

ORIGINAL

RECEIVED-FPSC

Legal Department

Bennett L. Ross  
General Attorney

00 MAY 22 PM 4:41

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(404) 335-0793

RECORDS AND  
REPORTING

May 22, 2000

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. 990649-TP (UNE Docket)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s General Objections to Staff's Fourth Requests for Production of Documents and Fifth Set of Interrogatories. Please file this 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,

*Bennett L. Ross*  
Bennett L. Ross

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

APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP 5  
COM 5  
CTR \_\_\_\_\_  
ECR 3  
LEG 2  
OPC \_\_\_\_\_  
PAI 1  
RGO \_\_\_\_\_  
SEC 1  
SER \_\_\_\_\_  
OTH \_\_\_\_\_

RECEIVED & FILED  
*[Signature]*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
06300 MAY 22 8  
FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation Into	)	
Pricing Of Unbundled Network	)	Docket No. 990649-TP
Elements	)	
_____)		Filed: May 22, 2000

BELLSOUTH TELECOMMUNICATIONS, INC.'S  
GENERAL OBJECTIONS TO  
STAFF'S FOURTH SET OF INTERROGATORIES  
AND FIFTH REQUEST FOR PRODUCTION

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340, 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following General Objections to the Staff Fifth Requests for Production of Documents and Fourth Set of Interrogatories.

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in the procedural order issued by the Florida Public Service Commission ("Commission") in the above-referenced docket. Should additional grounds for objection be discovered as BellSouth prepares its responses to the above-referenced requests, BellSouth reserves the right to supplement, revise, or modify its objections at the time that it serves its responses on Staff.

**GENERAL OBJECTIONS**

BellSouth makes the following General Objections to Staff's Fifth Requests for Production of Documents and Fourth Set of Interrogatories (the "requests") which will be incorporated by reference into BellSouth's responses when they are served on Staff.

DOCUMENT NUMBER-DATE

06300 MAY 22 8

FPSC-RECORDS/REPORTING

1. BellSouth objects to the requests to the extent that such requests 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 has interpreted Staff's requests to apply to BellSouth's regulated intrastate operations in Florida and will limit its responses accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such request to produce as irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request and instruction to the extent that such request 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 insofar as the request 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 responses provided by BellSouth in response to Staff's requests will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request insofar as the request 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 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.

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

8. BellSouth objects to each and every request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. BellSouth objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that Staff's requests proprietary confidential business information which is not subject to the "trade secrets" privilege, BellSouth will make such information available to Staff consistent with applicable law.

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 will be provided in response to these discovery

requests. Rather, BellSouth's responses will provide, subject to any applicable objections, all of the information obtained by BellSouth after a reasonable and diligent search conducted in connection with these requests. BellSouth shall conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the discovery requests purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense. To the extent that Staff requests herein documents that have previously been produced to other parties in response to previous discovery, then without limiting any of the foregoing objections, BellSouth incorporates herein by reference its objections to that previous discovery.

Respectfully submitted this 22nd day of May, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B. White*

NANCY B. WHITE  
MICHAEL P. GOGGIN

c/o Nancy Sims  
150 South Monroe Street, #400  
Tallahassee, Florida 32301  
(305) 347-5555

*Bennett L. Ross*

BENNETT L. ROSS  
E. EARL EDENFIELD, JR.  
675 West Peachtree Street, #4300  
Atlanta, Georgia 30375  
(404) 335-0793

213667

**CERTIFICATE OF SERVICE  
Docket No. 990649-TP**

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

(#) Facsimile and U.S. Mail this 22nd day of May, 2000 to the following:

Donna Clemons  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
Tel. No. (850) 413-6216  
Fax. No. (850) 413-6217

Joseph A. McGlothlin (+)  
Vicki Gordon Kaufman \* (+)  
McWhirter, Reeves, McGlothlin,  
Davidson, Decker, Kaufman, Arnold,  
& Steen, P.A.  
117 South Gadsden Street  
Tallahassee, FL 32301  
Tel. No. (850) 222-2525  
Fax. No. (850) 222-5606  
Attys. For FCCA  
\*Atty. for BlueStar

Andrew O. Isar  
Telecommunications Resellers Assoc.  
4312 92<sup>nd</sup> Avenue, N.W.  
Gig Harbor, WA 98335  
Tel. No. (253) 265-3910  
Fax. No. (253) 265-3912

Tracy Hatch (+)  
AT&T Communications  
101 North Monroe Street  
Suite 700  
Tallahassee, FL 32301  
Tel. No. (850) 425-6364  
Fax. No. (850) 425-6343

