatory and request for production 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.
3. Supra generally objects to BellSouth's interrogatories and requests for production of documents to the extent that such interrogatories and requests are not formulated and

reasonably calculated to lead to the discovery of admissible evidence and are not relevant to this above captioned matter.

4. Supra objects to BellSouth interrogatories and requests for production to the extent that they are burdensome, oppressive, oppressive, and excessively time consuming.

5. Supra objects to BellSouth's interrogatories and requests for production to the extent that the information sought by BellSouth constitutes "trade secrets" which are privileged pursuant to Section 90.506 of the Florida Statutes.

6. Supra objects to BellSouth's definitions (1) through (12) as BellSouth is attempting to impose its definitions to the Florida Rules of Civil Procedure. Additionally Supra object to BellSouth's definitions of definitions (8) and (10). The Act of 1996 and the FCC rules speak for themselves.

7. Supra objects to Interrogatories and Requests for Production 5 and 7 as being ambiguous, irrelevant and not reasonably calculated to the discovery of admissible evidence. Supra objects to Interrogatories number 6 and 11 as being unduly cumbersome, oppressive, time consuming, and not reasonably calculated to lead to the discovery of admissible evidence. Additionally this is information that is already known to BellSouth.

#### **ADDITIONAL SPECIFIC OBJECTIONS**

##### **INTERROGATORY NO. 5**

BellSouth: Do you contend that BellSouth is proposing manual ordering charges that do not comply with the FCC's pricing rules, as codified in 47 C.F.R. § 51.501, et seq.? If the answer to this Interrogatory is in the affirmative, please state all facts and identify all

documents that support this contention, including identifying with particularity each proposed manual ordering charge at issue.

OBJECTION:

47 C.F.R. Sec. 51.501 provides:

- (a) The rules in this subpart apply to the pricing of network elements, interconnection, and methods of obtaining access to unbundled elements, including physical collocation and virtual collocation.
- (b) As used in this subpart, the term "element" includes network elements, interconnection, and methods of obtaining interconnection and access to unbundled elements.

Supra objects on the basis that BellSouth's interrogatory fails to cite any specific FCC pricing rule, but instead makes a general reference to such. As set forth above, 47 C.F.R. §51.501 does not even contain an actual pricing rule. As such, BellSouth's interrogatory is unduly vague. Furthermore, Supra objects to this interrogatory and request for production as being irrelevant. In addition, 47 C.F.R. §51.501 et seq. speaks for itself. This interrogatory is not reasonably calculated to lead the discovery of admissible evidence.

#### **INTERROGATORY NO. 6**

BellSouth: State the number of Local Service Requests that Supra has submitted to BellSouth for each month since January 1, 1998 through the present. In answer this Interrogatories, state the number of LSRs Supra submitted in each month: (1) manually (mail, fax etc); and electronically via one of the BellSouth's interfaces.

OBJECTION:

Supra objects to this interrogatory as being unduly cumbersome, oppressive, time consuming, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding the foregoing objection, the information requested is even more readily available to BellSouth as it is to Supra, as BellSouth would have been the recipient of all such Local Service Requests. In addition, Supra objects to this Interrogatory because LENS as given to Supra by BellSouth does not provide Supra with the ability to track down the LSRs accurately, or any other way. Specifically, when BellSouth clarifies an order LENS does not produce a report with the reasons for the clarifications, and most importantly, the system is designed to purge the orders upon the 10<sup>th</sup> day. BellSouth purges any clarified order whether the clarification is BellSouth's own fault or not.

Supra objects to this request for production for the same reasons cited in its objections to BellSouth's interrogatories above.

#### **INTERROGATORY NO. 11**

BellSouth: For each month since January 1, 1998, identify the number of LSRs submitted by Supra that contained an error resulting in rejection or clarification of the LSR.

#### **OBJECTION:**

Supra objects to this interrogatory and request for production because the scope of the current Agreement does not extent back to January 1, 1998. Furthermore, he information being requested is more readily available to BellSouth than it is to Supra. When Supra submits LSRs, BellSouth receives them, and issues the clarifications, if any.

In fact, BellSouth uses this information to compute its performance measurements that it publishes monthly. Further, as has been shown in other venues, large numbers of Supra LSRs have been clarified by BellSouth when no error whatsoever exists in the LSR, due to BellSouth "system" limitations. Finally, Supra does not keep back-up documents for more than 30 days after the order is completed.

**INTERROGATORY NO. 12**

BellSouth: Please describe in detail all procedures that Supra has in place to ensure that the LSRs its (sic) submits to BellSouth are correct. In answering this Interrogatory, identify all documents that refer or relate to such procedures.

OBJECTION: Supra objects on the grounds that this interrogatory and request are not reasonably calculated to lead to the discovery of admissible evidence, and as such are beyond the scope of this proceeding. Furthermore, any responsive documents being requested by BellSouth are protected by the "trade secrets" doctrine, as such, are not discoverable in this proceeding or otherwise.

SUPRA TELECOMMUNICATIONS  
& INFORMATION SYSTEMS, INC.  
2620 S.W. 27<sup>th</sup> Avenue  
Miami, Florida 33133  
Telephone: (305) 476-4248  
Facsimile: (305) 443-9516

By:



**Brian Chaiken**

**Adenet Medacier**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Federal Express, this 10<sup>th</sup> day of September, 2001 to the following:

T. Michael Twomey  
Michael Goggin  
Suite 4300, BellSouth Center  
675 West Peach Street Street, N.E.  
Atlanta, GA 30375  
404/335-0710

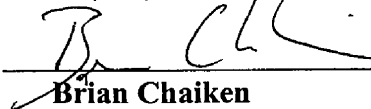
Via Hand Delivery:

Nancy B. White, Esq.  
C/O Nancy Sims  
BellSouth Telecommunications, Inc.  
150 S. Monroe Street, Suite 400  
Tallahassee, FL 32301

Wayne Knight  
Staff Counsel  
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