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December 18, 2003

**VIA HAND DELIVERY**

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

Re: Docket No.: 030852-TP

RECEIVED-FPSC  
13 DEC 18 PM 4:18  
COMMISSION  
CLERK

Dear Ms. Bayo:

On behalf of Z-Tel Communications, Inc. (Z-Tel), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Objections of Z-Tel Communications, Inc. to Staff's First Set of Interrogatories and Staff's First Request for Production of Documents.

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  
*Jh*  
FPSC-BUREAU OF RECORDS

Sincerely,



Joseph A. McGlothlin

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_ JAM/bae  
CTR \_\_\_\_\_ Enclosures  
ECR \_\_\_\_\_  
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MMS \_\_\_\_\_  
SEC \_\_\_\_\_ I  
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.

Docket No. 030852-TP

Filed: December 18, 2003

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**OBJECTIONS OF Z-TEL COMMUNICATIONS, INC. TO**  
**STAFF'S FIRST SET OF INTERROGATORIES**  
**AND**  
**STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Z-Tel Communications, Inc. ("Z-Tel"), through its undersigned counsel, submits its preliminary objections to the Florida Public Service Commission Staff's ("Staff") First Set of Interrogatories and First Request for Production of Documents to Z-Tel.

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.

**GENERAL OBJECTIONS**

Z-Tel makes the following general objections to Staff's First Set of Interrogatories and First Request for Production of Documents (together, "Staff's First Discovery Requests"):

1. Z-Tel objects to the "Definitions" section and the individual items of Staff's First Discovery Requests to Z-Tel to the extent that they are overly broad, unduly burdensome and oppressive, and/or excessively time consuming and expensive.

2. Z-Tel objects to the "Definitions" and the individual items of the First Discovery Requests to the extent they seek irrelevant information and are not reasonably calculated to lead to the discovery of admissible evidence. In that regard, Z-Tel objects, among other things, to any

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discovery request that seeks 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” and the individual items of Staff’s First Discovery Requests to the extent they are vague, ambiguous, imprecise, and utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these items.

4. Z-Tel objects to Staff’s First Discovery Requests 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. By way of illustration and not limitation, Z-Tel objects to interrogatories and requests for documents that would require Z-Tel to create information or a document that does not exist or prepare information in a manner in which Z-Tel does not maintain it.

5. Z-Tel objects to Staff’s First Discovery Requests to the extent that the interrogatories and the request for production of documents seek discovery of materials and/or information protected by the attorney/client privilege, the work product doctrine, the accountant/client privilege, and any other applicable privilege.

6. Z-Tel objects to Staff’s First Discovery Requests to the extent that the items would require disclosure of information that constitutes trade secrets and/or confidential, proprietary business information, including, but not limited to, future business plans, 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.

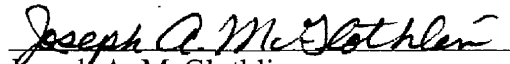
7. Z-Tel objects to Staff's First Discovery Requests to the extent that the items would require Z-Tel to provide information which is already in Staff's possession or is in the public record before the Commission. To require Z-Tel to duplicate information that Staff already has or is readily available to Staff would be unduly burdensome and oppressive.

8. Z-Tel will interpret each interrogatory and the request for documents as relating to intrastate Florida operations. To the extent any interrogatories are not intended to relate to Florida intrastate operations, Z-Tel objects to such interrogatories as overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence.

9. Z-Tel objects to interrogatories and/or requests for documents that require the identification or production of "all," "every," or "any" information or documents as overbroad and unduly burdensome.

11. Z-Tel objects to any discovery request that is not limited in time or is not limited to a period of time that is relevant to the issues before the Commission and/or reasonably related to Staff's legitimate discovery needs.

The undersigned has provided the above objections.



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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. to Staff's First Set of Interrogatories and Staff's First Request for Production of Documents has been provided by (\*) hand delivery, (\*\*) email and U.S. Mail this 18th day of December 2003, to the following:

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