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ORIGINAL

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December 26, 2003

Ms. Blanca Bayó, Director
Division of the Commission Clerk
and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED FPSC
26 DEC 29 AM 9:46
COMMISSION
CLERK

Re: Docket No. 030852-TP

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of Allegiance Telecom of Florida, Inc.'s Objections to Verizon Florida Inc.'s First Request for Admissions, First Set of Interrogatories and First Request for Production of Documents.

Also enclosed is an extra copy of this letter. Please acknowledge receipt of this transmittal by date-stamping the extra copy and returning it to the undersigned in the enclosed self-addressed stamped envelope.

Thank you for your assistance in this matter.

Very truly yours,

Charles V. Gerkin, Jr.

CVG/s
Enclosures
cc: Parties of Record

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: IMPLEMENTATION OF REQUIREMENTS ARISING FROM FEDERAL COMMUNICATIONS COMMISSION TRIENNIAL UNE REVIEW: LOCAL CIRCUIT SWITCHING FOR MASS MARKET CUSTOMERS	Docket No. 030852-TP Filed: December 26, 2003
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**ALLEGIANCE TELECOM OF FLORIDA, INC.'S
OBJECTIONS TO VERIZON FLORIDA INC.'S
FIRST REQUEST FOR ADMISSIONS
FIRST SET OF INTERROGATORIES
AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Allegiance Telecom of Florida, Inc. ("Allegiance"), pursuant to the Order Establishing Procedure, Order No. PSC-03-1054-PCO-TP, issued September 22, 2003, and Second Order on Procedure, Order No. PSC-03-1265-PCO-TP (hereinafter collectively "Procedural Orders"), issued November 7, 2003 by the Florida Public Service Commission (hereinafter "Commission"), Rule 28-106.206 of the Florida Administrative Code, and Rules 1.280 and 1.350 of the Florida Rules of Civil Procedure, hereby submits the following objections to Verizon Florida Inc.'s ("Verizon") First Request for Admissions, First Set of Interrogatories and First Request for Production of Documents to Allegiance.

These objections are preliminary in nature. Should additional grounds for objection be discovered as Allegiance prepares its responses to any discovery, Allegiance reserves the right to supplement these objections.

General Objections

Allegiance makes the following General Objections to Verizon's First Request for Admissions, First Set of Interrogatories and First Request for Production of Documents (collectively, "Verizon's Data Requests"), including the definitions and general instructions therein, which as appropriate will

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be incorporated into each relevant response when Allegiance serves its responses to Verizon's Data Requests.

1. Allegiance objects to the "Definitions" section and the individual items of Verizon's Data Requests to Allegiance to the extent that they are overly broad, unduly burdensome and oppressive, and/or excessively time consuming and expensive.

2. Allegiance objects to Verizon's Data Requests to the extent that such Data Requests seek to impose an obligation on Allegiance to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such Data Requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Allegiance further objects to any and all Verizon Data Requests that seek to obtain information from Allegiance for Allegiance subsidiaries, affiliates, or other related Allegiance entities that are not certificated by the Commission.

3. Allegiance has interpreted Verizon's Data Requests to apply to Allegiance's regulated intrastate operations in Florida and will limit its responses accordingly. To the extent that any Verizon Discovery is intended to apply to matters that take place outside the state of Florida and which are not related to Florida intrastate operations subject to the jurisdiction of the Commission, Allegiance objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

4. Allegiance objects to Verizon's Data Requests to the extent that such discovery calls for information which is exempt from discovery by the attorney/client privilege, the work product doctrine, the accountant/client privilege, and any other applicable privilege.

5. Allegiance objects to Verizon's Data Requests insofar as such discovery 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 Allegiance

and the requirements of section 364.183 and Florida Administrative Code Rule 25-24.006, subject to any other general or specific objections contained herein.

11. Allegiance is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, Allegiance creates countless documents that are not subject to Commission or FCC 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. Therefore, it is possible that not every document has been identified in response to these requests. Allegiance will conduct a reasonable and diligent search of those files that are reasonably expected to contain the requested information. To the extent that Verizon's Data Requests purport to require more, Allegiance objects on the grounds that compliance would impose an undue burden or expense.

12. Allegiance objects to Verizon's Data Requests that seek to obtain "all," "each," or "every" document, item, customer, or other such piece of information to the extent that such Data Requests are overly broad and unduly burdensome. Any answers that Allegiance may provide in response to Verizon's Data Requests will be provided subject to, and without waiver of, this objection.

