



May 22, 2003

Ms. Blanca Bayó, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

via Overnight Mail

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CLERK

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Re: Docket No. 981834-TP – Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.’s service territory

Re: Docket No. 990321-TP - Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to insure that BellSouth Telecommunications, Inc., Sprint-Florida, Inc., and GTE Florida, inc. comply with obligation to provide alternative local exchange carriers with flexible, timely and cost-efficient physical collocation

Dear Ms. Bayó,

Please find enclosed for filing in the above dockets an original and seven (7) copies of Florida Digital Network, Inc.’s Preliminary Objections to Verizon Florida, Inc.’s First Set of Interrogatories (Nos. 1 – 17).

If you have any questions regarding this request, please call me at 407-835-0460.

Sincerely,

Matthew Feil
Florida Digital Network
General Counsel

- AUS _____
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Competitive Carriers for)
Commission action to support local competition) Docket No. 981834-TP
in BellSouth Telecommunications, Inc.'s service)
territory.)
_____)

Petition of ACI Corp. d/b/a Accelerated)
Connections, Inc. for generic investigation to)
ensure that BellSouth Telecommunications, Inc.,)
Sprint-Florida, Incorporated, and GTE) Docket No. 990321-TP
Florida Incorporated comply with obligation)
provide alternative local exchange)
carriers with flexible, timely, and cost-efficient)
physical collocation)
_____)

FLORIDA DIGITAL NETWORK, INC.'S PRELIMINARY OBJECTIONS TO
VERIZON FLORIDA, INC.'S
FIRST SET OF INTEROGATORIES (NOS. 1-17)

Florida Digital Network, Inc. (hereinafter "FDN ") pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code and Rules 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Preliminary Objections to Verizon Florida, Inc.'s (hereinafter "Verizon") First Set of Interrogatories to FDN.

The Objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in Order No. PSC-02-1513-PCO-TP, issued in this docket on November 4, 2002, by the Florida Public Service Commission (hereinafter the "Commission") in the above-referenced dockets. Should additional grounds for objection be discovered as FDN prepares its Responses to the above-referenced set of requests, FDN reserves the right to supplement, revise, or modify its objections at the time that it serves its Responses on Verizon. Moreover,

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should FDN determine that a Protective Order is necessary with respect to any of the material requested by Verizon, FDN reserves the right to file a motion with the Commission seeking such an order at the time that it serves its Responses on Verizon.

General Objections

FDN make the following General Objections to Verizon's First Set of Interrogatories which will be incorporated by reference into FDN's responses when its Responses are served on Verizon.

1. FDN objects to Verizon's First Set of Interrogatories to the extent that it is overly broad, unduly burdensome, oppressive, not permitted by applicable discovery rules, and would require FDN to disclose information that is privileged.

2. FDN has interpreted Verizon's requests to apply to FDN's regulated intrastate operations in Florida and will limit its Responses accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, FDN objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

3. FDN objects to each and every request and instruction to the extent that such request or instruction calls for information, which is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege.

4. FDN objects to each and every request insofar as the request is 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 requests. Any Responses provided by FDN in response to Verizon's requests will be provided subject to, and without waiver of, the foregoing objection.

5. FDN objects to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. FDN will attempt to note each instance where this objection applies.

6. FDN objects to Verizon's general instructions, definitions or specific discovery requests insofar as they seek to impose obligations on FDN which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

7. FDN objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. FDN's objects to each and every request, general instruction or definition insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. FDN objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that Verizon's requests seek proprietary confidential business information which is not the subject of the "trade secrets" privilege, FDN will make such information available to counsel for Verizon pursuant to an appropriate

Protective Agreement, subject to any other general or specific objections contained herein.

10. FDN is a corporation with employees located in many different locations in Florida and in other states. In the course of its business, FDN creates countless documents that are not subject to retention of records requirements. These documents are kept in numerous locations and are frequently moved from site to site as employees change jobs or as the business is reorganized. Rather, these responses will provide all of the information obtained by FDN after a reasonable and diligent search conducted in connection with this discovery request. FDN will comply with Verizon's request that a search be conducted of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, FDN objects on the grounds that compliance would impose an undue burden or expense.

11. FDN objects to the definitions of "FDN" to the extent that such definitions seek to impose an obligation on Florida Digital Network, Inc. to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definition is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Without waiver of its general objection, and subject to other general and specific objections, Answers will be provided on behalf of Florida Digital Network, Inc. which is the entity certificated to provide regulated telecommunications services in Florida and which is a party to this docket. All references to "FDN" in responding to Verizon's requests should be taken to mean Florida Digital Network, Inc.

SUBMITTED this 22nd day of May 2003.

A handwritten signature in black ink, appearing to read "Matthew Feil". The signature is written in a cursive style with a horizontal line underneath it.

Matthew Feil
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CERTIFICATE OF SERVICE
Docket No. 981834-TP and 990321-TP

I hereby certify that a copy of the foregoing was sent by e-mail and regular mail to the persons listed below, other than those marked with an (*) who have been sent a copy via overnight mail, this 22 day of May, 2003.

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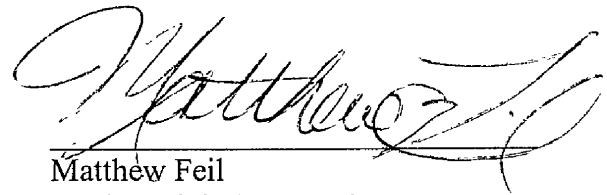
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