Jim Lamoureux (+)  
AT&T Communications  
1200 Peachtree Street, N.E.  
Room 8068  
Atlanta, Georgia 30309  
Tel. No. (404) 810-4196  
Fax. No. (404) 877-7648

Richard D. Melson (+)  
Gabriel E. Nieto \*  
Hopping Green Sams & Smith, P.A.  
Post Office 6526  
123 South Calhoun Street  
Tallahassee, FL 32314  
Tel. No. (850) 222-7500  
Fax. No. (850) 224-8551  
Atty. For MCI  
Atty. for Rhythms Link  
Atty. for ACI \*

Dulaney L. O'Roark  
MCI Telecommunications Corporation  
6 Concourse Parkway  
Suite 600  
Atlanta, GA 30328  
Tel. No. (770) 284-5498  
Fax. No. (770) 284-5488

**Floyd Self**  
Norman H. Horton, Jr. •  
Messer, Caparello & Self  
Post Office Drawer 1876  
215 South Monroe Street, Suite 701  
Tallahassee, FL 32302-1876  
Tel. No. (850) 222-0720  
Fax. No. (850) 224-4359  
Attys. for WorldCom  
Atty. for NorthPoint •

**Terry Monroe**  
Vice President, State Affairs  
Competitive Telecomm. Assoc.  
1900 M Street, N.W.  
Suite 800  
Washington, D.C. 20036  
Tel. No. (202) 296-6650  
Fax. No. (202) 296-7585

**Susan Huther**  
**Rick Heapter**  
MGC Communications, Inc.  
3301 Worth Buffalo Drive  
Las Vegas, Nevada 89129  
Tel. No. (702) 310-4272  
Fax. No. (702) 310-5689

**John Kerkorian (+)**  
MGC Communications  
d/b/a Mpower Communications Corp.  
Regional Vice President  
Legal & Regulatory Affairs  
Southeast Region  
5607 Glenridge Drive, Suite 310  
Atlanta, GA 30342  
Tel. No. (404) 554-1000  
Fax. No. (404) 554-0010

**Jeremy Marcus**  
**Kristin Smith**  
Blumenfeld & Cohen  
1625 Massachusetts Ave., Ste. 300  
Washington, D.C. 20036  
Tel. No. (202) 955-6300  
Fax. No. (202) 955-6460

**Kimberly Caswell (+)**  
GTE Florida Incorporated  
One Tampa City Center  
201 North Franklin Street (33602)  
Post Office Box 110, FLTC0007  
Tampa, Florida 33601-0110  
Tel. No. (813) 483-2617  
Fax. No. (813) 204-8870

**Peter M. Dunbar, Esq.**  
**Marc W. Dunbar, Esq.**  
Pennington, Moore, Wilkinson &  
Dunbar, P.A.  
Post Office Box 10095  
Tallahassee, Florida 32302  
Tel. No. (850) 222-3533  
Fax. No. (850) 222-2126

**Carolyn Marek (+)**  
Vice President of Regulatory Affairs  
Southeast Region  
Time Warner Communications  
233 Bramerton Court  
Franklin, Tennessee 37069  
Tel. No. (615) 376-6404  
Fax. No. (615) 376-6405

**Mark E. Buechele, Esquire**  
General Counsel for Supra  
P.O. Box 398555  
Miami Beach, FL 33239-8555  
Tel. No. (305) 531-5286  
Fax. No. (305) 531-5287

**Donna Canzano McNulty, Esq. (+)**  
MCI WorldCom, Inc.  
325 John Knox Road  
The Atrium Bldg., Suite 105  
Tallahassee, FL 32303  
Tel. No. (850) 422-1254  
Fax. No. (850) 422-2586

**Michael A. Gross (+)**  
VP Reg. Affairs & Reg. Counsel  
Florida Cable Telecomm. Assoc.  
310 North Monroe Street  
Tallahassee, FL 32301  
Tel. No. (850) 681-1990  
Fax. No. (850) 681-9676

**ACI Corp.**  
7337 S. Revere Parkway  
Englewood, CO 80112  
Tel. No. (303) 476-4200  
Fax. No. (303) 476-4201

**Florida Public Telecomm. Assoc.**  
Angela Green, General Counsel  
125 South Gadsden Street  
#200  
Tallahassee, FL 32301-1525  
Tel. No. (850) 222-5050  
Fax. No. (850) 222-1355

**Intermedia Communications, Inc.**  
Scott Sapperstein (+)  
Sr. Policy Counsel  
3625 Queen Palm Drive  
Tampa, FL 33619-1309  
Tel. No. (813) 829-4093  
Fax. No. (813) 829-4923

**TCG South Florida**  
c/o Rutledge Law Firm  
Kenneth Hoffman  
P.O. Box 551  
Tallahassee, FL 32302-0551  
Tel. No. (850) 681-6788  
Fax. No. (850) 681-6515

