

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Implementation of requirements arising ) Docket No. 030851-TP  
from Federal Communications Commission's )  
Triennial UNE Review: Local Circuit Switching )  
for Mass Market Customers )  
\_\_\_\_\_ )

**FLORIDA DIGITAL NETWORK, INC.'S OBJECTIONS AND RESPONSES TO VERIZON  
FLORIDA INC.'S FIRST REQUEST FOR ADMISSIONS (NOS. 1-2), FIRST SET OF  
INTERROGATORIES (NOS. 1 - 21) AND FIRST REQUEST FOR PRODUCTION OF  
DOCUMENTS (NOS. 1 -11)**

Florida Digital Network, Inc., d/b/ FDN Communications ("FDN") pursuant to Rule 28.106-206, Florida Administrative Code, Rule 1.340, Florida Rules of Civil Procedure and Order No. PSC-03-1055-PCO-TP, issued September 22, 2003, as subsequently amended, hereby serves its objections and responses to Verizon Florida, Inc.'s ("Verizon") First Request for Admissions (Nos. 1-2), First Set of Interrogatories (Nos. 1-21), and First Set of Request for Production of Documents (Nos. 1-11).

FDN incorporates herein by reference the objections FDN served on December 24, 2003. Without waiving any of these objections and subject to the objections stated there and herein, FDN answers Verizon's discovery as follows:

**REQUESTS FOR ADMISSION**

1. Admit that Respondent states on its website, in words or in substance, that it offers transport facilities or services to other carriers. (For the definitions of transport facilities or transport services for this and all other requests for admission, see Instruction M.)

**FDN specifically denies that it states on its Web site, in words or other substance, that it offers transport facilities or services to other carriers.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

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2. Admit that Respondent does not state on its website, in words or in substance, that it does not offer transport facilities or services to other carriers in Florida.

**FDN admits that it does not state on its Web site, in words or other substance, that it does not offer transport facilities or services to other carriers in Florida. The fact of the matter is that FDN does not offer wholesale transport facilities.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

### **INTERROGATORIES**

1. Identify all fiber optic transport facilities in Florida that you own, by street address of its origination and termination points (or if no termination point, by the location of a fiber ring), as well as a description of the route between those points. (For purposes of responding to this question, your own transport facilities include facilities that you own solely or jointly, as well as facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.) (For the definitions of transport facilities or transport services for this and all other interrogatories, see Instruction M.)

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

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.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 2-A, 2-B (printed version).**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

3. For each transport facility identified in response to Question 1, identify the number of fibers in the fiber cable(s) you deployed.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

4. For each transport facility identified in response to Question 1, identify the number of fibers that you activated (*i.e.*, "lit") through the attachment of optronics.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

5. For each transport facility identified in response to Question 1, identify by the 11-digit CLLI code, all incumbent LEC switches and wire centers in Florida to which the transport facility is directly or indirectly connected.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

6. For each incumbent LEC switch or wire center identified in response to Question 5, identify the optical speed at which the facilities connected to each is operating.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

7. For each incumbent LEC switch or wire center identified in response to Question 5, identify the capacity or capacities of services (e.g., DS-1, DS-3) carried by your transport facilities to and/or from the incumbent LEC switch or wire center.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

8. For each incumbent LEC switch or wire center identified in response to Question 5, identify where you have fiber that has not been “lit” through the attachment of optronics (*i.e.*, dark fiber) and the number of unlit fibers in each transport facility terminating at that location.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

9. Identify by the 11-digit CLLI code, all incumbent LEC switches or wire centers in Florida at which you have obtained dark fiber transport facilities from any supplier, including but not limited to from incumbent LECs.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

10. For each dark fiber facility identified in response to Question 9, state (a) whether you have activated the dark fiber through the attachment of optronics (*i.e.*, whether the fiber is now “lit”), (b) the optical speed at which the facility operates, and (c) the capacity or capacities of services (*e.g.*, DS-1, DS-3) carried by each such transport facility.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

11. Identify all transport facilities in Florida that you use or possess but do not own, by street address of its origination and termination points, as well as a description of the route between those points. (For purposes of responding to this question, your own transport facilities include facilities that you own solely or jointly, as well as facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.)

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

12. For each transport facility identified in response to Question 11, identify by the 11-digit CLLI code, all incumbent ILEC switches and wire centers to which the transport facility is connected.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

13. For each incumbent LEC switch or wire center identified in response to Question 12, identify the optical speed at which the transport facilities connected to each operates.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

14. For each incumbent LEC switch or wire center identified in response to Question 12, identify the capacity or capacities of transport services (*e.g.*, DS-1, DS-3) carried by the transport facility or facilities to and/or from the incumbent LEC switch or wire center.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

15. For all transport facilities identified in response to Questions 11 and 12, identify the non-incumbent LEC supplier from which you have obtained the facility.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**FDN provides the requested information to Verizon under a Protective Agreement and to the Commission under a Notice of Intent to Request Confidential Classification. See Confidential Appendix VZ Int. 1.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

16. Identify all transport facilities in Florida that you make available to other carriers, or have offered to make available to other carriers by street address of its origination and termination points, as well as a description of the route between those points.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, the answer is “none.”**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

17. For each transport facility identified in response to Question 16, identify by the 11-digit CLLI code, all incumbent LEC switches and wire centers to which the transport facility is directly or indirectly connected.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, the answer is “not applicable.”**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

18. For each incumbent LEC switch or wire center identified in response to Question 17, identify the optical speed at which the facilities connected to each operates.



**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, the answer is “not applicable.”**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

19. For each incumbent LEC switch or wire center identified in response to Question 17, identify the capacity or capacities of services (e.g., DS-1, DS-3) carried by the transport facilities to and/or from the incumbent LEC switch or wire center.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, the answer is “not applicable.”**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

20. For each incumbent LEC switch or wire center identified in response to Question 17, identify the carrier or carriers to which you make the transport facility available, or to which you have offered to make the facility available.

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, the answer is “not applicable.”**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

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”).

**FDN objects to this interrogatory on the grounds that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. To the extent this interrogatory seeks all points of interconnection between FDN and any third party carriers, FDN objects on the grounds that such points of interconnection with the networks of other carriers is not relevant to the inquiries the FCC delegated to the states in the TRO.**

Objection by Counsel

### **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.

**None.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

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

**FDN objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence, and that the information sought is entirely too burdensome for FDN to gather and produce for hundreds of collocation arrangements in the State of Florida. FDN also objects to and disagrees with any inference anyone may draw relative to transport routes by virtue of a CLEC's collocation presence.**

Objection by Counsel

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

**None.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

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

**FDN objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

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.

**FDN objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

**Subject to and without waiving its objection, the answer is “none.”**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

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.

**FDN objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence, and that the information sought is entirely too burdensome for FDN to gather. Subject to and without waiving its objection, FDN seeks clarification on what types of services Verizon seeks information concerning.**

Objection/clarification by Counsel

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

**None.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations

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.

**FDN objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

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.

**FDN objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence.**

Objection by Counsel

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.

**FDN objects to this interrogatory on the grounds that the information sought is not reasonably calculated to lead to the discovery of admissible evidence, and that the information sought is entirely too burdensome for FDN to gather.**

Objection by Counsel

11. Provide the confidential filings with respect to dedicated transport that you made with the FCC in the Triennial Review docket. (*See, e.g.*, FCC's Triennial Review Order, ¶ 392 n.1216)

**None.**

Answer provided by: Ryan Hand, V.P., Engineering and Operations