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March 23, 2000

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RECORDS AND  
REPORTING

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. 991854-TP

Dear Ms. Bayó:

Enclosed please find an original and fifteen copies of Objections of BellSouth Telecommunications, Inc. to Intermedia's First Set of Interrogatories and First Request for Production of Documents, 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,

*A. Langley Kitchings*  
A. Langley Kitchings (AK)

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

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DOCUMENT NUMBER-DATE

03696 MAR 23 8

FPSC-RECORDS AND REPORTING

*Done 3/27/00*

**CERTIFICATE OF SERVICE**  
**Docket No. 991854-TP**

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

(\*) Hand Delivery and (+) Federal Express this 23rd day of March, 2000 to the following:

Timothy Vaccaro (\*)  
Staff Counsel  
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Commission  
Division of Legal Services  
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A. Langley Kitchings (##)

## Signed Protective Agreement

ORIGINAL

In re: )  
)  
Petition for Arbitration of the Interconnection )  
Agreement Between BellSouth Telecommunications, )  
Inc. and Intermedia Communications, Inc. )  
Pursuant to Section 252(b) of the )  
Telecommunications Act of 1996. )  
\_\_\_\_\_ )

Docket No. 991854-TP

Dated: March 23, 2000

**OBJECTIONS OF BELL SOUTH TELECOMMUNICATIONS, INC.  
TO INTERMEDIA'S FIRST SET OF INTERROGATORIES AND  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

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*, files the following Objections to the First Set of Interrogatories and First Request for Production of Documents served by Intermedia Communications, Inc. ("Intermedia") on March 13, 2000.

The objections stated herein are preliminary in nature. Although a Procedural Order has not been entered in this case, BellSouth anticipates that the Order will contain the typical requirement that certain objections be made within ten days. BellSouth is filing these objections to meet that anticipated requirement. Should additional grounds for objection be discovered as BellSouth prepares its Answers to the above-referenced discovery, BellSouth reserves the right to supplement, revise, or modify its objections at the time that it serves its Answers. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the material requested by BlueStar, BellSouth reserves the right to file a motion with the Commission seeking such an order at the time that it serves its Answers.

DOCUMENT NUMBER-DATE

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## GENERAL OBJECTIONS

1. BellSouth objects to the requests for production of documents and interrogatories 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 and interrogatories 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 and interrogatories 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 request for production of documents and interrogatories 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 request for production of documents and interrogatories insofar as the request for production of documents and interrogatories are 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 and interrogatories will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request for production of documents and interrogatories insofar as the request for production of documents and interrogatories are 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 Commission.

7. BellSouth objects to each and every request for production of documents and interrogatories to the extent that the information requested constitutes “trade secrets” which are privileged pursuant to §90.506, *Florida Statutes*. BellSouth also objects to each and every request for production of documents and interrogatories that would require the disclosure of customer specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that Intermedia requests proprietary information that is not subject to the “trade secrets” privilege or to §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 and interrogatories, insofar as any of them 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 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 and interrogatories. 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 and interrogatories purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

**SPECIFIC OBJECTIONS TO INTERROGATORIES**

**REQUEST NO. 37:**           **If the answer to the preceding interrogatory is in the affirmative, please identify the interconnection agreements.**

**SPECIFIC OBJECTION:**   BellSouth objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, BellSouth states that there are combinations of network elements that are included in most interconnection agreements, including BellSouth's Standard Interconnection Agreement. These combinations can be found in Attachment 2 of the BellSouth Standard Interconnection Agreement. BellSouth will provide combinations as required by the UNE Remand Order (CC Docket No. 96-98).

**SPECIFIC OBJECTIONS TO REQUEST FOR PRODUCTION OF DOCUMENTS**

- REQUEST NO. 2:**                   **Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers which have adopted BellSouth’s definition of “local traffic”.**
- SPECIFIC OBJECTION:           BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.
- REQUEST NO. 3:**                   **Produce any and all Commission decisions which require BellSouth to pay reciprocal compensation for traffic terminated to Enhanced Service Providers (“ESPs”) Internet Service Providers (“ISPs”).**
- SPECIFIC OBJECTION:           BellSouth objects to this request for production on the grounds that it seeks the production of Commission decisions which are public record.
- REQUEST NO. 4:**                   **Produce any and all Commission decisions which *do not* require BellSouth to pay reciprocal compensation for traffic terminated to ESPs/ISPs.**
- SPECIFIC OBJECTION:           BellSouth objects to this request for production on the grounds that it seeks the production of Commission decisions which are public record.
- REQUEST NO. 5:**                   **Produce any and all pleadings, including petitions for appeal, petitions for reconsideration, applications for review, comments, briefs, and other documents, filed by BellSouth before a state commission, the FCC, or a court, in which BellSouth challenges the right of an ALEC to receive compensation for the transport and termination of ESP/ISP traffic.**
- SPECIFIC OBJECTION:           BellSouth objects to this request on the grounds that it is overbroad and unduly burdensome and seeks documents that are publicly available.
- REQUEST NO. 12:**                  **Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers that provide for reciprocal compensation at *elemental* rates.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.

**REQUEST NO. 13: Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers that provide for reciprocal compensation at *composite* rates.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.