**Time Warner AxS of FL, L.P.**  
2301 Lucien Way  
Suite 300  
Maitland, FL 32751  
Represented by Pennington Law Firm

**Glenn Harris, Esq.**  
NorthPoint Communications, Inc.  
222 Sutter Street  
7th Floor  
San Francisco, CA 94108  
Tel. No. (415) 365-6095  
Fax. No. (415) 403-4004  
Email Fax. (503) 961-1314

**Charles J. Rehwinkel (+)**  
1313 Blair Stone Road  
Tallahassee, FL 32301  
Tel. No. (850) 847-0244  
Fax. No. (850) 878-0777  
Counsel for Sprint

**John P. Fons (+)**  
Ausley & McMullen  
Washington Square Building  
227 South Calhoun Street  
Tallahassee, FL 32301  
Tel. No. (850) 224-9115  
Fax. No. (850) 222-7560  
Counsel for Sprint

**Brian Sulmonetti**  
MCI WorldCom, Inc.  
6 Concourse Parkway  
Suite 3200  
Atlanta, GA 30328  
Tel. No. (770) 284-5500

Catherine F. Boone, Esq. (+)  
Regional Counsel  
Covad Communications Company  
10 Glenlake Parkway  
Suite 650  
Atlanta, GA 30328-3495  
Tel. No. (678) 579-8388  
Fax. No. (678) 320-9433

Charles J. Beck  
Deputy Public Counsel  
Office of the Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, FL 32399-1400  
Tel. No. (850) 488-9330  
Fax. No. (850) 488-4491

Eric J. Branfman (+)  
Morton J. Posner (+)  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007-5116  
Tel. No. (202) 424-7500  
Fax. No. (202) 424-7645  
Represents Florida Digital Network, Inc.  
Represents KMC, KMC II & KMC III

John McLaughlin  
KMC Telecom. Inc.  
Suite 170  
3025 Breckinridge Boulevard  
Duluth, GA 30096  
Tel. No. (770) 931-5260  
Fax. No. (770) 638-6796

Bettye Willis (+)  
ALLTEL Communications  
Services, Inc.  
One Allied Drive  
Little Rock, AR 72203-2177

J. Jeffrey Wahlen (+)  
Ausley & McMullen  
P.O. Box 391  
Tallahassee, FL 32302  
Tel. No. (850) 425-5471  
Fax. No. (850) 222-7560  
Atty. for ALLTEL

Stephen P. Bowen  
Blumenfeld & Cohen  
4 Embarcadero Center  
Suite 1170  
San Francisco, CA 94111  
Tel. No. (415) 394-7500  
Fax. No. (415) 394-7505

Norton Cutler  
General Counsel  
BlueStar Networks, Inc.  
401 Church Street  
24th Floor  
Nashville, Tennessee 37201  
Tel. No. (615) 346-3848

Michael Bressman  
Associate General Counsel  
401 Church Street  
24th Floor  
Nashville, Tennessee 37201  
Tel. No. (615) 346-6660

Patrick K. Wiggins  
Wiggins & Villacorta, P.A.  
2145 Delta Boulevard, Suite 200  
Tallahassee, FL 32303

George S. Ford (+)  
Chief Economist  
Z-Tel Communications, Inc.  
601 South Harbour Island Blvd.  
Tampa, FL 33602  
Tel. No. (813) 233-4630  
Fax. No. (813) 233-4620  
gford@z-tel.com

Jonathan E. Canis  
Michael B. Hazzard  
Kelley Drye & Warren, LLP  
1200 19th Street, NW, Fifth Floor  
Washington, DC 20036  
Tel. No. (202) 955-9600  
Fax. No. (202) 955-9792  
jacanis@kelleydrye.com  
mhazzard@kelleydrye.com  
Counsel for Z-Tel Communications, Inc.

Rodney L. Joyce  
Shook, Hardy & Bacon, LLP  
600 14th Street, N.W., Suite 800  
Washington, D.C. 20005-2004  
Tel. No. (202) 639-5602  
Fax. No. (202) 783-4211  
rjoyce@shb.com  
Represents Network Access Solutions

Jon C. Moyle, Jr., Esq.  
Cathy M. Sellers, Esq.  
Moyle, Flanigan, Katz, Kolins,  
Raymond & Sheehan, P.A.  
The Perkins House  
118 North Gadsden Street  
Tallahassee, FL 32301  
Tel. No. (850) 681-3828  
Fax. No. (850) 681-8788  
Attys. for Global NAPs  
jmoylejr@moylelaw.com  
csellers@moylelaw.com

  
Bennett L. Ross *(initials)*

**(+) Signed Protective Agreement**