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MAY 10 PM 4:31

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RECORDS AND
REPORTING

May 10, 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 Nos. 980946-TL, 980947-TL, 980948-TL,
981011-TL, 981012-TL, and 981250-TL

Dear Ms. Bayó:

Enclosed are an original and 15 copies of BellSouth Telecommunications, Inc.'s Objections to ACI Corporation's First Set of Interrogatories and 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,

J. Phillip Carver (KR)

J. Phillip Carver

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- WAW _____
- OTH _____

Enclosures

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

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

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 10th day of May, 1999 to the following:

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* Protective Agreements

J. Phillip Carver (KR)
J. Phillip Carver

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for temporary waiver of)
Physical collocation requirements set forth)
In the 1996 Telecommunications Act and) Docket No. 980946-TL
The FCC's First Report and Order, for the)
Daytona Beach Port Orange Central Office)
By BellSouth Telecommunications, Inc.)
_____)

In re: Petition for temporary waiver of)
Physical collocation requirements set forth)
In the 1996 Telecommunications Act and) Docket No. 980947-TL
The FCC's First Report and Order, for the)
Boca Raton Boca Teeca Central Office, by)
BellSouth Telecommunications, Inc.)
_____)

In re: Petition for Waiver of Physical)
Collocation Requirements Set Forth)
In the Telecommunications Act of 1996) Docket No. 980948-TL
And the FCC's First Report and Order,)
for the Miami Palmetto Central)
Office, By BellSouth Telecommunications, Inc.)
_____)

In re: Petition for waiver of physical)
Collocation requirements set forth in the)
Telecommunications Act of 1996 and the) Docket No. 981011-TL
FCC's First Report and Order, for the)
West Palm Beach Gardens Central Office,)
By BellSouth Telecommunications, Inc.)
_____)

In re: Petition for waiver of physical)
Collocation requirements set forth in the)
Telecommunications Act of 1996 and the) Docket No. 981012-TL
FCC's First Report and Order, for the)
North Dade Golden Glades Central Office, by)
BellSouth Telecommunications, Inc.)
_____)

In re: Petition for temporary waiver of)	
Physical collocation requirements set forth)	
In the 1996 Telecommunications Act and)	Docket No. 981250-TL
The FCC's First Report and Order, for the)	
Lake Mary Main Central Office, by)	
BellSouth Telecommunications, Inc.)	Date: May 10, 1999
_____)		

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
 OBJECTIONS TO ACI CORPORATION'S FIRST SET OF INTERROGATORIES
 AND SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), hereby files, pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.280, Florida Rules of Civil Procedure and Order No. PSC-99-0476-PCO-TL, the following Objections to ACI Corporation's ("ACI") First Set of Interrogatories and 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 ACI's First Set of Interrogatories and Second Request for Production of Documents which will be incorporated by reference into BellSouth's specific answers when they are served on ACI.

1. BellSouth objects to the subject discovery to the extent it seeks 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 subject discovery to the extent that it is 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 interrogatories and instruction to the extent that such requests, instructions, and interrogatories call 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 discovery request insofar as it 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 this discovery will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to the subject discovery insofar as it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action.

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 discovery request 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 ACI 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 ACI at a mutually agreeable time and place upon the execution of a confidentiality agreement.

8. BellSouth objects to ACI'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 discovery request, insofar as it is 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.

SPECIFIC OBJECTIONS

11. BellSouth objects to ACI's Interrogatory No. 1 because it is not relevant to the matters at issue in this case, and is not calculated to lead to the discovery of admissible evidence. All issues in this case relate generally to the question of whether BellSouth has an obligation to permit physical collocation at

specified central offices, i.e., whether there is space available in these central offices to accommodate physical collocation. In the first Interrogatory (which includes four subparts) ACI asks BellSouth to assume that the Commission grants BellSouth's waiver request for the Miami-Palmetto central office, and inquires as to BellSouth's expansion plans in that event. Given the speculative nature of these questions, it is probable that BellSouth has no such responsive information. Nevertheless, since BellSouth is required by the terms of the above-referenced Order to tentatively object to questions that appear to be facially improper, BellSouth notes that item 1, including all subparts, has no relevance to the instant proceeding. Future expansion plans have no relevance whatsoever to the criteria for determining whether there is currently adequate space to allow physical collocation in this central office. Presumably this interrogatory constitutes some sort of attempt by ACI to ascertain BellSouth's future business plans for improper purposes. Clearly, it is not a request to obtain information for any proper purpose within the context of this proceeding.

12. BellSouth objects to Interrogatory No. 2 because it is not relevant to the matters at issue in this case, and is not calculated to lead to the discovery of admissible evidence. As stated above, the subject matter of this docket is the availability of space for physical collocation in specified central offices.

Interrogatory No. 2 demands in its seven subparts a variety of information relating to buildings "adjacent to the Miami-Palmetto central office." In other words, ACI demands information relating to buildings in which collocation is not an issue. For this reason, this interrogatory has no relevance to the instant

proceeding and, again, appears to be an improper effort to obtain competitively sensitive information from BellSouth.

13. BellSouth objects to Interrogatory Nos. 3 and No. 4 (including all subparts) because they are not irrelevant to the matters at issue in this case, and are not calculated to lead to the discovery of admissible evidence. These interrogatories also attempt to obtain information about buildings or facilities owned or leased by BellSouth other than the central offices that are at issue in this proceeding. In this instance, however, the request is also burdensome in that ACI requests the information for buildings within a “ten mile radius” of the Miami Palmetto central office that could be used to performed functions currently performed in buildings “adjacent to” this central office. In other words, ACI is inquiring not just about buildings that are not central offices, but about such buildings within a 10 mile radius. Thus, in addition to being irrelevant (and apparently calculated to obtain competitively sensitive information for improper purposes) these interrogatories also expand the irrelevant inquiry to such a degree that they are also objectionably burdensome.

14. BellSouth objects to ACI’s Request to Produce No. 13. This request is for the production of documents that relate to BellSouth’s answers to the four interrogatories identified above. Inasmuch as BellSouth objects to answering these interrogatories, BellSouth also objects to producing documents that relate to these interrogatories for the same reasons as set forth above.

Respectfully submitted this 10th day of May, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White (ke)

NANCY B. WHITE

c/o Nancy Sims

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J. PHILLIP CARVER

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162129

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for temporary waiver of)
Physical collocation requirements set forth)
In the 1996 Telecommunications Act and) Docket No. 980946-TL
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BellSouth Telecommunications, Inc.)	Date: May 10, 1999
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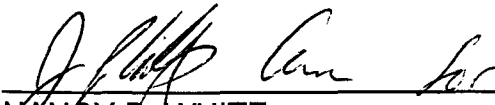
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Respectfully submitted this 10th day of May, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.



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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 17th day of May, 1999 to the following:

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* Protective Agreements


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