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April 25, 2003

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
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Re: Docket No.: 020960-TP

Dear Ms. Bayo:

On behalf of DIECA Communications, Inc. d/b/a Covad Communications Company (Covad), enclosed for filing and distribution are the original and 15 copies of the following:

- ◆ DIECA Communications Inc. d/b/a Covad Communications Company's Objections to Staff's First Request for Production of Documents and Staff's Third Set of Interrogatories.

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

Sincerely,

Vicki Gordon Kaufman

Vicki Gordon Kaufman

VGK/bae
Enclosure

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McWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN & ARNOLD, P.A.

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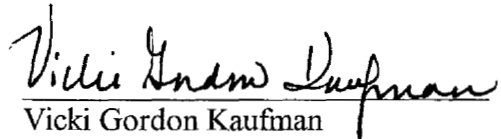
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of open issues
resulting from interconnection negotiations with
Verizon Florida, Inc. by DIECA Communications,
Inc. d/b/a Covad Communications Company.

Docket No.: 020960-TP
Filed: April 25, 2003

**DIECA COMMUNICATIONS INC. D/B/A COVAD COMMUNICATIONS COMPANY'S
OBJECTIONS TO STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
AND STAFF'S THIRD SET OF INTERROGATORIES**

DIECA Communications Inc. d/b/a Covad Communications Company (Covad), pursuant to Rules 1.280, 1.340 and 1.350, Florida Rules of Civil Procedure, and Rule 28-106.206, Florida Administrative Code, by and through its undersigned counsel, hereby files the following Objections to Staff's First Request for Production of Documents and Staff's Third Set of Interrogatories.



Vicki Gordon Kaufman
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Decker Kaufman & Arnold, P.A.
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Charles E. (Gene) Watkins
Covad Communications Company
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Atlanta, Georgia 30309
(404) 942-3492 Telephone
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Attorneys for Covad Communications
Company

GENERAL OBJECTIONS

1. Covad objects to Staff's Production Requests and Interrogatories to the extent that they seek to impose an obligation on Covad to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such discovery is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. Covad objects to Staff's Production Requests and Interrogatories to the extent that they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. Covad objects to each such Request or Interrogatory as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. Covad objects to Staff's Production Requests and Interrogatories to the extent that they request information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. Covad objects to Staff's Production Requests and Interrogatories to the extent that they are vague, ambiguous, overly broad, imprecise, or to the extent that they utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of this discovery. Any answer provided by Covad in response to a Production Request or Interrogatory will be provided subject to, and without waiver of, the foregoing objection.

5. Covad objects to Staff's Production Requests and Interrogatories to the extent that they are not reasonably calculated to lead to the discovery of admissible evidence and are not relevant to the subject matter of this action. Covad will note in its responses where this objection applies.

6. Covad objects to providing information to the extent that such information is already in the public record before the Commission.

7. Covad objects to Staff's Production Requests and Interrogatories to the extent that they seek to impose obligations on Covad that exceed the requirements of the Florida Rules of Civil Procedure.

8. Covad objects to Staff's Production Requests and Interrogatories to the extent that responding to them would be unduly burdensome, expensive, oppressive, or excessively time consuming.

9. Covad objects to Staff's Production Requests and Interrogatories to the extent that they are not limited to any stated period of time and, therefore, are overly broad and unduly burdensome.

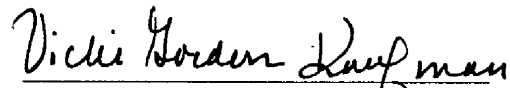
10. Covad is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, Covad creates countless documents that are not subject to Commission or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Covad will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the Production Requests or Interrogatories purport to require more, Covad objects on the grounds that compliance would impose an undue burden or expense.

11. Covad objects to Staff's discovery as it falls outside of the discovery deadline of May 7, 2003 set by Order No. PSC-03-0463-PCO-TP.¹

12. In certain circumstances, Covad may determine, upon investigation and analysis, that information responsive to certain requests to which objections are not otherwise asserted are

¹ Covad raises this objection in order to preserve it. Order No. PSC-03-0463-PCO-TP requires discovery to be completed by May 7th; however, Covad intends to respond to Staff's discovery, subject to the other objections set out herein, by the due date of May 12, 2003, as calculated in accordance with Order No. PSC-02-1589-PCO-TP.

13. confidential and proprietary and should not be produced at all or should be produced only pursuant to arrangements that will protect the confidentiality of the information. By providing such information in response to such requests, Covad does not waive its right to insist upon appropriate protection of confidentiality by means of a protective order and/or other appropriate means. Covad hereby asserts its right to require such protection of any and all information and/or documents that may qualify for protection under the Florida Rules of Civil Procedure and other applicable statutes, rules and legal principles.


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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing DIECA Communications Inc. d/b/a Covad Communications Company's Objections to Staff's First Request for Production of Documents and Staff's Third Set of Interrogatories has been provided by (*) hand delivery, (**) electronic mail, or (***) U.S. Mail this 25th day of April, 2003, to the following:

(*) (**) Lee Fordham
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

(**) (***) David Christian
Verizon Florida, Inc.
106 East College Avenue, Suite 810
Tallahassee, Florida 32301

(**) (***) Kimberly Caswell
Vice President and General Counsel
Verizon Communications
201 North Franklin Street
Tampa, Florida 33601-0100

(**) (***) Steven H. Hartmann
Verizon Communications, Inc.
1320 House Road, 8th Floor
Arlington, Virginia 22201

(**) (***) Kellogg Huber Law Firm
Aaron Panner/Scott Angstreich
1615 M. Street, NW, Suite 400
Washington, DC 20036


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