

ORIGINAL

Before the  
FLORIDA PUBLIC SERVICE COMMISSION

In re:

Investigation into Appropriate Methods to  
Compensate Carriers for Exchange of  
Traffic Subject to Section 251 of the  
Telecommunications Act of 1996

Docket No.: 000075-TP

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REPORTING

**GLOBAL NAPs, INC.'S OBJECTIONS  
TO DOCUMENT PRODUCTION REQUESTS FROM  
BELSOUTH TELECOMMUNICATIONS**

**General Objections:**

*The following objections apply generally to all of the document production requests propounded by BellSouth Telecommunications ("BST").*

1. The instructions and definitions accompanying the requests from BST are overly broad and burdensome. Global NAPs, Inc. ("Global NAPs") will undertake reasonable efforts to respond to those requests that are not otherwise objectionable. To the extent that any request calls for more than reasonable efforts on Global NAPs' part in responding, Global NAPs, to that extent, objects to such request.
2. The definition of "document" is so broad that it necessarily encompasses a great deal of material that constitutes attorney-client privileged or otherwise privileged material. Global NAPs will not produce any privileged material in response to BST's requests.
3. Some of the requests call for information that Global NAPs does not maintain, either in the form requested or at all. Global NAPs will not perform special studies or analyses of its data in order to derive or develop documents not already included in an appropriate form in its records. Failure to object to a particular request should not be taken as an indication that Global NAPs will have any information to produce in response to that request.
4. Particular information called for by a particular objectionable request may be subject to attorney-client privileged, commercially sensitive and confidential, or otherwise exempt from disclosure. With respect to any request to which Global NAPs asserts an objection, Global NAPs reserves the right to claim privilege and/or commercial confidentiality with respect to any information which Global NAPs might, following any Motion to Compel that BST might file, be called upon to produce.

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**Specific Objections:**

*Request:*

1. Produce copies of all documents identified in response to BellSouth's First Set of Interrogatories to GNAPS.

*Objection:*

Some of Global NAPs' answers to interrogatories will refer to publicly available documents such as court or FCC decisions. Global NAPs will not produce copies of these publicly available documents, or those already in BellSouth's possession.

*Request:*

2. Produce all maps, plats, diagrams, schematics or any other document reflecting the location of GNAPS' customers served by each switch GNAPS has in Florida.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

4. Please provide any and all written agreements and/or contracts entered between GNAPS and its ISP customers, as well as an explanation of any oral agreements entered into with such ISP customers.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

5. Identify any and all cost studies, evaluations, reports or analyses prepared by or for GNAPS concerning any issue raised in the Generic ISP Proceeding.

This request is unduly broad and unclear. Global NAPs will respond to request no. 3, which is sufficiently narrow.

*Request:*

6. Produce all documents that refer, reflect or describe the network architecture used by GNAPS to deliver traffic to ISPs.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

7. Produce all documents that refer, relate or describe GNAPS's delivery of traffic to ISPs located outside the rate center in which the call to the ISP originated.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

8. Produce all documents that refer, relate or describe GNAPS's collection of reciprocal compensation for its delivery of traffic to ISPs located outside the rate center in which the call to the ISP originated.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

9. Produce all documents that refer or relate to any projections, estimates, studies, calculation, or budgets developed by or on behalf of GNAPS that reflect the amount of reciprocal compensation GNAPS expects to receive from BellSouth in Florida in the years 2001 and 2002.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

10. Produce all documents that refer or relate to any projections, estimates, cost studies, calculations, or budgets developed by or on behalf of GNAPS that reflect the volume of calls GNAPS expects to receive from BellSouth customers to Internet Service Providers (“ISPs”) served by GNAPS in Florida in the years 2001 and 2002.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs’ particular operations or financial results for any period or in any location.

*Request:*

11. Produce any cost study or other information, data or documentation concerning the actual cost incurred by GNAPS to transport ISP traffic from the point of interconnection with BellSouth to the ISP customer’s location or server being served by a GNAPS switch.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs’ particular operations or financial results for any period or in any location.

The request is also unintelligible as phrased. Specifically, BST is well aware of the substantial controversy within the industry for the past five years regarding the relevant cost methodology to use to assess costs for purpose of pricing unbundled network elements and/or call termination. Global NAPs is unaware of any generally accepted meaning of the phrase “actual cost” within this regulatory context. Without waiving any other objections, it is impossible to attempt to answer this request without a clear definition from BST of the term “actual cost.”

