

ORIGINAL



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February 17, 2004

BY HAND DELIVERY

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 FPSC
FEB 17 PM 4:48
COMMISSION
CLERK

Re: Docket No. 030851-TP

Dear Ms. Bayó:

Enclosed for filing are an original and 15 copies of AT&T Communications of the Southern States, LLC's Motion for Protective Order in the above-referenced docket.

Please acknowledge receipt of this letter by stamping the extra copy of this letter "filed" and returning to me.

Thank you for your assistance with this filing.

Sincerely yours,

Tracy W. Hatch

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TWH/las
Enclosure
cc: Parties of Record

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

02254 FEB 17 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In Re: Implementation of Requirements)
Arising From Federal Communications) Docket No.: 030851-TP
Commission Triennial UNE Review:)
Local Circuit Switching for Mass) Filed: February 17, 2004
Market Customers)
_____)**

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC'S
MOTION FOR PROTECTIVE ORDER**

AT&T Communications of the Southern States, LLC (hereinafter "AT&T") respectfully moves the Florida Public Service Commission (hereinafter "Commission") to issue a Protective Order 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, issued November 7, 2003 (hereinafter collectively "Procedural Orders"), by the Florida Public Service Commission (hereinafter "Commission"), Rule 28-106.204 of the Florida Administrative Code, and Rule 1.280(c) of the Florida Rules of Civil Procedure. Specifically, AT&T requests that the Commission issue an order striking Verizon Florida Inc.'s (hereinafter "Verizon") First Set of Interrogatories and First Request for Production of Documents to AT&T and Verizon's Second Set of Interrogatories to AT&T (hereinafter collectively "Verizon discovery") and ordering that AT&T has no obligation to respond to Verizon's discovery. In support of this motion, AT&T submits the following to the Commission:

1. On February 13, 2004, Verizon served its First Set of Interrogatories and Request for Production of Documents on AT&T.
2. On February 16, 2004, Verizon served its Second of Interrogatories on AT&T.
3. Pursuant to the Second Order on Procedure issued November 7, 2003, AT&T has twenty (20) days to respond to the Verizon discovery. Accordingly, the responses to both sets of the Verizon discovery would not be due until March 4, 2004 and March 6, 2004, respectively, which would make AT&T's discovery responses due *after* the hearing is over and *after* the record has been closed.
4. AT&T has attempted in good faith, and pursuant to the requirements set out in Rule 28-106.204 of the Florida Administrative Code, to

DOCUMENT NUMBER-DATE

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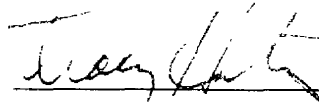
FPSC-COMMISSION CLERK

confer with Verizon regarding this discovery. However, such attempts were not acknowledged by Verizon.

5. Pursuant to the Procedural Orders referenced above, the discovery cut-off date is today, February 17, 2004. AT&T makes this motion in an effort to comply with all discovery mandates adopted by the Commission in the Procedural Orders.

WHEREFORE, AT&T respectfully requests that the Commission issue an order striking Verizon's First Set of Interrogatories and First Request for Production of Documents to AT&T served February 13, 2004, and Verizon's Second Set of Interrogatories to AT&T served February 16, 2004 and relieving AT&T of any duty to respond to the aforementioned discovery.

Respectfully submitted, this the 17th day of February, 2004.



Tracy Hatch
AT&T Communications of the Southern
States, LLC
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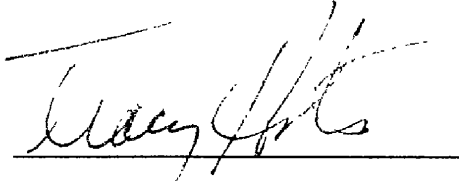
**CERTIFICATE OF SERVICE
DOCKET NO. 030851-TP**

I HEREBY CERTIFY that a copy of the foregoing has been furnished via electronic mail and U.S. Mail or as indicated this 17th day of February 2004, to the following parties of record:

<p>Jeremy Susac Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850</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 Email: nancy.sims@bellsouth.com</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>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>
<p>Sprint – Florida* Susan S. Masterton 1313 Blairstone Road MC: FLTLHO0107 Tallahassee, FL 32301 Phone: (850) 847-0244 Fax: 878-0777 Email: susan.masterton@mail.sprint.com</p>	<p>KMC Telecom III, LLC * Marva Brown Johnson, Esq. 1755 North Brown Road Lawrenceville, GA 30043-8119 Phone: (678) 985-6261 Fax: (678) 985-6213 Email: marva.johnson@kmctelecom.com</p>
<p>Covad Communications Company* Charles E. Watkins 1230 Peachtree Street, NE 19th Floor Atlanta, GA 30309 Phone: (404) 942-3492 Email: gwatkins@covad.com</p>	<p>ITC^DeltaCom * Nanette Edwards 4092 South Memorial Parkway Huntsville, AL 35802 Phone: (256) 382-3856</p>
<p>McWhirter Reeves McGlothlin Davidson* Kaufman & Arnold, PA Vicki Gordon Kaufman 117 South Gadsden Street Tallahassee, FL 32301 Phone: (850) 222-2525 Email: vkaufman@mac-law.com</p>	<p>Verizon Florida Inc.* Mr. Richard Chapkis/Kim Caswell 201 N. Franklin Street, MCFLTC0007 Tampa, FL 33601 Phone: (813) 483-2606 Fax: (813) 204-8870 Email: richard.chapkis@verizon.com</p>
<p>Allegiance Telecom of Florida, Inc. Charles V. Gerkin, Jr. 9201 North Central Expressway Dallas, TX 75231 Phone: (469) 259-4051 Fax: 770-234-5965 Email: charles.gerkin@algx.com</p>	<p>Allegiance Telecom. Inc. Terry Larkin 700 East betterfield Road Lombard, IL 60148 Phone: 630-522-6453 Email: terry.larkin@algx.com</p>

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Sprint (NC) H. Edward Phillips, III 14111 Capital Blvd. Mailstop: NCWKFR0313-3161 Wake Forest, NC 27587-5900 Phone: 919-554-7870	Xspedius Communications Ms. Rabinai E. Carson 5555 Winghaven Blvd., Suite 300 O'Fallon, MO 63366-3868 Phone: (301) 361-4220 Fax: (301) 361-4277 Email: rabinai.carson@xspedius.com
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<p>Charles J. Beck Deputy Public Counsel Office of Public Counsel C/O The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399-1400 Phone: 850-487-8240 Fax: 850-488-4491 Beck.charles@leg.state.fl.us</p>	<p>Casey & Gentz, L.L.P. Bill Magness 919 Congress Avenue, Suite 1060 Austin, TX 78701 Phone: 512-225-0019 Fax: 512-480-9200</p>
<p>Pat Lee Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 plee@psc.state.fl.us</p>	



Tracy W. Hatch