

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Consideration of BellSouth ) DOCKET NO. 960786-TL  
Telecommunications, Inc. entry into )  
InterLATA services pursuant to Section) FILED: 8-8-97  
271 of the Federal Telecommunications )  
Act of 1996. )

INTERMEDIA COMMUNICATIONS INC.'S OBJECTIONS TO  
BELLSOUTH TELECOMMUNICATIONS, INC.'S  
FIRST SET OF INTERROGATORIES

COMES NOW, Intermedia Communications Inc. (Intermedia), 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 BellSouth Telecommunications, Inc.'s (BellSouth) First Set of Interrogatories to Intermedia.

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-96-0945-PCO-TP issued by the Florida Public Service Commission (Commission) in the above-referenced docket on July 19, 1996. Should additional grounds for objection be discovered as Intermedia prepares its Answers to the above referenced set of interrogatories, Intermedia reserves the

right to supplement, revise, or modify its objections at the time that it serves its Answers to BellSouth. Moreover, should

Intermedia determine that a Protective Order is necessary with respect to any of the material requested by BellSouth, Intermedia

reserves the right to file a motion with the Commission seeking such an order at the time that it serves its Answers on BellSouth.

GENERAL OBJECTIONS

Intermedia makes the following General Objections to

DOCUMENT NUMBER-DATE

08098 AUG-86

FPSC-RECORDS/REPORTING

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BellSouth's First Set of Interrogatories which will be incorporated by reference into Intermedia's specific response when its Answers are served on BellSouth.

1. Intermedia objects to the interrogatories to the extent that such interrogatories seek to impose an obligation on Intermedia 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. Intermedia has interpreted BellSouth's interrogatories to apply to Intermedia's regulated intrastate operations in Florida 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, Intermedia objects to such interrogatory as irrelevant, overly broad, unduly burdensome, and oppressive.

3. Intermedia 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. Intermedia objects to each and every interrogatory insofar as the request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretation but are not properly defined or explained for purposes of these interrogatories. Any Answers provided by

Intermedia in response to BellSouth's interrogatories will be provided subject to, and without waiver of, the foregoing objection.

5. Intermedia 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. Intermedia will attempt to note each instance where this objection applies.

6. Intermedia objects to BellSouth's discovery requests insofar as they seek to impose obligations on Intermedia which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

7. Intermedia objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. Intermedia objects to each and every interrogatory, insofar as it calls for a response which is unduly burdensome, expensive, oppressive, or excessively time consuming as written to prepare.

9. Intermedia 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 BellSouth's interrogatories request proprietary confidential business information which is not subject to the "trade secrets" privilege, Intermedia will make such information available to counsel for BellSouth 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, Intermedia enters the following specific objections with respect to BellSouth's interrogatories:

**INTERROGATORY NOS. 1(b), 2(b), 3(b), and 4(b):** Pursuant to the General Objections stated above, Intermedia objects to these interrogatories on the grounds that they seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence related to the issue of whether BellSouth has met or will be able to meet the requirements of Section 271 of the Telecommunications Act of 1996 nor the issues identified for hearing in this docket. Specifically, these interrogatories request financial information regarding the total monthly billings of Intermedia. Intermedia's monthly billings are irrelevant to any issue before the Commission in this proceeding.

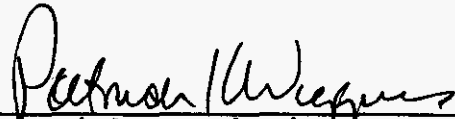
**INTERROGATORY NO. 2(e):** To the extent this interrogatory is not objectionable, this information is provided in response to Interrogatory No. 2(d). To the extent this interrogatory seeks information beyond that provided in response to Interrogatory No. 2(d), pursuant to the General Objections stated above, Intermedia objects to this interrogatory as overly broad, unduly burdensome, and oppressive. BellSouth

already knows which of its facilities are leased by Intermedia to provide business telephone exchange service. Next, to the extent Intermedia uses its own facilities or the facilities of another carrier, this is both proprietary information and irrelevant to any issue before the Commission in this proceeding. Thus, Intermedia objects to this interrogatory on the grounds that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence related to the issue of whether BellSouth has met or will be able to meet the requirements of Section 271 of the Telecommunications Act of 1996 nor the issues identified for hearing in this docket.

**INTERROGATORY NOS. 3 and 4:** Pursuant to the General Objections stated above, Intermedia objects to these interrogatories as overly broad, unduly burdensome, and oppressive. These interrogatories ask Intermedia to provide information regarding resold services from BellSouth, who is Intermedia's vendor. This is information already contained within BellSouth.

Respectfully submitted this 8th day of August, 1997.

**INTERMEDIA COMMUNICATIONS INC.**

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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, hand delivery\* and/or Federal Express\*\* this 8th day of August, 1997, to the following:

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