

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into pricing of unbundled network elements)
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)
_____)

Docket No. 990649A-TP
Filed: December 31, 2001

**AT&T AND MCI'S OBJECTIONS TO
FPSC STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

AT&T Communications of the Southern States, Inc. (hereinafter "AT&T") and MCI WorldCom, Inc. (hereinafter "MCI"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code and Rules 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Objections to FPSC Staff's First Request for Production of Documents to AT&T Communications of the Southern States, Inc. and MCI WorldCom, Inc.

The Objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in Order No. PSC-00-0540-PCO-TP issued by the Florida Public Service Commission (hereinafter the "Commission") in the above-referenced docket. Should additional grounds for objection be discovered as AT&T and WorldCom prepare its Responses to the above-referenced set of requests, AT&T/MCI reserve the right to supplement, revise, or modify its objections at the time that it serves its Responses on FPSC Staff. Moreover, should AT&T/MCI determine that a Protective Order is necessary with respect to any of the material requested by FPSC Staff, AT&T/MCI reserve the right to file a motion with the Commission seeking such an order at the time that it serves its Responses on FPSC Staff.

General Objections

AT&T/MCI make the following General Objections to FPSC Staff's First Request for Production of Documents which will be incorporated by reference into AT&T and WorldCom's specific responses when its Responses are served on FPSC Staff.

1. AT&T/MCI object to FPSC Staff's First Request for Production of Documents to the extent that it is overly broad, unduly burdensome, oppressive, not permitted by applicable discovery rules, and would require AT&T and WorldCom to disclose information which is privileged.

2. AT&T/MCI have interpreted FPSC Staff's requests to apply to AT&T/MCI's regulated intrastate operations in Florida and will limit its Responses accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, AT&T/MCI object to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

3. AT&T/MCI object to each and every request and instruction to the extent that such request 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. AT&T/MCI object to each and every request insofar as the request 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 Responses provided by AT&T/MCI in response to FPSC Staff's requests will be provided subject to, and without waiver of, the foregoing objection.

5. AT&T/MCI object to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. AT&T/MCI will attempt to note each instance where this objection applies.

6. AT&T/MCI object to FPSC Staff's general instructions, definitions or specific discovery requests insofar as they seek to impose obligations on AT&T and WorldCom which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

7. AT&T/MCI object to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. AT&T/MCI object to each and every request, general instruction, or definition insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. AT&T/MCI object to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that FPSC Staff's requests seek proprietary confidential business information which is not the subject of the "trade secrets" privilege, AT&T/MCI will make such information available to counsel for FPSC Staff pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

10. AT&T/MCI are large corporations with employees located in many different locations in Florida and in other states. In the course of its business, AT&T/MCI create countless documents that are not subject to Florida Public Service Commission or FCC retention of records requirements. These documents are kept in numerous locations and are frequently moved from site to site as employees change jobs or as the business is reorganized. Rather, these responses will

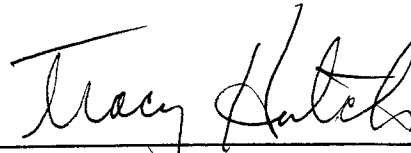
provide all of the information obtained by AT&T/MCI after a reasonable and diligent search conducted in connection with this discovery request. AT&T/MCI will comply with FPSC Staff's request that a search be conducted of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, AT&T/MCI object on the grounds that compliance would impose an undue burden or expense.

11. AT&T/MCI object to the definitions of "AT&T" and "MCI" to the extent that such definitions seek to impose an obligation on AT&T Communications of the Southern States, Inc. and MCI WorldCom, Inc. to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definition is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Without waiver of its general objection, and subject to other general and specific objections, Answers will be provided on behalf of AT&T Communications of the Southern States, Inc. and MCI WorldCom, Inc. which is the entity certificated to provide regulated telecommunications services in Florida and which is a party to this docket. All references to "AT&T" and "MCI" in responding to FPSC Staff's requests should be taken to mean AT&T Communications of the Southern States, Inc. and MCI WorldCom, Inc.

12. AT&T/MCI object to the definitions of "you" and "your" to the extent that such definitions seek to impose an obligation on AT&T Communications of the Southern States, Inc. and MCI WorldCom, Inc. to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definition is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Without waiver of its general objection, and subject to other general and specific objections, Answers will be provided on behalf of AT&T

Communications of the Southern States, Inc. and MCI WorldCom, Inc. which is the entity certificated to provide regulated telecommunications services in Florida and which is a party to this docket. All references to "AT&T" and "MCI" in responding to FPSC Staff's requests should be taken to mean AT&T Communications of the Southern States, Inc. and MCI WorldCom, Inc.

SUBMITTED this 31st day of December 2001.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of AT&T and MCI's Objections to FPSC Staff's First Request for Production of Documents in Docket 990649A-TP has been served on the following parties by Hand Delivery (*) and/or U. S. Mail this 31st day of December, 2001.

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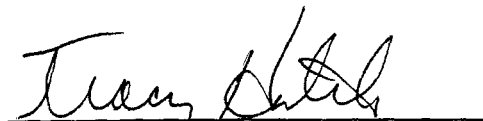
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