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October 22, 2003

VIA HAND DELIVERY

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

13 OCT 22 PM 3:56  
COMMISSION  
CLERK

Re: Docket No.: 030852-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 BellSouth Telecommunications, Inc.'s First Set of Interrogatories (Nos. 1 - 13).

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

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Sincerely,

*Vicki Gordon Kaufman*  
Vicki Gordon Kaufman

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
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OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
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OTH \_\_\_\_\_

VGK/bae  
Enclosure

DOCUMENT NUMBER 0377

McWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN & ARNOLD, P.A. 10429 OCT 22 8

FPSC-006, JUDGE

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Implementation of requirements arising  
From Federal Communications Commission's  
Triennial UNE review; Location-Specific  
Review for DS1, DS3 and Dark Fiber Loops,  
And Route-Specific Review for DS1, DS3 and  
Dark Fiber Transport.

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Docket No. 030852-TP

Filed: October 22, 2003

**DIECA COMMUNICATIONS, INC., D/B/A COVAD COMMUNICATIONS  
COMPANY'S OBJECTIONS TO BELL SOUTH TELECOMMUNICATIONS, INC.'S  
FIRST SET OF INTERROGATORIES (NOS. 1 – 13)**

DIECA Communications, Inc., d/b/a Covad Communications Company (Covad), pursuant to Rule 28.106-206, Florida Administrative Code, and Rules 1.340 and 1.280, Florida Rules of Civil Procedure, hereby files the following Objections to BellSouth Telecommunications, Inc.'s First Set of Interrogatories (Nos. 1 – 13), dated October 15, 2003.

**GENERAL OBJECTIONS**

1. Covad objects to the interrogatories to the extent 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 interrogatories are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Specifically, BellSouth defines Covad to include, in relevant part, "parent(s), subsidiaries, and affiliates. . ." Covad will not be responding to discovery that seeks information from parent and affiliate companies.

2. Covad objects to the interrogatories to the extent they are intended to apply to matters other than those subject to the jurisdiction of the Commission. Covad object to such interrogatories as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. Covad objects to each and every interrogatory and instruction to the extent that

such request or instruction calls for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. Covad objects to each and every interrogatory insofar as the interrogatories are vague, ambiguous, overly broad, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these interrogatories. Any answers provided by Covad in response to the interrogatories will be provided subject to, and without waiver, of the foregoing objection.

5. Covad objects to each and every interrogatory insofar as it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. Covad will attempt to note in its responses each instance 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 BellSouth's discovery requests, instructions and definitions, insofar as they seek to impose obligations on Covad that exceed the requirements of the Florida Rules of Civil Procedure and Florida Law.

8. Covad objects to each and every interrogatory, insofar as any of them are unduly burdensome, expensive, oppressive, or excessively time consuming as written.

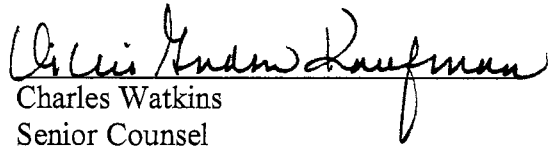
9. Covad is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, Covad creates countless documents that are not subject to Commission or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document has been

identified in response to these requests. Covad will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests purport to require more, Covad objects on the grounds that compliance would impose an undue burden or expense.

10. Covad objects to each and every interrogatory to the extent that the information requested constitutes “trade secrets” pursuant to Section 90.506, Florida Statutes. To the extent that BellSouth requests proprietary confidential business information, Covad will make such information available in accordance with a protective agreement, subject to other general or specific objections contained herein.

11. Covad objects to any discovery request that seeks to obtain “all” or particular documents, items, or information to the extent that such requests are overly broad and unduly burdensome. Any answers provided by Covad in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.

12. Covad objects to any interrogatory that seeks to obtain information related to all states in BellSouth’s nine-state region. Covad will respond, to the extent a request is not otherwise objectionable, when applicable to Florida. Interrogatories seeking information as to states other than Florida are irrelevant, overly broad and unduly burdensome. Any answers provided by Covad in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.



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Attorneys for DIECA Communications, Inc.  
d/b/a Covad Communications, Company

**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 BellSouth Telecommunications, Inc.'s First Set of Interrogatories (Nos. 1 – 13) has been provided by (\*) hand delivery, (\*\*) email and U.S. Mail this 22nd day of October 2003, to the following:

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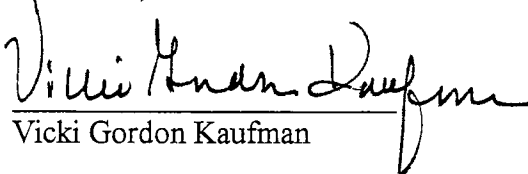
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