

ORIGINAL

Matilda Sanders

From: Smith, Debbie N. [Debbie.N.Smith@BellSouth.com]
 Sent: Monday, August 23, 2004 2:09 PM
 To: Filings@psc.state.fl.us
 Cc: Fatool, Vicki; Linda Hobbs; Nancy Sims; Slaughter, Brenda ; Bixler, Micheale; Cosgriff, Frieda; Edenfield, Kip
 Subject: Florida Docket No. 040301-TP
 Importance: High

A. Debbie Smith
 Legal Secretary for E. Earl Edenfield, Jr.
 BellSouth Telecommunications, Inc.
 c/o Nancy Sims
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CMP _____
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 ECR _____
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 RCA _____
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 OTH _____

B. Docket No. 040301-TP: Petition of Supra Telecommunications and Information Systems, Inc. for Arbitration with BellSouth Telecommunications, Inc.

C. BellSouth Telecommunications, Inc. on behalf of E. Earl Edenfield, Jr.

D. 8 pages total

E. BellSouth Telecommunications, Inc.'s Objections and Responses to Supra Telecommunications and Information Systems, Inc.'s First Request for Production of Documents (Nos. 1-2)

<<BST's Obj & Resp to Supra's 1st POD>>

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ORIGINAL

Legal Department

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August 23, 2004

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

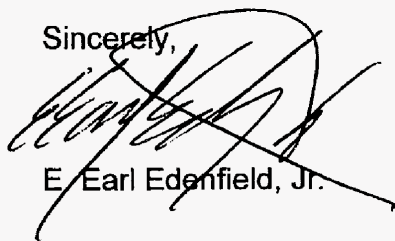
**Re: Docket No.: 040301-TP
Petition of Supra Telecommunications and Information Systems, Inc. for
Arbitration with BellSouth Telecommunications, Inc.**

Dear Ms. Bayó:

Enclosed are BellSouth Telecommunications, Inc.'s Objections and Responses to Supra Telecommunications and Information Systems, Inc.'s First Request for Production of Documents (Nos. 1-2), which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,



E. Earl Edenfield, Jr.

Enclosure

cc: All Parties of Record
Marshall M. Criser III
Nancy B. White
R. Douglas Lackey

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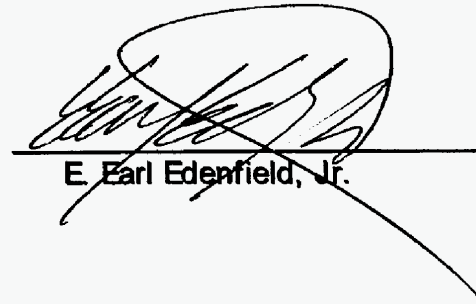
**CERTIFICATE OF SERVICE
Docket No. 040301-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and U.S. Mail this 23rd day of August, 2004 to the following:

Jason Rojas
Jeremy Susac
Staff Counsels
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E. Earl Edenfield, Jr.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Supra Telecommunications)	
and Information Systems, Inc.'s for)	Docket No.: 040301-TP
arbitration with BellSouth)	
BellSouth Telecommunications, Inc.)	
_____)	Filed: August 23, 2004

**BELLSOUTH TELECOMMUNICATIONS, INC.'S OBJECTIONS AND
RESPONSES TO SUPRA TELECOMMUNICATIONS
AND INFORMATION SYSTEMS, INC'S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS (NOS. 1-2)**

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340 and 1.280, Florida Rules of Civil Procedure, hereby files the following Objections and Responses to Supra's First Request for Production of Documents, dated July 22, 2004.

GENERAL OBJECTIONS

1. BellSouth objects to the requests for production 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 for production are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

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

3. BellSouth objects to each and every request for production and instruction to the extent that such request or instruction calls for information that is exempt from

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discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to these requests insofar as they are vague, ambiguous, overly broad, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests for production. Any answers provided by BellSouth in response to the requests will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to these requests for production insofar as they are not reasonably calculated to lead to the discovery of admissible evidence and are not relevant to the subject matter of this action. BellSouth will attempt to note in its responses each instance where this objection applies.

6. BellSouth objects to providing information to the extent that such information is already a matter of public record before this or another state commission or federal regulatory agency; or is otherwise available as a matter of public record; e.g., is available on a publicly accessible website.

7. 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. BellSouth will provide information responsive to Supra's discovery in the manner specified by this Commission.

8. BellSouth objects to these requests for production, insofar as any

of them are unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. 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 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. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

10. BellSouth objects to each and every request for production to the extent that the information requested constitutes "trade secrets". To the extent that Supra requests proprietary confidential business information, BellSouth will make such information available in accordance with a protective agreement, subject to any other general or specific objections contained herein.

11. BellSouth objects to any discovery request that seeks to obtain "all" of particular documents, items, or information to the extent that such requests are overly broad and unduly burdensome. Any answers provided by BellSouth in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.

SPECIFIC OBJECTIONS AND RESPONSES

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040301-TP
Supra's 1st Request for Production
July 22, 2004
Item No. 1
Page 1 of 1

REQUEST: Please provide all testimonies, transcripts, exhibits, orders, and any related documents in FPSC Docket No. 990649-TP (BellSouth Track) which specifically support BellSouth's claim that the FPSC has already set a UNE-P to UNE-L conversion rate in excess of \$57.00.

RESPONSE: BellSouth objects to this request on the grounds that is overly broad and unduly burdensome. BellSouth further objects to this request on the grounds that such documents are a matter of public record before the Florida Public Service Commission and are as publicly available to Supra as they are to BellSouth.

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040301-TP
Supra's 1st Request for Production
July 22, 2004
Item No. 2
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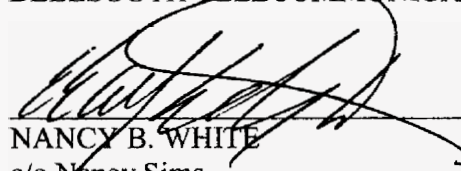
REQUEST: Please provide all documents identified in BellSouth's Response to Supra's First Set of Interrogatories.

RESPONSE: BellSouth objects to this request on the grounds that it seeks documents that are already in Supra's possession, custody or control as they were provided in the Florida Public Service Commission Docket 990649-TP proceeding.

Respectfully submitted this 23rd day of August, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.

fc



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