

ORIGINAL

RECEIVED-FPSC

Legal Department

MICHAEL P. GOGGIN
General Attorney

99 OCT 26 PM 4: 34

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

RECORDS AND
REPORTING

October 26, 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. 990750-TP (ITC^DeltaCom)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Response and Objection to ITC^DeltaCom Communications, Inc.'s Request for Production (No. 4) and Motion for Protective Order, which we ask that you file in the captioned docket.

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
Michael P. Goggin

AFA _____
APP _____
CAF _____
CMU 2
CTR _____
EAG _____
LEG 2
MAS 2
OPC _____
PAJ _____
SEC 1
WAW _____
OTH _____

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

DOCUMENT NUMBER-DATE

~~13165~~ OCT 26 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)	Docket No. 990750-TP
)	
Petition for Arbitration of ITC^DeltaCom)	
Communications, Inc. with BellSouth)	
Telecommunications, Inc. pursuant to the)	
Telecommunications Act of 1996.)	
<hr/>		Filed: October 26, 1999

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSE AND OBJECTION
TO ITC^DELTACOM'S FIRST REQUEST FOR PRODUCTION (NO. 4) AND
MOTION FOR PROTECTIVE ORDER**

BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 28-106.206, *Florida Administrative Code*, and Rules 1.340, 1.350 and 1.280, *Florida Rules of Civil Procedure*, hereby files the following Response and Objection and Motion for Protective Order to the First Request for Production (No. 4) served by ITC^DeltaCom Communications, Inc. ("ITC^DeltaCom") on August 11, 1999.

Motion for Protective Order

BellSouth objects to Request No. 4 to the extent that the information requested contains proprietary confidential business information. BellSouth will make such information available for review by counsel for ITC^DeltaCom pursuant to an appropriate Protective Agreement and subject to any prior general or specific objections.

DOCUMENT NUMBER-DATE
13165 OCT 26 89
FPCD RECORDS-REPORTING

SPECIFIC RESPONSE

REQUEST NO 4: BellSouth's recent ADSL FCC tariff filing, Transmittal No. 513, with Exhibits A and B (Proprietary Version) and BellSouth's ADSL tariff filing that was effective September 8, 1998, with Exhibits A and B (Proprietary Version).

RESPONSE: With respect to Request No. 4, BellSouth will produce documents 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 ITC^DeltaCom entering into a Protective Agreement with BellSouth for purposes of this matter.

Respectfully submitted this 26th day of October, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White

NANCY B. WHITE (pw)
MICHAEL P. GOGGIN
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

R. Douglas Lackey

R. DOUGLAS LACKEY (pw)
E. EARL EDENFIELD, JR.
Suite 4300
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0747

CERTIFICATE OF SERVICE
Docket No. 990750-TP

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

(+) Hand Delivery, Facsimile and U.S. Mail this 26th day of October, 1999 to the following:

Diana Caldwell (+)
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6175
Fax. No. (850) 413-6176

David I. Adelman, Esq.
Charles B. Jones, III, Esq.
Sutherland Asbill & Brennan L.L.P.
999 Peachtree Street
Atlanta, GA 30309-3996
Tel. No. (404) 853-8000
Fax. No. (404) 853-8806

Nanette S. Edwards, Esq. *
Regulatory Attorney
ITC DELTACOM
700 Blvd. South
Suite 101
Huntsville, Alabama 35802
Tel. No. (256) 650-3957
Fax. No. (256) 650-3852

J. Michael Huey
J. Andrew Bertron, Jr. (+)
Huey, Guilday & Tucker, P.A.
106 East College Avenue
Suite 900 (32301)
Post Office Box 1794
Tallahassee, Florida 32302
Tel. No. (850) 224-7091
Fax. No. (850) 222-2593

Parkey Jordan, Esq.
BellSouth Telecomm., Inc.
BellSouth Center
675 West Peachtree Street, N.E.
Suite 4300
Atlanta, Georgia 30375-0001
Tel. No. (404) 335-0794
Fax. No. (404) 658-9022


Michael P. Goggin (P)

*Signed a Protective Agreement