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ORIGINAL  
Legal Department

J. PHILLIP CARVER  
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20 APR 26 PM 4:35

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(404) 335-0710

RECORDS AND  
REPORTING

April 26, 1999

980946

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. 981012-TL

Dear Ms. Bayó:

Enclosed are an original and 15 copies of BellSouth Telecommunications, Inc.'s Objections to Intermedia Communications Inc.'s Second Request for Production of Documents. 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,

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

J. Phillip Carver (KR)

J. Phillip Carver

Enclosures

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

AFA 4  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU *Jarvis*  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG 3  
MAS \_\_\_\_\_  
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SEC 1  
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OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE**  
**Docket Nos. 980946-TL, 980947-TL, 980948-TL, 981011-TL**  
**981012-TL, and 981250-TL**

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

U.S. Mail this 26th day of April, 1999 to the following:

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J. Phillip Carver

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Waiver of Physical )  
Collocation Requirements Set Forth ) Docket No.: 981012-TL  
In the Telecommunications Act of 1996 )  
And the FCC's First Report and Order, )  
For the North Dade Golden Glades ) Dated: April 26, 1999  
Central Office, By BellSouth )  
Telecommunications, Inc. )

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
OBJECTIONS TO INTERMEDIA COMMUNICATIONS INC.'S  
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), hereby files, pursuant to Rule 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.340 and 1.280(b), Florida Rules of Civil Procedure, the following Objections to Intermedia Communications Inc.'s ("Intermedia") Second Request for Production of Documents to BellSouth Telecommunications Inc. ("BellSouth").

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the 10-day requirement set forth in the procedural order issued by the Florida Public Service Commission ("Commission") in the above-captioned docket. Should additional grounds for objection be discovered as BellSouth prepares its answers to the above-referenced Request for Production of Documents, BellSouth reserves the right to supplement, revise, or modify its objections at the time it serves its answers. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the requested information, BellSouth reserves the right to file a

motion with the Commission seeking such an order at the time that it serves its answers.

### **GENERAL OBJECTIONS**

BellSouth makes the following General Objections to Intermedia's Second Request for Production of Documents which will be incorporated by reference into BellSouth's specific answers when they are served on Intermedia.

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

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

3. BellSouth objects to each and every request for production of documents and instruction to the extent that such request for production of documents 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. BellSouth objects to each and every request for production of documents insofar as the request for production of documents 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 requests. Any answers provided by BellSouth in response to these requests for production of documents will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request for production of documents insofar as the request for production of documents is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will attempt to note each instance where this objection applies.

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

7. BellSouth objects to each and every request for production of documents to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. BellSouth also objects to each and every request for production that would require the disclosure of customer specific information, the disclosure of which is prohibited by Section 364.24, Florida Statutes. To the extent that Intermedia requests proprietary information that is not subject to the "trade secrets" privilege or to Florida Statutes Section 364.24, BellSouth will make such information available to Intermedia at a mutually agreeable time and place upon the execution of a confidentiality agreement.

8. BellSouth objects to Intermedia'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.

9. BellSouth objects to each and every request for production of documents, insofar as they are unduly burdensome, expensive, oppressive, or excessively time consuming as written.

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

11. BellSouth objects to the instruction to deliver the requested documents to the office of counsel for Intermedia. Given the scope of the request, the responsive documents may be voluminous. If this is the case, BellSouth will make the documents available to be reviewed on BellSouth's premises.

Respectfully submitted this 26th day of April, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

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