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September 30, 1996

BY HAND DELIVERY

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

Re: Docket No. 950737-TP

Dear Ms. Bayo:

Enclosed for filing in the above-styled docket are the original and fifteen (15) copies of Central Telephone Company of Florida and United Telephone Company of Florida's Preliminary Objections to FCTA's First Set of Interrogatories and Motion for Protective Order.

We are also submitting the Preliminary Objections and Motion on a 3.5" high-density diskette generated on a DOS computer in WordPerfect 5.1 format.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,


J. Jeffrey Wahlen

Enclosures

cc: All parties of record

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION



In re: Investigation into)
temporary number portability)
solution to implement)
competition in local exchange)
telecommunications markets)
_____)

Docket No. 950737-TP
Dated: 9/30/96

**CENTRAL TELEPHONE COMPANY OF FLORIDA AND
UNITED TELEPHONE COMPANY OF FLORIDA'S
PRELIMINARY OBJECTIONS TO FCTA'S FIRST SET
OF INTERROGATORIES AND MOTION FOR PROTECTIVE ORDER**

United Telephone Company of Florida and Central Telephone Company of Florida (collectively "Sprint" or the "Companies"), pursuant to Rule 25-22.034, Florida Administrative Code, Florida Rule of Civil Procedure 1.350, and the procedural order in this docket, submit the following Preliminary Objections and Motion for Protective Order with respect to the Florida Cable Telecommunications Association, Inc's ("FCTA's") First Set of Interrogatories ("First IRR") served on September 19, 1996.

I.

Preface

The objections are being made for the purpose of complying with the Order on Prehearing Procedure in this docket. The Companies have made a good faith effort to identify any and all objections they may have to FCTA's First IRR, but reserve the right to raise additional objections up to the time of their answers or response if the need for additional objections becomes apparent while preparing the answers. If it becomes necessary to raise additional objections, the Companies will promptly file those

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objections and notify counsel for FCTA of the basis for the objection.

II.

General Objections

The Companies make the following general objections to FCTA's First IRR. These general objections apply to each of the individual interrogatories in FCTA's First IRR, whether or not a specific objection is raised, and to FCTA's First IRR in its entirety, and are incorporated in the specific objections below as though fully set forth therein.

1. The Companies have interpreted FCTA's First IRR to apply to the Companies' intrastate operations in Florida and will limit their responses accordingly. To the extent that any interrogatory or document request is intended to apply to matters other than the Florida intrastate operations subject to the jurisdiction of the Commission, the Companies object on the basis that such are irrelevant, overly broad, unduly burdensome and oppressive.

2. The Companies object to each and every interrogatory to the extent that such call for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege. To the extent that the Companies identify privileged information during the preparation of the answers to FCTA's First IRR, they will, without waiving any applicable privilege, disclose the nature of the information and the basis for the claim of privilege to counsel for FCTA.

3. The Companies object to each and every interrogatory and document request insofar as they are vague, ambiguous, overly broad, duplicative, imprecise or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of the interrogatories. Any answer or response provided by the Companies will be provided subject to, and without waiver of, the foregoing objection.

4. The Companies object to each and every interrogatory insofar as they are not reasonably calculated to lead to the discovery of admissible evidence, are not relevant to the subject matter of this action, and are beyond the scope of discovery as described in Florida Rule of Civil Procedure 1.280. The Companies will attempt to note each instance where this objection applies.

5. The Companies object to producing answers, documents, records and information to the extent that such information is already in the public record before the Florida Public Service Commission, or is equally available to FCTA from some other source.

6. The Companies object to each and every interrogatory, and all of the interrogatories taken together, insofar as they are unduly burdensome, expensive, oppressive, or excessively time-consuming to answer or respond to as written.

7. The Companies object to each and every interrogatory, and all of the interrogatories taken together, insofar as they require Sprint to make extensive investigations, perform research, or compile and evaluate data, and, therefore are unduly burdensome,

expensive, oppressive, or excessively time-consuming to answer or respond to as written.

