

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited review of BellSouth Telecommunications, Inc.'s intrastate tariffs for pay telephone access services (PTAS) rate with respect to rates for payphone line access, usage, and features, by Florida Public Telecommunications Association.

DOCKET NO. 030300-TP

FILED: March 22, 2004

**FPTA'S PRELIMINARY OBJECTIONS TO STAFF'S
FIRST SET OF INTERROGATORIES/ADMISSIONS AND
REQUEST FOR PRODUCTION OF DOCUMENTS**

Petitioner, Florida Public Telecommunication Association ("FPTA"), by and through undersigned counsel and pursuant to Rule 28-106.206, Florida Administrative Code, Rules 1.280, 1.340, 1.350, & 1.370 Florida Rules of Civil Procedure, and Order No. PSC-03-1066-PCO-TP, issued in this docket on September 24, 2003, hereby files their Preliminary Objections to the Staff of the Florida Public Service Commission's ("Staff") First Set of Interrogatories and Requests for Production of Documents.

The Objections stated herein are preliminary in nature and are based upon information now available to FPTA. Should grounds for additional and further objections be discovered prior to FPTA's response to Staff's discovery, FPTA expressly reserves the right to supplement, amend or modify these objections up to and including the time it files its written response to Staff's discovery.

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

GENERAL OBJECTIONS

1. FPTA objects to each and every Interrogatory/Request for Admission and Request for Production to the extent that they call for a response which is neither relevant to the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

2. FPTA objects to each and every Interrogatory/Request for Admission and Request for Production to the extent that said interrogatory or request is overly broad and/or that a response to said interrogatory or request would cause FPTA undue burden or expense.

3. FPTA objects to each and every Interrogatory/Request for Admission and Request for Production to the extent that the response to said interrogatory or request is intended for purposes of oppression, harassment or to cause embarrassment.

4. FPTA objects to the Interrogatories propounded by BellSouth to the extent that said Interrogatories, including all subparts thereof, exceed the maximum number of interrogatories allowable under Florida Rule of Civil Procedure 1.340.

5. FPTA objects to the Definitions, Instructions, Interrogatories/Requests for Admissions, and the Requests for Production to the extent that they call for a response which is privileged under the attorney/client privilege, work-product doctrine or other privilege.

6. FPTA objects to the Definitions, Instructions, Interrogatories/Requests for Admissions, and the Requests for Production to the extent they call for a response that would disclose trade secrets or other business information of a confidential and proprietary nature. To the

extent such a response is called for, FPTA will provide said response, subject to any general or specific objections, upon execution of a mutually satisfactory confidentiality agreement.

7. FPTA objects to the Definitions, Instructions, Interrogatories/Requests for Admissions, and the Requests for Production to the extent that they seek to impose discovery obligations on FPTA beyond the scope of the Florida Rules of Civil Procedure.

8. To the extent that the discovery requests require FPTA to produce "all documents" or to "identify all documents," FPTA objects to said request on the grounds that it is overly broad and unduly burdensome.

9. FPTA objects to the Interrogatories/Requests for Admissions and the Requests for Production to the extent they call for a response which is not within the possession, custody and control of the FPTA.

10. FPTA objects to the Interrogatories/Requests for Admissions and Requests for Production to the extent that the response thereto is already within the possession, custody or control of BellSouth.

11. FPTA objects to the Interrogatories/Requests for Admissions and Requests for Production to the extent that a response thereto concerns subjects which are not properly before the Commission and/or outside of the Commission's jurisdiction in this matter.

12. FPTA objects to the Definitions, Instructions, Interrogatories/Requests for Admissions, and the Requests for Production to the Definitions, Instructions,

Interrogatories/Requests for Admissions, and the Requests for Production to the extent that they are vague and ambiguous.

13. To the extent that the discovery seeks information which is already available in the public record before the Commission, FPTA objects to providing same.

The foregoing General Objections are incorporated by reference into FPTA's specific responses to each Interrogatory/Request for Admission and Request for Production.

SPECIFIC OBJECTIONS TO INTERROGATORIES/REQUEST FOR ADMISSIONS

Interrogatory No. 2

FPTA objects to part 2(b) of this Interrogatory on the grounds that it calls for a legal conclusion. To the extent that a response to this Interrogatory would require discovery of the mental impressions, conclusions, opinions or legal theories of FPTA's counsel or other representatives, FPTA further objects on the grounds of the attorney/client privilege and/or work product doctrine.

Interrogatory No. 3

FPTA objects to part 3(f) of this Interrogatory to the extent that a response thereto may call for the disclosure of information which is protected by either the attorney/client privilege, work product doctrine and/or any other privilege available to FPTA.

