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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Implementation of requirements
Arising from Federal Communications
Commission Triennial UNE review: Local
Circuit Switching For Mass Market Customers

Docket No. 030851-TP

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Filed: February 9, 2004

COMMISSION
CLERK

**OBJECTIONS OF NETWORK TELEPHONE CORPORATION TO
STAFF'S THIRD SET OF INTERROGATORIES**

Network Telephone Corporation ("Network Telephone"), through its undersigned counsel, submits its preliminary objections to the Florida Public Service Commission Staff's ("Staff") Third Set of Interrogatories to Network Telephone.

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

GENERAL OBJECTIONS

Network Telephone makes the following general objections to Staff's Third Set of Interrogatories:

1. Network Telephone objects to the "Definitions" section and the individual items to the extent that they are overly broad, unduly burdensome and oppressive, and/or excessively time consuming and expensive.

2. Network Telephone objects to the "Definitions" and the individual items of the Third Set of Interrogatories to the extent they seek irrelevant information and are not reasonably calculated to lead to the discovery of admissible evidence.

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3. Network Telephone objects to the "Definitions" and the individual items of Staff's Third Set of Interrogatories 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. Network Telephone objects to Staff's Third Set of Interrogatories to the extent that they purport to impose discovery obligations on Network Telephone that exceed the scope of discovery allowed by the applicable Florida Rules of Civil Procedure. By way of illustration and not limitation, Network Telephone objects to interrogatories that would require Network Telephone to create information that does not exist or prepare information in a manner in which Network Telephone does not maintain it.

5. Network Telephone objects to Staff's Third Set to the extent that the interrogatories 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. Network Telephone objects to Staff's Third Set of Interrogatories to the extent that the interrogatories would require disclosure of information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or should be disclosed (provided the information is otherwise discoverable) only through use of the Commission's rules and procedures relating to confidential and proprietary information.

7. Network Telephone objects to Staff's Third Set to the extent that the items would require Network Telephone to provide information which is already in Staff's possession or is in the public record before the Commission. To require Network Telephone to duplicate

information that Staff already has or is readily available to Staff would be unduly burdensome and oppressive.

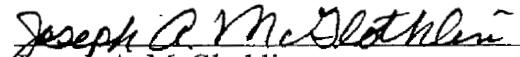
8. Network Telephone objects to Staff's Third Set to the extent Staff seeks to impose an obligation on Network Telephone to respond on behalf of subsidiaries and/or former officers, employees, agents, and directors on the grounds that such requests for production are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

9. Network Telephone will interpret each interrogatory as relating to intrastate Florida operations. To the extent any interrogatories are not intended to relate to Florida intrastate operations, Network Telephone objects to such interrogatories as overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence.

10. Network Telephone objects to interrogatories that require the identification of "all," "every," or "any" information as overbroad and unduly burdensome.

11. Network Telephone objects to any interrogatory 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 counsel has provided the above objections.


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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Objections of Network Telephone Corporation to Staff's Third Set of Interrogatories has been provided by (*) hand delivery, (**) email and U.S. Mail this 9th day of February 2004, to the following:

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