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June 11, 2004

**BY HAND DELIVERY**

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

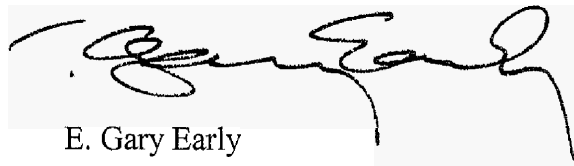
Re: Docket 031125-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of IDS Telcom, LLC are an original and fifteen copies of IDC Telcom, LLC's Response to Motion to Compel in the above referenced docket.

Thank you for your assistance with this filing.

Sincerely yours,



E. Gary Early

EGE/amb  
Enclosures

DOCUMENT NUMBER-DAT

06532 JUN 11 2004

**FLORIDA PUBLIC SERVICE COMMISSION**

Complaint of IDS Telcom, LLC against )  
BellSouth Telecommunications, Inc. for ) Docket No. 031125-TP  
over billing and discontinuance of service, and )  
petition for emergency order restoring service ) Filed: June 11, 2004

**RESPONSE TO MOTION TO COMPEL**

**COMES NOW, IDS TELCOM, LLC** (“IDS”), by and through its undersigned counsel and files this Response to Bellsouth’s Motion to Compel and as basis would state:

1. On June 4, 2004, BellSouth filed a MOtion to Compel “full and compete” responses to its First Set of Interrogatories and Request for Production which were served on March 15, 2004. IDS had responded to BellSouth’s Discovery on April 14, 2004 providing both responses and objections (Exhibit “B” to Motion).

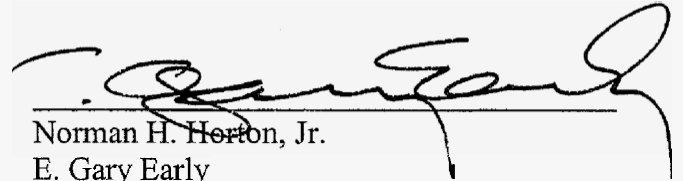
2. IDS denies that it provided “evasive or incomplete” answers as BellSouth describes them. However, on June 9, 2004 IDS filed Supplemental Responses to BellSouth’s discovery. Thus the Motion is moot as to all but Interrogatories, except for Interrogatory No. 22 to which IDS maintains its objection. Interrogatory No. 22 sought to have IDS identify gross revenues monthly from March 2002 to present. IDS objected that the question was “harassing and abusive” and called for confidential information that is irrelevant and not likely to lead to the discovery of admissible evidence. BellSouth argues that the information is needed to evaluate IDS’ “potential motives.”

3. IDS continues to object to this request. In the complaint, IDS contends that BellSouth has been overpaid on the “Q account” while BellSouth responds that the correct amount has not been paid. Gross revenues have no relevance to this issue at all. Matters sought to be discovered must be relevant to the subject matter of the case and in this case the

interrogatory is not relevant to any of the issues to be heard and is not reasonably calculated to lead to admissible evidence.

For the reasons given, IDS requests that the Commission determine the Motion to Compel to be moot, and as to Interrogatory No. 22, deny the Motion.

Respectfully submitted,



Norman H. Horton, Jr.  
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Attorneys for IDS Telcom, LLC

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing has been served upon the following parties by Hand Delivery (\*) and or U. S. Mail this 11<sup>th</sup> day of June, 2004.

Patricia Christensen, Esq.\*  
Office of General Counsel  
Room 370 Gunter Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

James Meza, III, Esq.  
Nancy B. White, Esq.  
c/o Ms. Nancy H. Sims  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1556



E. Gary Early