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January 10, 2002

Mrs. Blanca S. Bayó  
Director, Division of the Commission  
Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 990649A-TP (UNE Docket)**

Dear Mrs. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Objections to AT&T and MCI WorldCom, Inc. First Set of Interrogatories and First Request for Production of Documents, which we ask that you file 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,

*Andrew D. Shore*  
Andrew D. Shore (LA)

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

DOCUMENT NUMBER-DATE  
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**CERTIFICATE OF SERVICE  
Docket No. 990649A-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Federal Express this 10<sup>th</sup> day of January, 2002 to the following:

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**(+) Signed Protective Agreement**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Investigation into ) Docket No. 990649A-TP  
Pricing of Unbundled Network )  
Elements )  
\_\_\_\_\_ ) Filed: January 10, 2002

**BELLSOUTH'S OBJECTIONS TO AT&T AND MCI WORLDCOM, INC. FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340 and 1.280, Florida Rules of Civil Procedure, hereby files the following Objections to AT&T Communications of the Southern States ("AT&T") and MCI WorldCom, Inc.'s ("MCI") First Set of Interrogatories to BellSouth and First Request for Production of Documents to BellSouth, dated December 31, 2001.

The objections stated herein are preliminary in nature and are made at this time to comply with the 10-day requirement set forth in Order No. PSC-01-1904-PCO-TP issued on September 24, 2001, by the Florida Public Service Commission ("Commission). Should additional grounds for objection be discovered as BellSouth prepares its answers to the above-referenced interrogatories and request for production of documents, BellSouth reserves the right to supplement, revise, or modify its objections at the time it serves its responses.

## **GENERAL OBJECTIONS**

1. BellSouth objects to the interrogatories to the extent they 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 interrogatories are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth objects to the interrogatories to the extent they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. BellSouth objects to such interrogatories as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every interrogatory 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. BellSouth objects to each and every interrogatory insofar as the interrogatories are 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 interrogatories. Any answers provided by BellSouth in response to the interrogatories will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every interrogatory insofar as it 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 providing information to the extent that such information is already in the public record before the Commission.

7. BellSouth objects to AT&T and MCI'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.

8. BellSouth objects to each and every interrogatory, insofar as any of them are unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. 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 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 has been identified in response to these requests. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

### **SPECIFIC OBJECTIONS**



**Interrogatory 10:** Please provide a Total Placing Hours for Vendor A and for Vendor B for each of the following DLC COT items:

[list omitted]

**Objection:** BellSouth objects to this interrogatory on the grounds that it seeks information that is not relevant to the issues in this proceeding and is not likely to lead to the discovery of admissible evidence. It requests information regarding “bottoms-up” inputs pertaining to DLC items, which are central office-related assets. The Commission did not, however, order BellSouth to include these items in the “bottoms-up” cost study filed in this phase of the docket. It ordered BellSouth to use a bottoms-up approach for outside plant cable and support assets only. Consequently, responsive information would not be relevant to the issues under consideration in this phase of the docket.

**Interrogatory 11:** Please provide a Total Placing Hours for Vendor A and for Vendor B for each of the following DLC RT items:

[list omitted]

**Objection:** See objection to Interrogatory 10.

**Interrogatory 12:** For DLCCOT and DLCRT, please provide the following loadings:

[list omitted]

**Objection:** See objection to Interrogatory 12.

**Document Request 8:** Please provide all documents discussing, describing, analyzing or otherwise relating to BellSouth's development of the Total Placing Hours for each of the items listed in Interrogatory 10.

**Objection:** See BellSouth's objection to Interrogatory 10.

**Document Request 9:** Please provide all documents discussing, describing, analyzing or otherwise relating to BellSouth's development of the Total Placing hours for each of the items listed in Interrogatory Number 11.

**Objection:** See BellSouth's objection to Interrogatory 11.

**Document Request 10:** Please provide all document [sic] discussing, analyzing or otherwise relating to BellSouth's calculation of the loadings for each item listed in Interrogatory Number 12.

**Objection:** See BellSouth's objection to Interrogatory 12.

Respectfully submitted this 10<sup>th</sup> day of January, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

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