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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

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RECORDS AND  
REPORTING

In re: Investigation Into )  
Pricing Of Unbundled Network )  
Elements )

Docket No. 990649-TP  
Filed: June 28, 2000

INTERMEDIA COMMUNICATIONS INC.'S OBJECTIONS TO  
GTE FLORIDA INCORPORATED'S  
FIRST SET OF INTERROGATORIES

INTERMEDIA COMMUNICATIONS INC. ("Intermedia"), through its undersigned  
counsel, submits its objections to GTE Florida Incorporated's ("GTE") First Set of  
Interrogatories ("Interrogatories").<sup>1</sup>

PRELIMINARY

The federal Telecommunications Act of 1996 (the "1996 Act") requires the incumbent  
local exchange carriers ("ILECs") to open their monopoly networks by, among other things,  
providing access to piece parts of their facilities, so-called unbundled network elements

Intermedia is a large, multistate corporation with employees and records located in many different  
locations in Florida and other states. In the course of its business, Intermedia creates numerous documents  
that may not be subject to state or federal record retention policies. 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, although Intermedia has extensively searched its records in response to discovery  
requests in this proceeding, it is possible that not every document or information has been identified in  
response to these requests. In the event additional information and/or documents should come to light  
subsequent to the filing of Intermedia's responses to discovery requests, Intermedia will provide such  
additional information and/or documents, as appropriate.

- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP Detala
- COM 5
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- LEG 2
- OPC \_\_\_\_\_
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- SEC 1
- SER \_\_\_\_\_
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("UNEs"). Under the Federal Communications Commission's ("FCC") rules, a state commission must set the price for UNEs based on the element's forward-looking Total Element Long Run Incremental Cost ("TELRIC").

In determining the appropriate prices for interconnection and UNEs, it is the ILECs who must show that their prices for interconnection and UNEs are based on forward-looking incremental costs. It is the ILECs' costs—not the costs of the new entrants seeking access to the ILECs' networks—which are relevant for purposes of this exercise. The burden clearly is on the ILECs to demonstrate compliance with the unbundling and pricing standards of the 1996 Act.

To the extent, therefore, that GTE improperly seeks to shift the burden in this proceeding to the new entrants by, among other things, inquiring into the new entrants' costs, GTE runs afoul of applicable law. This the Commission should not condone.

### **GENERAL OBJECTIONS**

1. Intermedia objects to GTE's Interrogatories to the extent they are overly broad, unduly burdensome, oppressive, and not permitted by the applicable discovery rules.
2. Intermedia objects to GTE's Interrogatories to the extent they seek information that is irrelevant to the subject matter of this proceeding or is not reasonably calculated to lead to the discovery of admissible evidence.
3. Intermedia objects to GTE's Interrogatories insofar as they are vague, ambiguous, overly broad, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of the Interrogatories.
4. Intermedia objects to GTE's Interrogatories insofar as they require the production of information that is already publicly available and to which GTE has easy access.

5. Intermedia objects to GTE's Interrogatories to the extent they require the production of information that is strictly proprietary, competitively sensitive, confidential, or constitutes trade secret.

6. Intermedia objects to GTE's Interrogatories, instructions, and definitions, insofar as they seek to impose obligations on Intermedia that exceed the requirements of applicable law.

7. Intermedia objects to GTE's Interrogatories to the extent they seek the production of information that is not generally maintained by Intermedia in the ordinary course of business.

8. Intermedia objects to GTE's Interrogatories insofar as they impose unreasonable expense on Intermedia or are excessively time-consuming.

#### **SPECIFIC OBJECTIONS**

1. Please provide, by account, the depreciation lives and salvage values that ICI uses to depreciate its plant and equipment.

**RESPONSE:** OBJECTION. Intermedia objects to this Interrogatory to the extent it seeks information that is irrelevant to the subject matter of this proceeding and is not reasonable calculated to lead to the discovery of admissible evidence. Intermedia further objects to this Interrogatory to the extent it requires the release of information that is strictly proprietary, competitively sensitive, confidential, or constitutes trade secret. Additionally, Intermedia objects to this Interrogatory on the grounds that it is unduly burdensome, oppressive, overly broad, and not permitted by applicable discovery rules.

2. Please provide the depreciation rate that ICI applies to each of its plant and equipment accounts.

**RESPONSE:** OBJECTION. Intermedia objects to this Interrogatory to the extent it

seeks information that is irrelevant to the subject matter of this proceeding and is not reasonable calculated to lead to the discovery of admissible evidence. Intermedia further objects to this Interrogatory to the extent it requires the release of information that is strictly proprietary, competitively sensitive, confidential, or constitutes trade secret. Additionally, Intermedia objects to this Interrogatory on the grounds that it is unduly burdensome, oppressive, overly broad, and not permitted by applicable discovery rules.

Respectfully submitted this 28<sup>th</sup> day of June, 2000.

**INTERMEDIA COMMUNICATIONS INC.**

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was hand delivered to BellSouth c/o Nancy Sims, faxed to GTE c/o Kimberly Caswell and sent via first-class mail on this 28<sup>th</sup> day of June, 2000 to the following parties:

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