In addition, as BST may be aware, the term “ISP server” can cover a wide variety of equipment, including equipment that in many cases may not be directly connected to the public switched network at all. In these circumstances, and without waiving any other objections, it is impossible to attempt to respond to this request without a clear definition from BST of the types of ISP equipment that it has in mind by the general term “ISP server.”

*Request:*

12. For Florida, please produce all documents reflecting, on an annual basis, (a) the total amount billed by GNAPS for service to each ISP customer from inception of service to present, (b) the amounts of any credits, rebate, or adjustments given to such customer, and (c) the total amount of revenue collected from such customer, from inception of service to present.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

13. For Florida, please produce all documents reflecting GNAPS's total dollar investment in the state, including the total dollar investment in switches, outside plant, and support assets.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

The request is also unintelligible as phrased in that the terms "outside plant" and "support assets" are not defined, particularly in the context of the operations of an Alternative Local Exchange Carrier ("ALEC"), such as Global NAPs, which is not subject to the Part 32 accounting rules from which the terms "outside plant" and "support assets" appear to be derived.

*Request:*

14. For Florida, please produce all documents separately reflecting the total number of (1) ISP customers in Florida; (2) business customers other than ISPs; and (3) residential customers.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

15. For Florida, please produce all documents reflecting the total number of end users customers that GNAPS serves using its own network ("on-net" customers) within the state.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

16. For Florida, please produce all documents reflecting, on an annual basis, the total revenues that GNAPS expects to earn from its ISP customers for the years 2001 and 2002.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

The request is also unintelligible as phrased, in that it appears to be confusing the accounting concepts of receipt of "revenue" (generally, cash obtained from operations) and "earnings" (generally, money remaining (if any) after deducting expenses and other costs from revenue).

*Request:*

17. Produce all documents concerning minutes of use or invoices for minutes of use under any interconnection agreement between GNAPS and any other entity, including but not limited to documents that describe or constitute any plan or method for increasing minutes of use.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

18. Produce all documents referring, relating or pertaining to the relationship between GNAPS and any ISP that GNAPS owns, or with which it has an affiliation or in which it has an interest.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

19. Produce all documents referring, relating or pertaining to any reciprocal compensation billed by GNAPS to BellSouth and generated by traffic delivered to an ISP owned by or affiliated with GNAPS or in which GNAPS has an interest.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

20. Produce all documents referring, relating or pertaining to the payment to or by GNAPS or any other ILEC or ALEC of reciprocal compensation for ISP-bound traffic.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

21. Produce all documents referring or relating to forecasted growth of GNAPS's local market in Florida over the next 24 months.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

22. Produce all documents referring or relating to historical growth of GNAPS's local market in Florida over the past 24 months.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

23. Produce all documents referring, relating or pertaining to any agreements to which GNAPS is a party that involves the sharing of any reciprocal compensation received by GNAPS from BellSouth.

*Objection:*

This request seeks information which is completely irrelevant to this generic proceeding. No issue in this proceeding depends for its resolution in any respect on any aspect of Global NAPs' particular operations or financial results for any period or in any location.

*Request:*

24. Produce any document relied upon by GNAPS in preparing any answer to any Interrogatory in this proceeding.

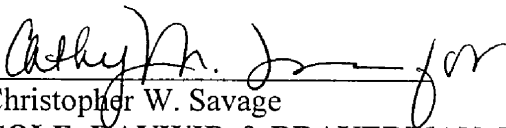
*Objection:*

This request is overbroad. See objection to request no. 5.



Respectfully submitted,

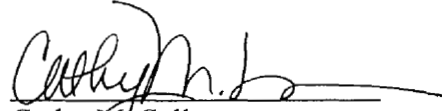
**GLOBAL NAPs, INC.**

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Dated: February 12, 2001

I HEREBY CERTIFY that a true and correct copy of the foregoing Global NAPs, Inc's Objections to Document Production Requests by BellSouth Telecommunications, Inc. was delivered by U.S. Mail to Nancy B. White, Esq., c/o Nancy H. Sims, 150 South Monroe Street, Suite 400, Tallahassee FL 32301, and to R. Douglas Lackey and E. Earl Edenfield, Jr., Suite 4300, 675 West Peachtree Street, N.E., Atlanta, GA 30375, this 12<sup>th</sup> day of February, 2001.

  
Cathy M. Sellers

Dated: February 12, 2001