

ORIGINAL



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January 5, 2004

BY OVERNIGHT MAIL

Ms. Blanca Bayó, Director
The Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

RECEIVED TPSC
04 JAN -6 AM 11:55
COMMISSION
CLERK

Re: Docket Nos. 981834-TP and 990321-TP

Dear Ms. Bayó:

Enclosed for filing is an original and 15 copies of AT&T Communications of the Southern States, LLC's General Objections to Verizon's Fourth Request for Production of Documents in the above-referenced docket.

Please acknowledge receipt of this letter by stamping the extra copy of this letter "filed" and returning the same to Lisa Sapper in the enclosed stamped envelope.

Thank you for your assistance with this filing.

Sincerely yours,

Tracy W. Hatch

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

TWH/las
Enclosure
cc: Parties of Record

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

00154 JAN-6 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Competitive Carriers for)
Commission action to support local competition) Docket No. 981834-TP
in BellSouth Telecommunications, Inc.'s service)
territory.)
_____)

Petition of ACI Corp. d/b/a Accelerated)
Connections, Inc. for generic investigation to)
ensure that BellSouth Telecommunications, Inc.,)
Sprint-Florida, Incorporated, and GTE) Docket No. 990321-TP
Florida Incorporated comply with)
obligation to provide alternative local exchange)
carriers with flexible, timely, and cost-efficient)
physical collocation)
_____)

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC'S
PRELIMINARY OBJECTIONS TO VERIZON FLORIDA, INC.'S
FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 22)**

AT&T Communications of the Southern States, LLC (hereinafter "AT&T") pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code and Rules 1.350 and 1.280(b), Florida Rules of Civil Procedure, and Order Nos. PSC-02-1513-PCO-TP and PSC-03-1311-PCO-TP, issued in this docket on November 4, 2002 and November 17, 2003, respectively, hereby submits the following Preliminary Objections to Verizon's Fourth Request for Production of Documents to AT&T Communications of the Southern States, LLC.

The Objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in Order Nos. PSC-02-1513-PCO-TP and PSC-03-1311-PCO-TP, issued in this docket on

November 4, 2002, and November 17, 2003, respectively by the Florida Public Service Commission (hereinafter the "Commission") in the above-referenced docket. Should additional grounds for objection be discovered as AT&T, prepares its Responses to the above-referenced set of requests, AT&T reserves the right to supplement, revise, or modify its objections at the time that it serves its Responses on Verizon. Moreover, should AT&T determine that a Protective Order is necessary with respect to any of the material requested by Verizon, AT&T reserves the right to file a motion with the Commission seeking such an order at the time that it serves its Responses on Verizon.

General Objections

AT&T makes the following General Objections to Verizon's Fourth Request for Production of Documents, which will be incorporated by reference into AT&T's specific responses when its Responses are served on Verizon.

1. AT&T objects to Verizon's Fourth Request for Production of Documents to the extent that it is overly broad, unduly burdensome, oppressive, not permitted by applicable discovery rules, and would require AT&T to disclose information which is privileged.

2. AT&T has interpreted Verizon's requests to apply to AT&T's regulated intrastate operations in Florida and will limit its Responses accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations

subject to the jurisdiction of the Commission, AT&T objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

3. AT&T objects to each and every request and instruction to the extent that such request or instruction calls for information, which is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege.

4. AT&T objects to each and every request insofar as the request 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 AT&T in response to Verizon's requests will be provided subject to, and without waiver of, the foregoing objection.

5. AT&T objects to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. AT&T will attempt to note each instance where this objection applies.

6. AT&T objects to Verizon's general instructions, definitions or specific discovery requests insofar as they seek to impose obligations on AT&T which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

7. AT&T objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. AT&T objects to each and every request, general instruction, or definition insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. AT&T object to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that Verizon's requests seek proprietary confidential business information which is not the subject of the "trade secrets" privilege, AT&T will make such information available to counsel for Verizon pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

10. AT&T is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, AT&T create countless documents that are not subject to Florida Public Service 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. Rather, these responses will provide all of the information obtained by AT&T after a reasonable and diligent search conducted in connection with this discovery request. AT&T will comply with Verizon's request that a search be conducted of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, AT&T object on the grounds that compliance would impose an undue burden or expense.

11. AT&T object to the definitions of "AT&T" to the extent that such definitions seek to impose an obligation on AT&T Communications of the Southern States, LLC to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definition is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Without waiver of its general objection, and subject to other general and specific objections, Answers will be provided on behalf of AT&T Communications of the Southern States, LLC which is the entity certificated to provide regulated telecommunications services in Florida and which is a party to this docket. All references to "AT&T" in responding to Verizon's requests should be taken to mean AT&T Communications of the Southern States, LLC.

12. AT&T object to the definitions of "you" and "your" to the extent that such definitions seek to impose an obligation on AT&T Communications of the Southern States, LLC to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definition is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Without waiver of its general objection, and subject to other general and specific objections, Answers will be provided on behalf of AT&T Communications of the Southern States, LLC which is the entity certificated to provide regulated telecommunications services in Florida and which is a party to this docket. All references to "AT&T" in responding to Verizon's requests should be taken to mean AT&T Communications of the Southern States, LLC.

SUBMITTED this 5th day of January, 2004.

Tracy Hatch/Esq

TRACY W. HATCH, ESQ.