**REQUEST NO. 14: Produce any and all documents, including diagrams, schematics, or illustrations showing the manner in which BellSouth terminates local calls, including ISP calls, originated by other telecommunications carriers.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 15: Produce any and all documents, including diagrams, schematics, or illustrations showing the manner in which other telecommunications carriers terminate local calls, including ISP calls, originated by BellSouth.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is vague, overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 16: Produce a diagram, illustration, or schematic of BellSouth's network in Florida showing how its central offices are interconnected.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 17: Produce a diagram, schematic, or illustration of BellSouth's circuit-switched network in Florida showing how its circuit-switched network is interconnected with the circuit-switched networks of other telecommunications carriers with whom it interconnects.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 18: Produce a diagram, schematic, or illustration of BellSouth's packet-switched network in Florida showing how its packet-switched network is interconnected with the packet-switched networks of other telecommunications carriers with whom it has interconnection agreements.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 22: Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch serves an area comparable to that served by BellSouth's tandem switch.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and seeks the production of Commission decisions which are public record.

**REQUEST NO. 23: Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch provides the same functionality as that provided by BellSouth's tandem switch.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overbroad and unduly burdensome and seeks the production of Commission decisions which are on public record.

**REQUEST NO. 24:** **Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch *does not* serve an area comparable to that served by BellSouth's tandem switch.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overbroad and unduly burdensome and seeks the production of Commission decisions which are on public record.

**REQUEST NO. 25:** **Produce any and all Commission decisions which have found that a competing telecommunications carrier's switch *does not* provide the same functionality as that provided by BellSouth's tandem switch.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and seeks the production of Commission decisions which are on public record.

**REQUEST NO. 27:** **Produce any and all Commission decisions which address the rates for virtual and physical collocation, including but not limited to, space preparation/conditioning charges.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it seeks the production of Commission decisions which are on file with the Florida Public Service Commission and thus are public record.

**REQUEST NO. 28:** **Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers which reflect the space preparation rates purportedly established by the Commission in Order No. PSC-98-0604-FOF-TP, dated April 29, 1998.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 30:**           **Produce copies of all effective interconnection agreements between BellSouth and other telecommunications carriers in Florida which provide for virtual-to-physical collocation conversions.**

**SPECIFIC OBJECTION:**   BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.

**REQUEST NO. 31:**           **Produce copies of all firm order confirmations and similar documents in which BellSouth authorizes the conversion of virtual collocation arrangements to physical collocation arrangements without requiring the relocation of the requesting carrier's virtually collocated equipment.**

**SPECIFIC OBJECTION:**   BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of customer proprietary information which cannot be disclosed by BellSouth.

**REQUEST NO. 35:**           **Produce all documents that refer or relate to any request by telecommunications carriers, other than Intermedia, to provide them with an Enhanced Extended Link (EEL), as well as all documents referring or relating to BellSouth's response to any such request.**

**SPECIFIC OBJECTION:**   BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 36:**           **Produce copies of interim or final decisions in arbitration proceedings under Section 252 of the Communications Act or in any other proceeding under the Communications Act that address the issue of whether BellSouth should or should not provide EEL to requesting carriers.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 37: Produce copies of all interconnection agreements between BellSouth and other telecommunications carriers (other than Intermedia) under Section 252 of the Communications Act, whether the interconnection agreement was reached through voluntary negotiations or compulsory arbitration.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are on file with the Florida Public Service Commission and thus are publicly available.

**REQUEST NO. 40: Produce all documents that refer, reflect, or describe the network architecture used by BellSouth to deliver traffic to Internet Service Providers (ISPs).**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that the information requested is vague, overly broad, unduly burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 41: Produce any and all cost studies prepared by or on behalf of BellSouth relating to Frame Relay.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that it seeks the production of cost studies for BellSouth's retail services, the production of which is not relevant to the issues in this arbitration, nor is it reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 44: Produce any and all documents that relate or refer to BellSouth's provisioning of access to packet switching capabilities on an unbundled basis.**

SPECIFIC OBJECTION: BellSouth objects to this request for production on the grounds that the information requested is unduly

burdensome and oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 48:**           **Produce any and all documents that relate or refer to BellSouth's provisioning of Multiple Tandem Access (MTA).**

**SPECIFIC OBJECTION:**   BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 49:**           **Produce any and all cost studies underlying BellSouth's proposed compensation for the use of BellSouth's circuit between the parties' frame relay switches.**

**SPECIFIC OBJECTION:**   BellSouth objects to this request for production on the grounds that it seeks the production of cost studies for BellSouth's retail services, the production of which is not relevant to the issues in this arbitration, nor is it reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 50:**           **Produce any and all cost studies underlying BellSouth's proposed compensation for the parties' use of frame relay NNI ports.**

**SPECIFIC OBJECTION:**   BellSouth objects to this interrogatory on the grounds that it seeks the production of cost studies for BellSouth's retail services, the production of which is not relevant to the issues in this arbitration, nor is it reasonably calculated to lead to the discovery of admissible evidence.

**REQUEST NO. 56:**           **Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court in which BellSouth challenges the requirement to provide access to the UNEs, including combinations of UNEs, identified by the FCC in the *UNE Remand Order*.**

**SPECIFIC OBJECTION:**   BellSouth objects to this request for production on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this request for production on the grounds that it seeks the production of documents that are publicly available.

