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JAN 20 1999

RECORDS AND  
REPORTING

January 20, 1999

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

Re: Docket No. 980946-TL

Dear Ms. Bayó:

Enclosed are an original and 15 copies of BellSouth Telecommunications, Inc.'s Responses and Objections to Supra Telecommunications and Information Systems, Inc.'s First Request for Production of Documents and Motion for Temporary Protective Order. Please file this document in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me.

Sincerely,



J. Phillip Carver

- ACK \_\_\_\_\_
- AFA 1
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU Favors Enclosures
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1
- LIN 5
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH Copy Key

cc: All parties of record  
M. M. Criser, III  
N. B. White  
William J. Ellenberg II (w/o enclosures)

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: BellSouth Telecommunications, ) Docket No.: 980946-TL  
 Inc. 's Petition for Temporary Waiver )  
 for Daytona Beach Port Orange )  
 Central Office )  
 \_\_\_\_\_ ) Filed: January 20, 1999

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES AND  
 OBJECTIONS TO SUPRA TELECOMMUNICATIONS  
 AND INFORMATION SYSTEMS, INC.'S FIRST  
 REQUEST FOR PRODUCTION OF DOCUMENTS AND  
MOTION FOR TEMPORARY PROTECTIVE ORDER**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), 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 Responses, Objections and Motion for Temporary Protective Order to Supra Telecommunications and Information Systems, Inc.'s ("Supra") First Request for Production of Documents.

**GENERAL RESPONSES**

BellSouth makes the following General Objections to Supra's First Request for Production of Documents:

1. BellSouth has interpreted Supra's requests to apply to BellSouth'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, BellSouth objects to such request to produce as irrelevant, overly broad, unduly burdensome, and oppressive.

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

3. 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 Florida Public Service 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 provided in response to these discovery requests. Rather, these responses provide all of the information obtained by BellSouth after a reasonable and diligent search conducted in connection with this discovery request. BellSouth conducted a search of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

**MOTION FOR TEMPORARY PROTECTIVE ORDER**

4. BellSouth objects 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 Supra requests proprietary confidential business information which is not subject to the "trade secrets" privilege, BellSouth will make such information available to be reviewed by counsel for Supra upon BellSouth's premises, pursuant to an appropriate

Protective Agreement and subject to any other general or specific objections contained herein.

### **SPECIFIC RESPONSES**

5. With respect to Request No. 1, BellSouth objects to the extent BellSouth objected to the discovery requested. To the extent, BellSouth did not so object, BellSouth will produce responsive documents that are in its possession, custody, and control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

6. With respect to Request No. 2, BellSouth objects to the extent BellSouth objects to a specific interrogatory. To the extent BellSouth does not object to a specific interrogatory, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

7. With respect to Request No. 3, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Without waiving its objection and in a spirit of cooperation, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

8. With respect to Request No. 4, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

9. With respect to Request No. 5, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection, and in the spirit of cooperation, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

10. With respect to Request No. 6, BellSouth has no responsive documents it has in its possession, custody or control.

11. With respect to Request No. 7, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Without waiving its objection and in the spirit of cooperation, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

12. With respect to Request No. 8, BellSouth objects to this request on the grounds that the request is not a request for documents and is unclear, vague and ambiguous. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, BellSouth refers Supra to the documents produced in response to Request No. 7.

13. With respect to Request No. 9, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Without waiving its objection, and in the spirit of cooperation, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

14. With respect to Request No. 10, BellSouth has no responsive documents in its possession, custody or control.

15. With respect to Request No. 11, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Without waiving its objection, and in the spirit of cooperation, BellSouth refers Supra to BellSouth's responses to Request No. 5.

16. With respect to Request No. 12, BellSouth has no responsive documents in its possession, custody or control.

17. With respect to Request No. 13, BellSouth has no responsive documents in its possession, custody or control.

18. With respect to Request No. 14, BellSouth has no responsive documents in its possession, custody or control.

19. With respect to Request No. 15, BellSouth objects because the information requested is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. To the extent Supra seeks details of each virtual collocation in existence at the Lake Mary Central Office, this information is considered customer proprietary information by BellSouth and protected by Section 364.24(2), Florida Statutes.

20. With respect to Request No. 16, BellSouth objects to the extent that the physical collocation agreements to which BellSouth is a party are on public record with the Florida Public Service Commission. To the extent that Supra seeks details of each physical collocation in existence at the Lake Mary Central Office, this information is considered customer proprietary information by BellSouth and protected by Section 364.24(2), Florida Statutes.

