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OF COUNSEL  
ELIZABETH C. BOWMAN

October 15, 2001

BY HAND DELIVERY

Blanca Bayó  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Re: Docket No. 011177-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of MCImetro Access Transmission Services, LLC are the original and fifteen copies of its Objections to Sprint's First Interrogatories and First Request for Production of Documents.

By copy of this letter, copies have been furnished to the parties shown on the attached certificate of service. If you have any questions regarding this filing, please give me a call at 425-2313.

Very truly yours,

Richard D. Melson

RDM/mee

Enclosures

cc: Certificate of Service

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint of MCImetro Access	)	
Transmission Services, LLC against Sprint-	)	Docket No. 011177-TP
Florida, Inc. for Improper Attempt to	)	
Terminate Interconnection Agreement	)	Filed: October 15, 2001
_____)		

**MCIMETRO'S OBJECTIONS TO  
SPRINT'S FIRST INTERROGATORIES AND  
FIRST REQUESTS FOR PRODUCTION**

MCImetro Access Transmission Services, LLC ("MCImetro"), pursuant to Rules 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 objections to Sprint-Florida, Incorporated's ("Sprint's") First Set of Interrogatories and First Request for Production of Documents (collectively, the "First Discovery Requests") to MCImetro.

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day objection requirement set forth in Order No. PSC-01-1886-PCO-TP, issued September 21, 2001. Should additional grounds for objection be discovered as MCImetro prepares its answers to the above-referenced discovery requests, MCImetro reserves its right to supplement, revise, or modify its objections at the time that it serves its responses on Sprint. Moreover, should MCImetro determine that a Protective Order is necessary with respect to any of the material requested by Sprint, MCImetro reserves the right to file a motion with the Commission seeking such an order at the time that it serves its responses on Sprint.

## General Objections

MCImetro makes the following General Objections to Sprint's First Discovery Requests that will be incorporated by reference into MCImetro's specific responses when its responses are served on Sprint.

1. MCImetro objects to each and every request and instruction to the extent that they are overly broad, unduly burdensome, oppressive, not permitted by applicable discovery rules, or would require MCImetro to disclose information which is privileged.

2. MCImetro objects to each and every request and instruction to the extent that they would require MCImetro to provide information about operations in states other than Florida, on the grounds that such requests are irrelevant, overly broad, unduly burdensome, and oppressive.

3. MCImetro objects to each and every request and instruction to the extent that such request or instruction calls for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege.

4. MCImetro 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 MCImetro in response to Sprint's requests will be provided subject to, and without waiver of, the foregoing objection.

5. MCImetro 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. MCImetro will attempt to note each instance where this objection applies.

6. MCImetro objects to each and every request and instruction insofar as they seek to impose obligations on MCImetro which exceed the requirements of the Florida Rules of Civil

Procedure or Florida law, including a requirement to supplement any response that was complete and correct when initially furnished.

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

8. MCImetro 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.

9. MCImetro is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, MCImetro 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 and are frequently moved from site to site as employees change jobs or as the business is reorganized. MCImetro's responses will provide all of the information obtained by MCImetro after a reasonable and diligent search conducted in connection with these discovery requests. MCImetro will 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, MCImetro objects on the grounds that compliance would impose an undue burden or expense.

10. MCImetro objects to the definitions of "MCI," "you" and "your" to the extent that such definitions seek to impose an obligation to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definitions are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

#### **Specific Objections**

**INTERROGATORY NO. 12:** Please list all of MCI's or WorldCom's competitive local exchange affiliates and their reporting structure.

**OBJECTION:** MCImetro objects to this request on the grounds that it is not relevant to the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence.

**INTERROGATORY NO. 13:** Please describe in detail MCI's current market plans in Sprint's local service territory.

**INTERROGATORY NO. 14:** Please describe in detail MCI's future market plans in Sprint's local service territory for the next three years.

**INTERROGATORY NO. 15:** Please provide information on what services will be required to implement MCI's current or future market plans in Florida that would be subject of an interconnection agreement.

**INTERROGATORY NO. 19:** Please describe in details MCI's plans, if any, to order UNE-P from Sprint in Florida.

**OBJECTION:** MCImetro objects to these requests on the grounds that they are an attempt by a competitor of MCImetro to obtain highly confidential, proprietary business information regarding MCImetro's plans to compete. MCI further objects to these requests on the grounds that they are not relevant to the subject matter of this proceeding and are not reasonably calculated to lead to the discovery of admissible evidence.

**INTERROGATORY NO. 18:** Please describe in detail the differences between the new BellSouth/MCI interconnection agreement filed with the Florida Public Service Commission on September 17, 2001 and the old BellSouth/MCI interconnection agreement, approved by the Florida Public Service Commission on June 19, 1997, by Order No. PSC-97-0723-FOF-TP, in Docket No. 960846-TP.

**OBJECTION:** MCImetro objects to this request on the grounds that it seeks to require MCImetro to perform a detailed comparison of two agreements which Sprint is equally capable of performing. As such, this request is oppressive, unduly burdensome and overly time consuming. Pursuant to Rule 1.340(c), MCImetro will produce the underlying documents to permit Sprint to perform the requested analysis.

**INTERROGATORY NO. 22:** Are there any agreements, where MCImetro or WorldCom is the vendor, that do not contain a term limit? If so, please identify of all such agreements. If not, why not?

**OBJECTION:** MCImetro objects to this request on the grounds that MCImetro and WorldCom are parties to thousands of agreements for the provision of telecommunications services which are not maintained in a centralized location. This request would require MCImetro and WorldCom to collect and review all of those agreements. As such, this request is over-broad, oppressive, unduly burdensome, and overly time consuming. Without waiving this objection, MCImetro will attempt to identify and produce representative agreements that do not contain a term limit.

**DOCUMENT REQUESTS NOS. 4 AND 5:** These requests call for copies of all interconnection agreements between MCImetro, or affiliates of MCImetro or WorldCom, and other ILECs in Florida.

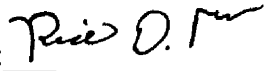
**OBJECTION:** MCImetro objects to this production request on the grounds that the interconnection agreements -- which will be identified by docket number in response to the related interrogatories -- are on file with the Commission and are readily available from that source.

**DOCUMENT REQUEST NO. 6:** Please provide each document identified in response to Sprint's First Set of Interrogatories, Interrogatory No. 22.

**OBJECTION:** MCImetro objects to this request on the same grounds at it objected to Interrogatory No. 22, namely that MCImetro and WorldCom are parties to thousands of agreements for the provision of telecommunications services which are not maintained in a centralized location. This request would require MCImetro and WorldCom to collect and review all of those agreements. As such, this request is over-broad, oppressive, unduly burdensome, and overly time consuming. Without waiving this objection, MCImetro will attempt to identify and produce representative agreements that do not contain a term limit.

RESPECTFULLY SUBMITTED this 15th day of October, 2001.

HOPPING GREEN SAMS & SMITH, P.A.

By:   
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and

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ATTORNEYS FOR MCIMETRO ACCESS  
TRANSMISSION SERVICES, LLC

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was served on the following this 15th day of October, 2001:

Patty Christensen  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

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Attorney