101 N. Monroe Street

Suite 700

Tallahassee, Florida 32301

(850) 425-6360

Attorney for AT&T Communications of the
Southern States, LLC

**CERTIFICATE OF SERVICE
DOCKET NOS. 981834 & 990321**

I HEREBY CERTIFY that a copy of the foregoing has been furnished via

U.S. Mail this 5th day of January, 2004, to the following parties of record:

| | |
|---|---|
| <p>Adam Teitzman Staff Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850</p> | <p>Shook, Hardy & Bacon, LLP Rodney L. Joyce 600 14th Street N.W., Suite 800 Washington, DC 20005-2004 Phone: (202) 639-5602 Fax: (202) 783-4211</p> |
| <p>Ausley Law Firm Jeffry Wahlen P.O. Box 391 Tallahassee, FL 32302 Phone: 850-224-9115 Fax: 222-7560</p> | <p>BellSouth Telecommunications, Inc. Nancy B. White c/o Ms. Nancy H. Sims 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1556 Phone: (850) 224-7798 Fax: 222-8640</p> |
| <p>Florida Digital Network, Inc. Matthew Feil, Esq. 390 North Orange Ave., Suite 2000 Orlando, FL 32801 Phone: (407) 835-0460 Fax: (407) 835-0309 Email: mfeil@floridadigital.net</p> | <p>Hopping Law Firm Richard Melson P.O. Box 6526 Tallahassee, FL 32314 Phone: 850-222-7500 Fax: 224-8551</p> |
| <p>Florida Cable Telecom. Assoc., Inc. Michael A. Gross 246 E. 6th Avenue, Suite 100 Tallahassee, FL 32303 Phone: 850-681-1990 Fax: 681-9676 Email: mgross@fcta.com</p> | <p>Florida Competitive Carriers Assoc. c/o McWhirter Law Firm Vicki Kaufman 117 S. Gadsden St. Tallahassee, FL 32301 Phone: 850-222-2525 Fax: 222-5606</p> |
| <p>ITC^DeltaCom Ms. Nanette S. Edwards 4092 S. Memorial Parkway Huntsville, AL 35802-4343 Email: Nedwards@itcdeltacom.com</p> | <p>KMC Telecom, Inc. Mr. John D. McLaughlin, Jr. 1755 North Brown Road Lawrenceville, GA 30043-8119 Phone: (678) 985-6262 Fax: (678) 985-6213 Email: jmclau@kmctelecom.com</p> |
| <p>Sprint-Florida, Inc. F.B. (Ben) Poag PO BOX 2214, MC FLTLHO0107 Tallahassee, FL 32316-2214 Phone: 850-599-1027 Fax: 407-814-5700</p> | <p>MCI WorldCom Communications, Inc. Ms. Donna C. McNulty 1203 Governors Square Blvd., Suite 201 Tallahassee, FL 32301-2960 Phone: (850) 219-1008 Fax: 219-1018 Email: donna.mcnulty@wcom.com</p> |

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|---|---|
| <p>Network Telephone Corporation Brent E. McMahan 815 South Palafox Street Pensacola, FL 32501-5937 Phone: (850) 432-4855 Fax: (850) 437-0724</p> | <p>Pennington Law Firm Peter Dunbar/ Marc Dunbar P.O. Box 10095 Tallahassee, FL 32302 Phone: 850-222-3533 Fax: 222-2126</p> |
| <p>Sprint Communications Company Limited Partnership Susan S. Masterton P.O. Box 2214 MC: FLTLHO0107 Tallahassee, FL 32316-2214 Phone: (850) 847-0244 Fax: 878-0777 Email: susan.masterton@mail.sprint.com</p> | <p>Supra Telecommunications & Information Systems, Inc. Paul Turner 2620 S.W. 27th Avenue Miami, FL 33133 Phone: 305-531-5286 Fax: 305-476-4282</p> |
| <p>Covad Communications William H. Weber / Gene Watkins 19th Floor 1230 Peachtree Street N.E. Atlanta, GA 30309 Phone: (404) 942-3494 Fax: (404) 942-3495</p> | <p>Verizon Florida Inc. Mr. Richard Chapkis 201 N. Franklin Street, MCFLTC0007 Tampa, FL 33601 Phone: (813) 483-2606 Fax: (813) 204-8870</p> |
| <p>Beth Keating, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0870</p> | <p>MediaOne Florida Telecom., Inc. c/o Laura L. Gallagher, P.A. 101 E. College Ave., Suite 302 Tallahassee, FL 32301</p> |
| <p>BellSouth Telecom., Inc. Patrick W. Turner/R. Douglas Lackey 675 W. Peachtree St., Suite 4300 Atlanta, GA 30375</p> | <p>Messer Law Firm Floyd Self/Norman Horton PO BOX 1876 Tallahassee, FL 32302</p> |
| <p>Verizon Florida Inc. Ms. Michelle A. Robinson c/o Mr. David Christian 106 East College Avenue, Suite 810 Tallahassee, FL 32301-7704 Phone: (813) 483-2526 Fax: (813) 223-4888 Email: Michelle.Robinson@verizon.com</p> | <p>Daniel McCuaig Wilmer Cutler & Pickering 2445 M Street, N.W. Washington, DC 20037-1420</p> |
| <p>J.P. Carver BellSouth Telecommunications, Inc. 150 S. Monroe Street, Suite 400 Tallahassee, FL 32301-1556</p> | <p>Scott A. Kassman FDN Communications 390 North Orange Avenue, Suite 2000 Orlando, FL 32810</p> |

Tracy Hatch

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