21. With respect to Request No. 17, to the extent that Supra seeks details of each virtual and physical collocation at the Central Office in question, this information is considered customer proprietary information by BellSouth and protected by Section 364.24(2), Florida Statutes. Moreover, such information is not relevant to the issues in this proceeding. With respect to the equipment that is permitted to be placed in physical collocation scenarios, Supra is well aware of BellSouth's position.

22. With respect to Request No. 18, BellSouth has no responsive documents in its possession, custody or control.

23. With respect to Request No. 19, BellSouth has no responsive documents in its possession, custody or control.

24. With respect to Request No. 20, BellSouth objects because the information requested is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

25. With respect to Request No. 21, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection and in the spirit of cooperation, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

26. With respect to Request No. 22, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection and in the spirit of cooperation, BellSouth refers Supra to its response to Request No.

3.



27. With respect to Request No. 23, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence.

28. With respect to Request No. 24, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence.

29. With respect to Request No. 25, BellSouth has no responsive documents in its possession, custody or control.

30. With respect to Request No. 26, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, and oppressive. In addition, the request is vague and ambiguous. Without waiving its objection and in the spirit of cooperation, BellSouth refers Supra to BellSouth's responses to Request Nos. 3, 4, and 5.

31. With respect to Request No. 27, BellSouth objects to this request on the basis that it is overly broad, unduly burdensome, oppressive, and is not relevant nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection and in the spirit of cooperation, BellSouth refers Supra to BellSouth's responses to Request Nos. 3, 4, and 5.

32. With respect to Request No. 28, BellSouth has no responsive documents in its possession, custody or control.

33. With respect to Request No. 29, BellSouth objects to this request on the grounds the request is overly broad, unduly burdensome, and oppressive. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection and in the spirit of cooperation, BellSouth refers Supra to BellSouth's responses to Request Nos. 3, 4, and 5.

34. With respect to Request No. 30, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, oppressive, and requests customer proprietary information. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence. In the spirit of cooperation, however, BellSouth refers Supra to BellSouth's responses to Request Nos. 3, 4 and 5.

35. With respect to Request No. 31, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, oppressive, and requests customer proprietary information. Moreover, BellSouth objects on the grounds that the request is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections and, in the spirit of cooperation, BellSouth refers Supra to BellSouth's responses to Request No. 21.

36. With respect to Request No. 32, BellSouth will produce responsive

documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth.

37. With respect to Request No. 33, BellSouth objects to this request on the grounds that the request is overly broad, unduly burdensome, oppressive, and requests customer proprietary information. Without waiving its objections and, in the spirit of cooperation, BellSouth refers Supra to BellSouth's response to Request No. 2.

38. With respect to Request No. 34, BellSouth has no responsive documents in its possession, custody or control.

39. With respect to Request No. 35, BellSouth has no responsive documents in its possession, custody or control.

40. With respect to Request No. 36, BellSouth has no responsive documents in its possession, custody or control.

41. With respect to Request No. 37 BellSouth has no responsive documents in its possession, custody or control.

42. With respect to Request No. 38, BellSouth has no responsive documents in its possession, custody or control.

43. With respect to Request No. 39, BellSouth refers Supra to BellSouth's responses to Nos. 2 and 3.

44. With respect to Request No. 40, BellSouth refers Supra to BellSouth's responses to Nos. 3 and 5.

45. With respect to Request No. 41, BellSouth refers Supra to BellSouth's response to No. 7.

46. With respect to Request No. 42, BellSouth has no responsive documents in its possession, custody or control.

47. With respect to Request No. 43, BellSouth has no responsive documents in its possession, custody or control.

48. With respect to Request No. 44, BellSouth has no responsive documents in its possession, custody or control.

49. With respect to Request No. 45, BellSouth refers Supra to its response to Request No. 5.

50. With respect to Request No. 46, BellSouth will produce responsive documents that are in its possession, custody or control at a mutually convenient time and place subject to the Motion for Temporary Order set forth above and subject to Supra entering into a Protective Agreement with BellSouth. Also, refer to BellSouth's response to Request No. 4.

Respectfully submitted this 20th day of January, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B. White*

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**CERTIFICATE OF SERVICE**

**Docket Nos. 980946-TL, 980947-TL, 980948-TL, and 981250-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail this 20th day of January, 1999 to the following:

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