13. Allegiance objects to Verizon's Data Requests to the extent that such Data Requests are not limited to any stated period of time or a stated period of time that is longer than is relevant for purposes of the issues in this docket, as such discovery is overly broad and unduly burdensome.

14. Allegiance objects to each and every Data Request that seeks information regarding Allegiance's projections regarding future services, revenues, marketing strategies, equipment deployments, or other such future business plans as such requests are trade secrets and, for purposes of this proceeding, would be highly speculative and irrelevant to the issues to be decided in this docket.

15. Allegiance objects to the definition of the terms “transport services” and “transport facilities” to the extent that such terms are intended to include services and facilities that do not represent point-to-point transmission paths between one of an incumbent LEC’s wire centers or switches and another of the incumbent LEC’s wire centers or switches.

16. Allegiance objects to each Data Request to the extent that it requests information concerning Allegiance’s operations outside the geographic areas within Florida in which Verizon is an incumbent LEC.

17. In light of the short period of time Allegiance has been afforded to respond to Verizon’s Data Requests, the development of Allegiance’s positions and potentially responsive information to Verizon’s Data Requests is necessarily ongoing and continuing. Accordingly, these are preliminary objections to comply with the Procedural Order, and Allegiance reserves the right to supplement, revise, or modify its objections at the time that it serves its actual responses to Verizon’s Data Requests. However, Allegiance does not assume an affirmative obligation to supplement its answers on an ongoing basis.

Specific Objections to Interrogatories

2. For each transport facility identified in response to Question 1, provide a map in an electronic form (such as MapInfo, Arcview, or another GIS program) showing its location.

Allegiance objects to this Interrogatory on the ground that it does not maintain maps of its transport facilities in electronic form and is not required to create documents in response to Verizon’s Interrogatories.

21. Identify the points in Florida at which local network facilities that you own or use are connected to the networks of carriers other than the incumbent LECs, including interconnection with other CLECs, interexchange carriers, or internet service providers at any point of presence,

network access point, collocation hotel, data center, or similar facility (collectively or individually, “interconnection points” or “IPs”).

Allegiance objects to this Interrogatory on the ground that it is not reasonably designed to lead to the discovery of admissible evidence in that information concerning the points at which Allegiance’s network facilities are connected to the network facilities of carriers other than incumbent LECs is not relevant to any issue in this proceeding because transport services or facilities do not constitute “routes” under 47 CFR § 319(e)(ii) unless they are owned or controlled by a single carrier.

Specific Objections to Requests for Production

1. Provide all documents identifying the fiber optic dedicated transport in Florida that you make available, or have offered to make available (e.g., through lease, indefeasible right of use), to other carriers.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

2. Provide all document [sic] identifying the incumbent LEC switches or wire centers in Florida at which you have operational collocation arrangements.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

3. Provide all documents that discuss or describe your willingness to provide dedicated transport in Florida to other carriers.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

4. Provide all documents that discuss or describe the optical speeds at which your dedicated transport in Florida operates.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

5. Provide all documents that discuss or describe the capacity or capacity of services (e.g., DS-1, DS-3) that you offer to other carriers, or have offered to other carriers.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

6. Provide all documents that discuss or describe the capacity or capacity of services (e.g., DS-1, DS-3) that you offer in Florida to retail customers, or have offered to retail customers.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

7. Provide all documents that discuss or describe whether you are willing to provide dark fiber dedicated transport in Florida to other carriers.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

8. Provide all documents that discuss or describe the dedicated transport in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LECs.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

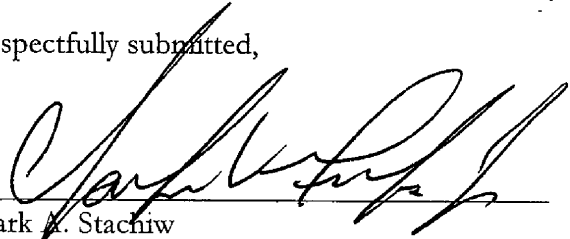
9. Provide all documents that discuss or describe the capacity or capacity of services (e.g., DS-1, DS-3) in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LEC carriers.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

10. Provide all documents that discuss or describe dark fiber in Florida that you obtain from other non-incumbent LEC carriers, or have obtained from other non-incumbent LEC carriers.

Allegiance objects to this Request for Production on the ground that it is oppressive and unduly burdensome.

Respectfully submitted,



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