8. The Companies object to each and every interrogatory and document to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that the interrogatories or document requests seek proprietary confidential business information which is not subject to the "trade secrets" privilege, the Companies will make such information available to counsel for FCTA pursuant to a mutually acceptable Protective or Non-Disclosure Agreement, subject to any other general or specific objections contained herein.

9. The Companies object to the definition of "you" and "your" on grounds that the definition of these terms is overbroad and would cause the Companies' search for the information requested to be burdensome.

10. The Companies object to each of the interrogatories to the extent that they are presented as a request for production of documents, not an interrogatory, and cannot be answered under oath as required by Florida Rule of Civil Procedure 1.340.

III.

Specific Objections: Interrogatories

3. Identify the embedded cost per switch of providing (a) Call Forward - Fixed, (b) Call Forward - Variable, (c) Call Forward - Busy/No Answer, (d) Remote Call Forward as a temporary number portability solution, [and] (e) any other call forwarding service(s). In providing your response, identify the cost categories and accounts associated with each cost category.

Objection: The Companies do not have the "embedded cost" information requested in this interrogatory question. Moreover, the Company is not sure exactly how "embedded cost per switch" would be calculated or how that information has any relevance to this proceeding. To the extent this interrogatory seeks to have Sprint perform a cost study or cost studies, the Companies note that an answer cannot be given without undue labor and expense, and object on grounds that answering the question would require Sprint to make extensive investigations, perform research, or compile and evaluate data, and, therefore is unduly burdensome, expensive, oppressive, and excessively time-consuming. In support of its objection, Sprint notes that preparing a study or studies necessary to answer the question is not a matter of running a simple computer program and extracting an answer. Rather, the Company would be required to gather a significant amount of accounting and engineering data, make certain assumptions and perform extensive calculations, which process could easily take hundreds of person hours. In addition, the Companies object to this interrogatory on grounds that it calls for information that is beyond the scope of discovery (i.e., irrelevant).

4. Assume your company provides call forwarding services, what is your company's additional cost per switch to add Remote Call Forwarding as a temporary number portability solution for (a) one ALEC customer, (b) ten ALEC customers, (c) one hundred ALEC customers[, and] one thousand ALEC customers. Provide all assumptions underlying your response.

Objection: The Companies do not have the "additional cost per switch" information requested in this interrogatory question. Moreover, the Company is not sure exactly how "additional cost per switch" would be calculated or how that information has any relevance to this proceeding. To the extent this interrogatory seeks to have Sprint perform a cost study or cost studies, the Companies note that an answer cannot be given without undue labor and expense, and object on grounds that answering the question would require Sprint to make extensive investigations, perform research, or compile and evaluate data, and, therefore is unduly burdensome, expensive, oppressive, and excessively time-consuming. In support of its objection, Sprint notes that preparing a study or studies necessary to answer the question is not a matter of running a simple computer program and extracting an answer. Rather, the Company would be required to gather a significant amount of accounting and engineering data, make certain assumptions and perform extensive calculations, which process could easily take hundreds of person hours. In addition, the Companies object to this interrogatory on grounds that it calls for information that is beyond the scope of discovery (i.e., irrelevant). Notwithstanding this objection, the Company notes that it has performed certain cost studies to support its proposed pricing for RCF, and is

evaluating whether those studies can be efficiently modified or updated to provide an answer to this question.

