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December 11, 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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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:

- ▶ The Florida Competitive Carriers Association's Objections to BellSouth Telecommunications, Inc.'s Second Interrogatories (Nos. 21-24)

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*  
Joseph A. McGlothlin

JAM/mls  
Enclosure

AUS	_____
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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.

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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.

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Docket No.: 020578-TP

Filed: December 11, 2002

**FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S**  
**OBJECTIONS TO BELL SOUTH TELECOMMUNICATIONS, INC.'S**  
**SECOND INTERROGATORIES (NOS. 21 - 24) 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") Second Interrogatories (Nos. 21-24) 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. The FCCA 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.

5. The FCCA objects to these interrogatories to the extent they impermissibly seek information from FCCA members who are not a party to the case, on the grounds that such request is overly broad, unduly burdensome, oppressive and not permitted by the applicable rules of discovery.

6. The FCCA objects to providing information to the extent it is in the public records or in the possession of BellSouth.

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. 21 states:

Please state, for each of the member companies listed in FCCA's response to BellSouth's First Set of Interrogatories No. 1, the current basic and local service rates. State also whether these rates are consistent with the rates provided by the member companies in response to the "Year 2002 Local Competition Report Data Request" (hereinafter "Report") served by the Florida Public Service Commission.

The FCCA objects to this interrogatory as irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. The FCCA objects to this interrogatory as unduly burdensome. The FCCA objects to this interrogatory to the extent it seeks confidential proprietary business information and trade secret information. The FCCA objects to this interrogatory as an impermissible attempt to seek discovery from entities who are not parties to this case. The FCCA objects to this interrogatory as it seeks information that is not in the FCCA's possession, custody or control.

9. BellSouth's Interrogatory No. 22 states:

Produce a full and complete copy (including any attachments thereto) by each of the member companies listed in FCCA's response to BellSouth's First Set of Interrogatories No. 1 to the "Year 2001 Local Competition Report Data Request" and the "Year 2002 Local Competition Report Data Request" served by the Florida Public Service Commission.

The FCCA objects to this interrogatory as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. The FCCA objects to this interrogatory as unduly burdensome. The FCCA objects to this interrogatory to the extent it seeks confidential proprietary business information and trade secret information. The FCCA objects to this interrogatory as an impermissible attempt to seek discovery from entities who are not parties to this case. The FCCA objects to this interrogatory as it seeks information that is not in the FCCA's possession, custody or control.

10. BellSouth's Interrogatory No. 23 states:

Provide the number of business customers and/or access lines provided by each of the member companies listed in FCCA's response to BellSouth's First Set of Interrogatories No. 1 in the state of Florida as of the end of each month from January 2001 to the present.


The FCCA objects to this interrogatory as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. The FCCA objects to this interrogatory as unduly

burdensome. The FCCA objects to this interrogatory to the extent it seeks confidential proprietary business information and trade secret information. The FCCA objects to this interrogatory as an impermissible attempt to seek discovery from entities who are not parties to this case. The FCCA objects to this interrogatory as it seeks information that is not in the FCCA's possession, custody or control.

11. BellSouth's Interrogatory No. 24 states:

For each wire center listed in Section A2.10.2.B of BellSouth's General Subscriber Service Tariff, a copy of which is attached to these Interrogatories, please provide, for each of the member companies listed in FCCA's response to BellSouth's First Set of Interrogatories No. 1: the total number of business customers and/or business access lines you served as of the end of each month from January 2001 to the present; and (b) the number of business customers and/or business access lines you served as of the end of each month from January 2001 to the present under contract.

The FCCA objects to this interrogatory as irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. The FCCA objects to this interrogatory as unduly burdensome. The FCCA objects to this interrogatory to the extent it seeks confidential proprietary business information and trade secret information. The FCCA objects to this interrogatory as an impermissible attempt to seek discovery from entities who are not parties to this case. The FCCA objects to this interrogatory as it seeks information that is not in the FCCA's possession, custody or control.

  
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Attorneys for the Florida Competitive Carriers Association

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the Florida Competitive Carriers Association's Objections to BellSouth's Second Interrogatories (Nos. 21-24) to Florida Competitive Carriers Association has been furnished by (\*) hand delivery, (\*\*) e-mail or by U.S. Mail on this 11th day of December 2002 to the following:

(\*) (\*\*) Felicia Banks  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

(\*\*) Matthew Feil  
Florida Digital Network  
390 North Orange Avenue, Suite 2000  
Orlando, Florida 32801

(\*)(\*\*) Nancy B. White  
James Meza  
Patrick Turner  
c/o Nancy Sims  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, Florida 32301

(\*\*) Karen Camechis  
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Joseph A. McGlothlin

(\*\*) Dana Shaffer