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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by American  
Communications Services, Inc., and its  
local exchange operating subsidiaries, for  
Arbitration with GTE Florida Incorporated  
pursuant to the Telecommunications Act  
of 1996.

Docket No. 961537-TP  
Filed: January 27, 1997

**AMERICAN COMMUNICATIONS SERVICES, INC.'S  
OBJECTIONS TO GTE FLORIDA INCORPORATED'S  
FIRST SET OF INTERROGATORIES**

COMES NOW, American Communications Services, Inc., ("ACSI"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.340 and 1.280 (b), Florida Rules of Civil Procedure, hereby submits the following objections to GTE Florida Incorporated's ("GTEFL") First Set of Interrogatories to ACSI.

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-97-0056-PCO-TL issued by the Florida Public Service Commission ("hereinafter the "Commission") in the above-referenced docket on January 15, 1997. Should additional grounds for objection be discovered as

ACK \_\_\_\_\_  
AFA \_\_\_\_\_ ACSI prepares its Answers to the above-referenced set of interrogatories, ACSI reserves the right  
APP \_\_\_\_\_  
CAF \_\_\_\_\_ to supplement, revise, or modify its objections at the time that it serves its Answers on GTEFL.

**GENERAL OBJECTIONS**

ACSI makes the following General Objections to GTEFL's First Set of Interrogatories which

CMU Green  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG 1  
LIN 3 will be incorporated by reference into ACSI's specific responses when its Answers are served on  
OPC \_\_\_\_\_ GTEFL.  
\_\_\_\_\_  
\_\_\_\_\_  
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1. ACSI objects to the interrogatories to the extent that such interrogatories seek to impose an obligation on ACSI to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. ACSI has interpreted GTEFL's interrogatories to apply to ACSI's regulated intrastate operations in GTE's Florida territories and will limit its Answers accordingly. To the extent that any interrogatory is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the commission, ACSI objects to such interrogatory as irrelevant, overly broad, unduly burdensome, and oppressive.

3. ACSI objects to each and every interrogatory and instruction to the extent that such interrogatory 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. ACSI objects to each and every interrogatory 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 interrogatories. Any Answers provided by ACSI in response to GTEFL's interrogatories will be provided subject to, and without waiver, of the foregoing objection.

5. ACSI objects to each and every interrogatory 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. ACSI will attempt to note each instance where this objection applies.

6. ACSI objects to GTEFL's discovery requests, instructions and definitions, insofar as they seek to impose obligations on ACSI which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

7. ACSI objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission, or otherwise publicly available.

8. ACSI objects to each and every interrogatory, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written to prepare.

9. ACSI objects to each and every interrogatory to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that GTEFL's interrogatories request proprietary confidential business information which is not subject to the "trade secrets" privilege, ACSI will make such information available to counsel for GTEFL pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

#### **OBJECTIONS TO SPECIFIC INTERROGATORIES**

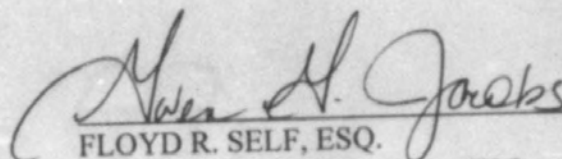
Subject to and without waiver of, the foregoing general objections, ACSI enters the following specific objections with respect to GTEFL's interrogatories:

10. Pursuant to the General Objections stated above, ACSI objects to Interrogatories 1, 2, 3, 4, 5, 8 and 9 on the grounds that they seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence related to ACSI's request for interconnection with GTEFL and the issues to be determined in this docket.



12. Pursuant to the General Objections stated above, ACSI objects to Interrogatories 2, 3, 5, 8 and 9 on the grounds that they seek information that is subject to the work product and trade secrets privileges.

Respectfully submitted,  
MESSER, CAPARELLO & SELF, P.A.  
P. O. Box 1876  
Tallahassee, Florida 32302  
(904) 222-0720

  
FLOYD R. SELF, ESQ.  
NORMAN H. HORTON, JR., ESQ.  
GWEN G. JACOBS, ESQ.

Attorneys for American Communications Services, Inc.

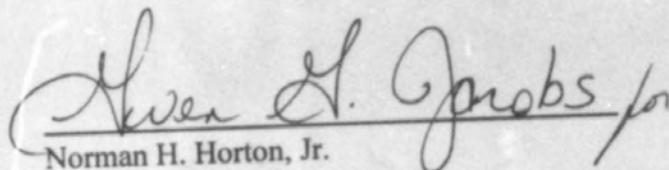
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of ACSI's Objections to GTE Florida, Inc.'s First Set of Interrogatories in Docket No. 961537-TP has been furnished by Hand Delivery (\*) and/or Overnight Delivery (\*\*) on this 27th day of January, 1997 to the following parties of record:

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Florida Public Service Commission  
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Norman H. Horton, Jr.

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January 27, 1997

Ms. Blanca Bayo, Director  
Division of Records and Reporting  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

**BY HAND DELIVERY**

Re: Docket No. 961537-TP

Dear Ms. Bayo:

An original and fifteen copies each of ACSI's Objections to GTE Florida Incorporated's First Set of Interrogatories and ACSI's Objections to GTE Florida Incorporated's First Request for Production are enclosed for filing in the above-referenced docket.

Please indicate receipt of these documents by stamping the enclosed extra copy of this letter.

Thank you for your assistance in this matter.

Sincerely,

*Gwen G. Jacobs*  
Gwen G. Jacobs

GGJ:dle  
Enclosures

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