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September 27, 2002

**VIA HAND DELIVERY**

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

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COMMISSION  
CLERK

Re: **Docket Nos.: 020119-TP and 020578-TP**

Dear Ms. Bayo:

On behalf of Florida Competitive Carriers Association (FCCA), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Florida Competitive Carriers Association's Objections to Staff's First Set of Interrogatories (Nos. 1-9) to the Florida Competitive Carriers Association

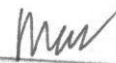
Please acknowledge receipt of the above on the extra copy and return the stamped copy to me. Thank you for your assistance.

Sincerely,



Joseph A. McGlothlin

AUS	JAM/mls
CAF	Enclosure
CMP	_____
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10401 SEP 27 02  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited review and cancellation of BellSouth Telecommunications, Inc.'s Key Customer promotional tariffs and for investigation of BellSouth's promotional pricing and marketing practices, by Florida Digital Network, Inc.

Docket No.: 020119-TP

In Re: Petition for expedited review and cancellation Of BellSouth Telecommunications, Inc.'s Key Customer promotional tariffs by Florida Competitive Carriers Association.

Docket No.: 020578-TP

Filed: September 27, 2002

**FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S OBJECTIONS TO STAFF'S FIRST SET OF INTERROGATORIES (NOS. 1 - 9) TO THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION**

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.340, Florida Rules of Civil Procedure, the Florida Competitive Carriers Association ("FCCA") Objects to the Florida Public Service Commission Staff's ("Staff") First Set of Interrogatories (Nos. 1-9) and states as follows:

**General Objections**

1. The FCCA objects to any interrogatory that calls for information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time the response is first made to these interrogatories or is later determined to be applicable based on the discovery of documents, investigation or analysis. FCCA in no way intends to waive any such privilege or protection.

2. In certain circumstances, the FCCA may determine upon investigation and analysis that information responsive to certain interrogatories to which objections are not otherwise asserted are confidential and proprietary and should not be produced at all or should be produced only under an appropriate confidentiality agreement and protective order. By agreeing to

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provide such information in response to such interrogatory, the FCCA is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement and protective order. FCCA hereby asserts its right to require such protection of any and all documents that may qualify for protection under the Florida Rules of Civil Procedure and other applicable statutes, rules and legal principles.

3. The FCCA objects to these interrogatories and any definitions and instructions that purport to expand the FCCA's obligations under applicable law. The FCCA will comply with applicable law.

4. Further, the FCCA objects to these interrogatories to the extent they purport to require FCCA to conduct an analysis or create information not prepared by FCCA's experts or consultants in their preparation for this case. The FCCA will comply with its obligations under the applicable rules of procedure.

5. For each specific objection made below, the FCCA incorporates by reference all of the foregoing general objections into each of its specific objections as though pleaded therein.

#### **Specific Objections**

6. Staff's Interrogatory No. 7 states:  
Do FCCA members use promotional contracts? If so, please list the member names, the durations of the promotional contracts, and the associated discounts of these contracts.

The FCCA objects to this interrogatory as it requests information about the FCCA's member companies that is not in its possession or control. Further, the FCCA objects to this interrogatory as an impermissible attempt to seek discovery from its members who are not parties to the case. FCCA objects on the basis that the information sought is not relevant, and not reasonably calculated to the discovery of admissible evidence. Notwithstanding these objections, and without waiving its objections, the FCCA will endeavor to provide Staff with general information in response to this interrogatory.

7. Staff's Interrogatory No. 8 states:

Do FCCA members target specific markets with promotional offerings?  
If so, what determines which market is targeted?

The FCCA objects to this interrogatory as it requests information about the FCCA's member companies that is not in its possession or control. Further, the FCCA objects to this interrogatory as an impermissible attempt to seek discovery from its members who are not parties to the case. FCCA objects on the basis that the information sought is not relevant, and not reasonably calculated to the discovery of admissible evidence. Notwithstanding these objections, and without waiving its objections, the FCCA intends to provide Staff with general information in response to this interrogatory.

8. Staff's Interrogatory No. 9 states:

Are FCCA members (sic) promotional offerings done on a company wide basis?

The FCCA objects to this interrogatory as it requests information about the FCCA's member companies that is not in its possession. Further, the FCCA objects to this interrogatory as an impermissible attempt to seek discovery from its members who are not parties to the case. FCCA objects on the basis that the information sought is not relevant, and not reasonably calculated to the discovery of admissible evidence. Notwithstanding these objections, and without waiving its objections, the FCCA will endeavor to provide Staff with general information in response to this interrogatory.

  
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Attorneys for the Florida Competitive  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the Florida Competitive Carriers Association's Objections to Staff's First Set of Interrogatories (Nos. 1-9) to Florida Competitive Carriers Association has been furnished by (\*) hand delivery or by U. S. Mail on this 27th day of September 2002 to the following:

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