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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION
CLERK

In re: Implementation of requirements arising)
from Federal Communications Commission)
triennial UNE review: Local Circuit Switching)
for Mass Market Customers.)
)

Docket No. 030851-TP
December 24, 2003

**NEWSOUTH COMMUNICATION CORPORATION'S INITIAL OBJECTIONS TO
BELLSOUTH'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS (23-24)**

NEWSOUTH COMMUNICATION CORPORATION ("NewSouth"), pursuant to Rule 28-106.206 of the Florida Administrative Code, Rule 1.350 of Florida Rules of Civil Procedure, and Order No. PSC-03-1054-PCO-TP, issued in this docket on September 22, 2003, hereby files its Initial Objections to Bell South Telecommunications, Inc's ("BellSouth") Third Request for Production of Documents (No. 23-24), collectively referred to as "BellSouth discovery" which was served on NewSouth and its counsel on or about December 18, 2003. These responses are preliminary at this time and made to comply with the procedural requirement established in Order No. PSC-03-1054-PCO-TP, issued by the Florida Public Service Commission in this docket on September 22, 2003. Should additional grounds for objection be discovered as NewSouth prepares its answers to BellSouth's discovery, NewSouth reserves its rights to supplement, revise, or modify its objections at the time it serves its responses.

- AUS _____
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- SEC _____
- OTH _____

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GENERAL OBJECTIONS

1. NewSouth objects to each request for production to the extent that it seeks to impose an obligation on NewSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case. Such requests, besides being overly broad, unduly burdensome, or oppressive, are not permitted by applicable discovery rules.

2. NewSouth objects to each request for production to the extent that it is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. NewSouth objects to each request for production to the extent that it requests information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. NewSouth objects to each request for production to the extent that it is vague, ambiguous, overly broad, imprecise, or to the extent that it utilizes terms that are subject to multiple interpretations and are not properly defined or explained for purposes of this discovery. Any answers provided by NewSouth in response to BellSouth's discovery will be provided subject to, and without waiver of, the foregoing objection.

5. NewSouth objects to each request for production to the extent that it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this proceeding.

6. NewSouth objects to providing information in response to BellSouth's discovery requests to the extent that such information is already in the public record before the Commission or is otherwise public record available to BellSouth.

7. NewSouth objects to BellSouth's discovery to the extent that it seeks to have NewSouth create documents not in existence at the time of the request.

8. NewSouth objects to each request for production to the extent that it seeks to impose obligations on NewSouth that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

9. NewSouth objects to each request for production to the extent that responding to it would be unduly burdensome, expensive, oppressive, or excessively time consuming.

10. NewSouth objects to each request for production to the extent that it is not limited to any stated period of time and, therefore, is overly broad and unduly burdensome. NewSouth also objects to requests for "all", "every", and "any" documents as overbroad and unduly burdensome.

11. In light of the short period of time NewSouth was afforded to respond to BellSouth's discovery and the development of NewSouth's position are necessarily ongoing, and NewSouth's response may be subject to supplementation or further refinement. NewSouth therefore reserves the right, at its discretion, to supplement or modify its response. However, NewSouth does not assume an affirmative obligation to supplement its answers on an ongoing basis.

12. NewSouth objects to BellSouth's discovery to the extent that information requested constitutes "trade secrets" defined in Section 688.01(4), Florida Statutes, and

which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that BellSouth's requests seek proprietary confidential information which is not subject to the "trade secrets" privilege, NewSouth will make such information available to counsel for BellSouth pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

13. NewSouth is a corporation with offices in different states. In conducting business, NewSouth creates numerous documents that are not subject to the Florida Public Service Commission or FCC retention of records requirements. These documents are often housed in different locations. Therefore, it is possible that not every document has been identified in response to these requests. NewSouth will perform a reasonable and diligent search of those files that are reasonable expected to contain requested information. To the extent that BellSouth's discovery seeks to require more, NewSouth objects on the grounds that compliance would be unduly burdensome and expensive.

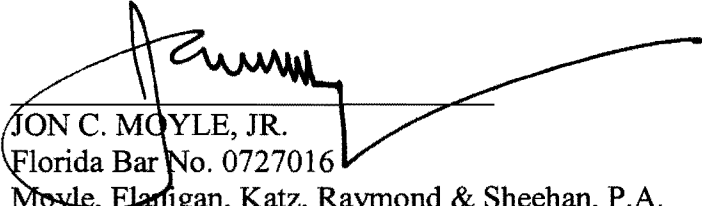
14. NewSouth objects to BellSouth discovery which seeks information regarding NewSouth's operations in ILEC service areas other than the BellSouth ILEC service area within the State of Florida. Such information is not relevant to BellSouth's case in this docket and overly broad and burdensome.

15. NewSouth objects to BellSouth discovery which seeks information regarding "former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of NewSouth" as such information is not within NewSouth's control and it would be unduly burdensome to attempt to obtain such information.

16. As these are NewSouth's initial objections consistent with the Order Establishing Procedure, Order No. PSC-03-1054-PCO-TP issued September 22, 2003, NewSouth reserves to right to assert these and other applicable objections that may arise in responding to BellSouth's discovery.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of December, 2003, a true and correct copy of the foregoing has been furnished by hand delivery* or U.S. Mail to the following:

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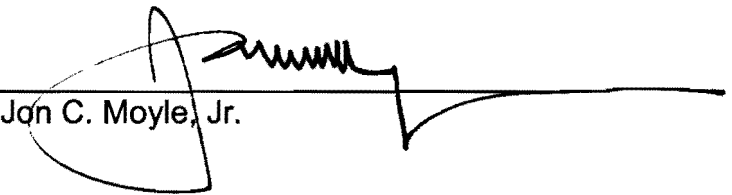
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