5. **Identify what additional costs for billing and collecting your company will incur per number when providing Remote Call Forwarding as a temporary number portability solution? Provide all assumptions underlying your response.**

Objection: The Companies do not have the "additional cost for billing and collection" information requested in this interrogatory question. Sprint notes that "additional costs" to be incurred by Sprint would depend on a variety of factors not specified in the question including, but not limited to, customer demand, type of ordering system, and manner and frequency of billing. To the extent this interrogatory seeks to have Sprint perform a cost study or cost studies, the Companies note that an answer cannot be given without undue labor and expense, and object on grounds that answering the question would require Sprint to make extensive investigations, perform research, or compile and evaluate data, and, therefore is unduly burdensome, expensive, oppressive, and excessively time-consuming. In support of its objection, Sprint notes that preparing a study or studies necessary to answer the question is not a matter of running a simple computer program and extracting an answer. Rather, the Company would be required to gather a significant amount of accounting and engineering data, make certain assumptions about how RCF will be provisioned and billed, and perform extensive calculations, which process could easily take hundreds of person hours. Notwithstanding this objection, the Company notes that it has performed certain cost

studies to support its proposed pricing for RCF, and is evaluating whether those studies can be efficiently modified or updated to provide an answer to this question.

7. **Assume that your company provides Remote Call Forwarding as a temporary number portability solution, what specific additional costs does your company incur in forwarding the calls placed to an ALEC's customer? In providing your response, identify any non-recurring costs and any recurring costs and the specific reasons for the costs.**

Objection: The Companies do not have the "additional cost" information requested in this interrogatory question, and is not sure what the FCTA means by the term "additional cost." Sprint notes that "additional costs" to be incurred by Sprint would depend on a variety of factors not specified in the question including, but not limited to, customer demand, type of ordering system, and manner and frequency of billing. To the extent this interrogatory seeks to have Sprint perform a cost study or cost studies, the Companies note that an answer cannot be given without undue labor and expense, and object on grounds that answering the question would require Sprint to make extensive investigations, perform research, or compile and evaluate data, and, therefore is unduly burdensome, expensive, oppressive, and excessively time-consuming. In support of its objection, Sprint notes that preparing a study or studies necessary to answer the question is not a matter of running a simple computer program and extracting an answer. Rather, the Company would be required to gather a significant amount of accounting and engineering data, make certain assumptions about how RCF will be provisioned and billed, and perform extensive calculations, which process could easily take hundreds of person hours.

Notwithstanding this objection, the Company notes that it has performed certain cost studies to support its proposed pricing for RCF, and is evaluating whether those studies can be efficiently analyzed, modified or updated to provide an answer to this question.

8. **If a switch contains the hardware and software that has the capability of providing Remote Call Forwarding what is the increased recurring cost of adding additional numbers to that service? Provide all assumptions underlying your response.**

Objection: The Companies do not have the "increased recurring cost" information requested in this interrogatory question, and is not sure what the FCTA means by that term. Sprint notes that "increased recurring cost" to be incurred by Sprint would depend on a variety of factors not specified in the question including, but not limited to, customer demand, type of ordering system, and manner and frequency of billing. To the extent this interrogatory seeks to have Sprint perform a cost study or cost studies, the Companies note that an answer cannot be given without undue labor and expense, and object on grounds that answering the question would require Sprint to make extensive investigations, perform research, or compile and evaluate data, and, therefore is unduly burdensome, expensive, oppressive, and excessively time-consuming. In support of its objection, Sprint notes that preparing a study or studies necessary to answer the question is not a matter of running a simple computer program and extracting an answer. Rather, the Company would be required to gather a significant amount of accounting and engineering data, make certain assumptions about how


RCF will be provisioned and billed, and perform extensive calculations, which process could easily take hundreds of person hours. Notwithstanding this objection, the Company notes that it has performed certain cost studies to support its proposed pricing for RCF, and is evaluating whether those studies can be efficiently analyzed, modified or updated to provide an answer to this question.

IV.

Motion for Protective Order

The Companies submit their objections to FCTA's First IRR pursuant to the authority contained in Slatnik v. Leadership Housing Systems of Florida, Inc., 368 So.2d 79 (Fla. 3d DCA 1979). To the extent that a Motion for Protective Order is required, the objections set forth herein are to be construed as a request for protective order.

Dated this 30th day of September, 1996.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) this 30th day of September, 1996, to the following:

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