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October 28, 2002

VIA HAND DELIVERY

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

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

Dear Ms. Bayo:

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

- ▶ FCCA's Objections to BellSouth's First Set of Interrogatories (Nos. 1-20) and First Request for Production of Documents (Nos. 1-25)

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

Sincerely,



Timothy J. Perry

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Enclosure

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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: October 28, 2002

**FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S
OBJECTIONS TO BELL SOUTH TELECOMMUNICATIONS, INC.'S
FIRST SET OF INTERROGATORIES (NOS. 1 - 20) TO
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 BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories (Nos. 1-20) 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

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only under an appropriate confidentiality agreement and protective order. By agreeing to 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.

6. Access objects to any interrogatory that requires the identification of "all" or "each" responsive document, as it can not guarantee, even after a good faith and reasonably diligent attempt, that "all" or "each" responsive document will be identified.

7. 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

8. BellSouth's Interrogatory No. 2 states:

Please identify all documents (including without limitation meeting minutes, e-mail, memos, and letters that discuss or are related to: (a) the Petition you filed in this proceeding; (b) the January Key Customer Offering or the June Key Customer Offering; (c) any matter that is at issue in this proceeding.

The FCCA objects to this interrogatory as it seeks information protected by the attorney-client and work product privileges.

9. BellSouth's Interrogatory No. 3(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports your contention that the definition and methodology set forth in your response to (a) applies to the January Key Customer offering or the June Key Customer Offering.

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

8. BellSouth’s Interrogatory No. 4(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decision, and federal and state case law) that supports your contention that the definition and methodology set forth in your response to (a) applies to the January Key Customer Offering or the June Key Customer Offering.

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

9. BellSouth’s Interrogatory No. 5(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decision, and federal and state case law) that supports your contention that the definition and methodology set forth in your response to (a) applies to the January Key Customer Offering or the June Key Customer Offering.

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

10. BellSouth’s Interrogatory No. 6 states:

(a) Please state whether you and/or any of your members have made any local service offerings available to Florida end users for a limited time only (i.e. in order to avail itself of the offer, the end user was required to sign-up for or otherwise accept the offering before a

given date or within a given amount of time after the offer was extended).

(b) If your response to (a) is anything other than an unqualified “no,” please identify the entity and describe each such limited-time offer in detail and produce a copy of any and all documents associated with each such limited-time offers (including without limitation tariffs, documents sent to or filed with the Commission and/or its Staff; contracts, etc.).

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. In addition, the FCCA objects on the basis that the information sought by the interrogatory is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence. The FCCA objects that subpart (b) impermissibly requires the FCCA to produce documents.

11. BellSouth’s Interrogatory No. 8 states:

Please explain in detail how you contend Section 364.01, Florida Statutes, should be interpreted in evaluation of each of the following items for compliance with Chapter 364, Florida Statutes: (a) a BellSouth promotional tariff; (b) an ALEC promotional tariff; (c) a BellSouth tariff that is not a promotional tariff; and (d) an ALEC tariff that is not a promotional tariff.

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. Further, FCCA objects on the basis that the information sought is not relevant and is not reasonably calculated to lead to the discovery of admissible evidence as it seeks information regarding ALEC tariffs, which are not at issue in this case.

12. BellSouth’s Interrogatory No. 9(b) states:

(b) Identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports each of the criteria set forth in your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

13. BellSouth’s Interrogatory No. 10(b) states:

(b) Identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports each of the criteria set forth in your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

14. BellSouth’s Interrogatory No. 11(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports each of the criteria set forth in your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

15. BellSouth’s Interrogatory No. 12(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports each of the criteria set forth in your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

16. BellSouth’s Interrogatory No. 13(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports each of the criteria set forth in your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

17. BellSouth’s Interrogatory No. 14(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports each of the criteria set forth in your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

18. BellSouth’s Interrogatory No. 15(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of “all authority.”

19. BellSouth’s Interrogatory No. 16 states:

If any member of the FCCA has ever had any contact with BellSouth regarding the resale of any BellSouth promotional tariff offering in the state of Florida, please:

(a) State the date and nature (i.e. e-mail, letter, face-to-face conversation, telephone conversation, etc.) of each such contact;

(b) Identify with specificity the BellSouth promotional tariff offering that was the subject of the contact;

(c) Identify with specificity (including without limitation name address, and telephone number) the BellSouth representative that you or your members contacted regarding such contract;

(d) Identify with specificity (including without limitation name address, and telephone number) the person who made the contact on you or your member's behalf;

(e) Describe in detail each and every communication between you and your members and BellSouth's representatives with regard to the resale of the BellSouth promotional tariff offering; and

(f) Produce all documents associated with each such contact.

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 this interrogatory is unduly burdensome and oppressive and that the information sought is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. In addition, FCCA objects to subpart (f) as it impermissibly requests the production of documents.

20. BellSouth's Interrogatory No. 18(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of "all authority."

21. BellSouth's Interrogatory No. 19(b) states:

(b) Please identify all authority (including without limitation federal or state statutes, federal or state agency decisions, and federal and state case law) that supports your response to (a).

FCCA objects to this interrogatory as it seeks information protected by the work product privilege. FCCA further objects to this interrogatory as unduly burdensome in that it requires the identification of "all authority."



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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 BellSouth's First Set of Interrogatories (Nos. 1-20) to Florida Competitive Carriers Association has been furnished by (*) hand delivery, (**) e-mail or by U.S. Mail on this 28th day of October 2002 to the following:

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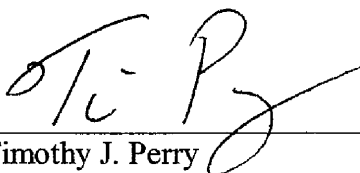
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