Interrogatory No. 5

FPTA objects to this Interrogatory to the extent that a response thereto may call for the disclosure of information which is protected by either the attorney/client privilege, work product doctrine and/or any other privilege available to FPTA.

Interrogatory No. 6

FPTA objects to this Interrogatory to the extent that a response thereto may call for the disclosure of information which is protected by either the attorney/client privilege, work product doctrine and/or any other privilege available to FPTA.

Interrogatory No. 8

FPTA objects to this Interrogatory on the grounds that it calls for a legal conclusion. To the extent that a response to this Interrogatory would require discovery of the mental impressions, conclusions, opinions or legal theories of FPTA's counsel or other representatives, FPTA further objects on the grounds of the attorney/client privilege and/or work product doctrine.

Interrogatory No. 11

FPTA objects to part 2(b) of this Interrogatory on the grounds that it calls for a legal conclusion. To the extent that a response to this Interrogatory would require discovery of the mental impressions, conclusions, opinions or legal theories of FPTA's counsel or other representatives, FPTA further objects on the grounds of the attorney/client privilege and/or work product doctrine.

Interrogatory No. 12

FPTA objects to this Interrogatory on the grounds that it is neither relevant nor reasonably calculated to lead to the admission of admissible evidence, and is vague and ambiguous. FPTA further objects to this Interrogatory on the grounds that it calls for speculation based upon hypothetical future events. FPTA's response will be limited to matters within its personal knowledge.

Interrogatory No. 15

FPTA objects to this Interrogatory on the grounds that it is neither relevant nor reasonably calculated to lead to the admission of admissible evidence; calls for speculation, and; seeks discovery of information outside of FPTA's personal knowledge. FPTA's response will be limited to matters within its personal knowledge.

Interrogatory No. 21

FPTA objects to this Interrogatory on the grounds that it is neither relevant nor reasonably calculated to lead to the admission of admissible evidence; calls for speculation, and; seeks discovery of information outside of FPTA's personal knowledge. FPTA's response will be limited to matters within its personal knowledge. Furthermore, FPTA objects to this Interrogatory on the grounds that it calls for a legal conclusion. To the extent that a response to this Interrogatory would require discovery of the mental impressions, conclusions, opinions or legal theories of FPTA's counsel or other representatives, FPTA further objects on the grounds of the attorney/client privilege and/or work product doctrine.

Interrogatory No. 22

FPTA objects to this Interrogatory on the grounds that it is neither relevant nor reasonably calculated to lead to the admission of admissible evidence; calls for speculation, and; seeks discovery of information outside of FPTA's personal knowledge. FPTA's response will be limited to matters within its personal knowledge.

Interrogatory No. 24

FPTA objects to this Interrogatory on the grounds that it calls for a legal conclusion. To the extent that a response to this Interrogatory would require discovery of the mental impressions, conclusions, opinions or legal theories of FPTA's counsel or other representatives, FPTA further objects on the grounds of the attorney/client privilege and/or work product doctrine.

Interrogatory No. 25

FPTA objects to this Interrogatory to the extent that a response thereto would require the disclosure of confidential settlement negotiations, which are privileged under Florida law.

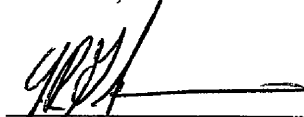
REQUESTS FOR PRODUCTION

Request No. 2

To the extent that a response to this Request would require discovery of the mental impressions, conclusions, opinions or legal theories of FPTA's counsel or other representatives, FPTA objects on the grounds of the attorney/client privilege and/or work product doctrine.

Respectfully submitted this 22nd day of March, 2004.

for



David S. Tobin, Esq.
Tobin & Reyes, P.A.
7251 West Palmetto Park Road
Suite 205
Boca Raton, Florida 33433
(561) 620-0656
(561) 620-0657 (fax)

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Petition of Florida Public)
Telecommunications Association)
for Expedited Review of BellSouth)
Telecommunications, Inc.'s Tariffs)
with respect Rates for Payphone)
Line Access, Usage, and Features.)


Docket No.: DN 030300-TD

March 22, 2004

I HEREBY CERTIFY that one copy of FPTA s Prehearing Statement has been furnished by U.S. Mail, this 22nd day of March, 2004, to the following:

Meredith E. Mays
Regulatory Counsel
BellSouth Corporation
Legal Department
675 West Peachtree Street
Suite 4300
Atlanta, Georgia 30375-0001

Nancy White
General Counsel – Florida
BellSouth Telecommunications, Inc.
150 West Flagler Street
Suite 1910
Miami, Florida 33130

for 

David S. Tobin, Esq.
Tobin & Reyes, P.A.
7251 West Palmetto Park Road
Suite 205
Boca Raton, Florida 33433
(561) 620-0656
(561) 620-0657 (fax)