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October 23, 2003

**VIA HAND DELIVERY**

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
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RECEIVED-FPSC  
OCT 23 PM 4:07  
COMMISSION  
CLERK

Re: Docket Nos: 030852-TP

Dear Ms. Bayo:

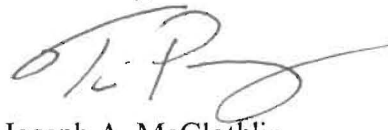
On behalf of Z-Tel Communications, Inc., I am enclosing the original and 15 copies of Z-Tel Communications, Inc.'s Objections to BellSouth's First Set of Interrogatories (Nos. 1-13).

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and pleading by returning the same. Thank you for your assistance in this matter.

Thank you for your assistance in this matter.

RECEIVED & FILED  
*in*  
FPSC-BUREAU OF RECORDS

Yours truly,



*for*

Joseph A. McGlothlin

- AUS \_\_\_\_\_ JAM/mls
- CAF \_\_\_\_\_ Enclosure
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
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- MMS \_\_\_\_\_
- SEC 1
- OTH \_\_\_\_\_

**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 23, 2003

**OBJECTIONS OF Z-TEL COMMUNICATIONS, INC. TO  
BELLSOUTH'S FIRST SET OF INTERROGATORIES (NOS. 1-13)**

Pursuant to the *Order Establishing Procedure*, Order No. PSC-03-1054-PCO-TP, issued September 22, 2003 ("*Procedural Order*"), Rule 28-106.206 of the Florida Administrative Code, and Rules 1.280 and 1.340 of the Florida Rules of Civil Procedure, Z-Tel Communications, Inc. ("Z-Tel") submits its preliminary objections to BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories (Nos. 1-13) to Z-Tel.

Z-Tel files these objections to comply with the seven (7) day requirement set forth in the *Procedural Order*. These objections are preliminary in nature. Should additional grounds for objection be discovered as Z-Tel prepares its responses to any discovery, Z-Tel reserves the right to supplement these objections.

Further, at the time of the filing of these objections, the issues to be addressed in this proceeding have not yet been identified. Should additional grounds for objections develop as the Commission identifies the issues to be addressed in this proceeding, Z-Tel reserves the right to supplement these objections.

**PRELIMINARY GENERAL OBJECTIONS**

Z-Tel makes the following general objections to the First Set of Interrogatories:

1. Z-Tel objects to the "Definitions" section and the individual items of BellSouth's

First Set of Interrogatories to Z-Tel to the extent that they are overly broad, unduly burdensome, and/or oppressive.

2. Z-Tel objects to the “Definitions” section and the individual interrogatories to the extent they seek information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. By way of illustration and not limitation, Z-Tel objects to interrogatories that seek information that is unrelated to or inconsistent with the methodology and parameters of the analysis of impairment prescribed by the FCC in its Triennial Review Order.

3. Z-Tel objects to the “Definitions” section and the individual interrogatories to the extent they are vague, ambiguous, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these Requests.

4. Z-Tel objects to the “Definitions” section and the individual items of BellSouth’s First Set of Interrogatories to Z-Tel to the extent that they purport to impose discovery obligations on Z-Tel that exceed the scope of discovery allowed by the applicable Florida Rules of Civil Procedure.

5. Z-Tel objects to BellSouth’s First Set of Interrogatories to Z-Tel to the extent that the interrogatories seek discovery of materials and/or information protected by the attorney/client privilege, the work product doctrine, the accountant/client privilege, or any other applicable privilege.

6. Z-Tel objects to BellSouth’s First Set of Interrogatories to the extent that the requests would require disclosure of information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed (provided the information is otherwise discoverable) only pursuant to the

terms of a mutually acceptable confidentiality agreement and use of the Commission's rules and procedures relating to confidential and proprietary information.

7. Z-Tel objects to all interrogatories which would require Z-Tel to provide information which is already in BellSouth's possession or is in the public record before the Commission. To duplicate information that BellSouth already has or is readily available to BellSouth would be unduly burdensome and oppressive.

8. Z-Tel objects to BellSouth's First Set of Interrogatories to the extent BellSouth seeks to impose an obligation on Z-Tel to respond on behalf of subsidiaries and/or former officers, employees, agents, and directors on the grounds that such requests for production are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

9. Z-Tel will interpret each interrogatory as relating to intrastate Florida operations within BellSouth's service area. To the extent any interrogatories are not intended to relate to Florida intrastate operations within BellSouth's Florida service area, Z-Tel objects to such interrogatories as overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence.

*for*   
\_\_\_\_\_  
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Attorneys for Z-Tel Communications, Inc.

## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Objections of Z-Tel Communications, Inc'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 23rd day of September 2003, to the following:

(\*) (\*\*) Adam Teitzman, Staff Counsel  
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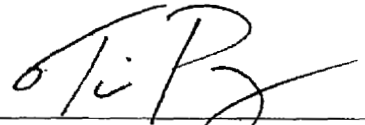
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