

MICHAEL P. GOGGIN
General Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

ORIGINAL

RECEIVED-REC
AUG 30 PM 4:04
RECORDS AND
REPORTING

August 30, 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. 990691-TP (ICG Arbitration)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Objections to Staff's First Set of Interrogatories and First Request for Production served on August 19, 1999, which we ask that you file in the above-referenced matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Michael P. Goggin (cc)
Michael P. Goggin

AFA _____
APP _____
CAF _____
CMG *Favm* _____
CTR _____
EAG _____
LEG 1 _____
MAS 3 _____
OFC _____
INR _____
REC 1 _____
WAY _____
FIN _____

cc: All Parties of Record
Nancy B. White
Marshall M. Criser III
R. Douglas Lackey

RECEIVED & FILED

max
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10342 AUG 30 99

FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
Docket No. 990691-TP**

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

U.S. Mail this 30th day of August, 1999 to the following:

C. Lee Fordham
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ICG Telecom Group, Inc.
Mr. Carl Jackson
50 Glenlake Parkway, Suite 500
Atlanta, GA 30328
Tel. No. (678) 222-7342
Fax. No. (678)222-7413
Represented by McWhirter Law Firm

McWhirter Law Firm
Joseph McGlothlin
Vicki Gordon Kaufman
117 South Gadsden Street
Tallahassee, FL 32301
Tel. No. (850) 222-2525
Fax. No. (850) 222-5606
Represents ICG

Michael P. Goggin (KR)
Michael P. Goggin

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:) Docket No. 990691-TP
)
Petition by ICG TELECOM GROUP, INC.)
for Arbitration of an Interconnection)
Agreement with BELLSOUTH)
TELECOMMUNICATIONS, INC. Pursuant to)
Section 252(b) of the Telecommunications)
Act of 1996.)
_____) Filed: August 30, 1999

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
OBJECTIONS TO STAFF'S
FIRST SET OF INTERROGATORIES AND
FIRST REQUEST FOR PRODUCTION**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), hereby files, pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340, 1.350 and 1.280, Florida Rules of Civil Procedure, the following Objections to the Staff of the Florida Public Service Commission's ("Staff") First Set of Interrogatories and First Request for Production served on August 19, 1999.

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 interrogatories and requests 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

DOCUMENT NUMBER-DATE
10342 AUG 30 99
FPSC-RECORDS/REPORTING

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

GENERAL OBJECTIONS

1. BellSouth objects to the interrogatories and 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 interrogatories and 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 interrogatories and requests for production of documents as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every interrogatory and request for production of documents and instruction to the extent that such interrogatory and 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 interrogatory and request for production of documents insofar as the interrogatories and requests 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 interrogatories and requests for production of documents will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every interrogatory and request for production of documents insofar as the interrogatory or 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 in its responses 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 interrogatory and 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 interrogatory and request for production of documents 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 Staff 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 Staff subject to a Request for Confidential Classification.

8. BellSouth objects to the Staff'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 interrogatory and 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 interrogatories and 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 interrogatories and requests for production of documents purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

Respectfully submitted this 30th day of August, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White (kr)

NANCY B. WHITE

MICHAEL P. GOGGIN

c/o Nancy H. Sims

150 So. Monroe Street, Suite 400

Tallahassee, FL 32301

(305) 347-5558

R. Douglas Lackey (kr)

R. DOUGLAS LACKEY

E. EARL EDENFIELD, JR.

Suite 4300

675 W. Peachtree St., NE

Atlanta, GA 30375

(404) 335-0747

176479