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REPORTING AND RECORDS

MAY 31 2:33 PM '00

FPSC

May 31, 2000

**BY HAND DELIVERY THIS DATE**

Blanca S. Bayo  
Director, Division of Records and Recording  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket #991946-TP; *Request for Arbitration by ITC^DeltaCom Communications, Inc. Against BellSouth Telecommunications, Inc. for Breach of Interconnection Terms*

Dear Ms. Bayo:

Enclosed for filing in the referenced case are an original and 15 copies of Petitioner ITC^DeltaCom Communications, Inc.'s Objection to Notices of Deposition. Please file stamp the extra enclosed copy and return it to our runner.

Thank you for your assistance.

Sincerely,

HUEY, GUILDAY & TUCKER, P.A.

J. Andrew Bertron, Jr.

- APP \_\_\_\_\_
- CAE \_\_\_\_\_
- CMP** \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- LEG \_\_\_\_\_
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- SEC \_\_\_\_\_
- SER \_\_\_\_\_
- OTH \_\_\_\_\_

JAB/  
Enclosures  
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DOCUMENT NUMBER-DATE  
06662 MAY 31 8  
FPSC-RECORDS/REPORTING

BEFORE THE STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION

ORIGINAL

Complaint of ITC^DeltaCom Communications, Inc. )  
Against BellSouth Telecommunications, Inc., for )  
Breach of Interconnection Terms, and Request )  
For Immediate Relief )  
\_\_\_\_\_ )

Docket No. 991946-TP

OBJECTION TO NOTICES OF DEPOSITION

Petitioner, ITC^DeltaCom Communications, Inc. ("ITC^DeltaCom"), by its undersigned counsel, objects to certain notices of deposition served by Respondent, BellSouth Telecommunications, Inc. ("BellSouth") and says:

On or about May 24, 2000, BellSouth served two notices setting the depositions of Tom Mullis, General Counsel of ITC^DeltaCom, and James Wilkerson, Metamor Industry Solutions, Inc., for June 1, 2000. These witnesses are not available for deposition on that date. Nanette Edwards, ITC^DeltaCom Senior Manager and Regulator Attorney, contacted counsel for BellSouth to discuss alternate dates for these depositions, but has been unable to reach any agreement with BellSouth.

Therefore, ITC^DeltaCom objects to the notices of deposition and will not produce the witnesses for deposition on June 1, 2000. However, ITC^DeltaCom will make these witnesses available for deposition in this case and will continue to work with counsel for BellSouth to schedule these depositions on a date when all parties are available.

Respectfully submitted this 31<sup>st</sup> day of May, 2000.

DOCUMENT NUMBER-DATE  
06662 MAY 31 8  
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**Counsel for ITC^DeltaCom Communications,  
Inc.**

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 991946**

I hereby certify that a true and correct copy of the foregoing has been furnished by **facsimile and U.S. Mail** this 31 day of May, 2000, to Nancy B. White c/o Nancy H. Sims, BellSouth Telecommunications, Inc., 150 South Monroe Street, Suite 400, Tallahassee, Florida 32301-1556; R. Douglas Lackey and E. Earl Edenfield, Jr., 675 West Peachtree St., NE, Suite 4300, Atlanta, Georgia 30375; and Diana Caldwell, Florida Public Service Commission, Division of Legal Services, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850.

  
Attorney