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February 14, 2005

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
05 FEB 14 PM 4:48
COMMISSION
CLERK

Re: Docket No. 031047-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated are the original and 15 copies of Sprint's Preliminary General and Specific Objections to KMC Telecom III LLC, KMC Telecom V, Inc. and KMC Data, LLC's Fifth Set of Interrogatories and Fifth request for Production of Documents.

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

Please acknowledge receipt of this filing by stamping and initialing a copy of this letter and returning same to my assistant. If you have any questions, please do not hesitate to call me at 850/599-1560.

- CMP
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- OTH

Sincerely,

Susan S. Masterton

Susan S. Masterton

Enclosure

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01536 FEB 14 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 031047-TP**

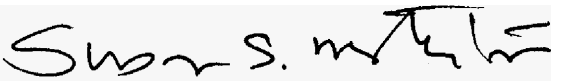
I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Electronic and U.S. mail on this 14th day of February, 2005 to the following:

Carris (Lee) Fordham
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

KMC Data LLC/KMC Telecom III LLC/KMC Telecom V, Inc.
Marva B. Johnson
1755 North Brown Road
Lawrenceville, GA 30043-8119

Kelley Drye & Warren LLP
Yorkgitis/Mutschelknaus
1200 19th Street, N.W.,
Fifth Floor
Washington, DC 20036

Messer Law Firm
Floyd R. Self, Esq.
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Tallahassee, FL 32302-1876



Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Petition of KMC Telecom III)
LLC, KMC Telecom V, Inc., and KMC Data)
LLC For Arbitration of an Interconnection)
Agreement with Sprint- Florida, Incorporated)

Docket No. 031047-TP

Filed: February 14, 2005

**SPRINT'S PRELIMINARY GENERAL AND SPECIFIC OBJECTIONS TO
KMC'S FIFTH SET OF INTERROGATORIES AND
FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340, 1.350 and 1.280(b), Florida Rules of Civil Procedure, and in accordance with the Order Modifying Procedure, Order No. PSC-05-0073-PCO-TP, Sprint-Florida, Incorporated (hereinafter "Sprint") hereby submits the following Preliminary General and Specific Objections to KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC's (KMC's) Fifth Set of Interrogatories and Fifth Request for Production of Documents, which were served on Sprint by e-mail on February 9, 2005.

INTRODUCTION

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the five-day requirement set forth in Order No. PSC-05-0073-PCO-TP ("Order Modifying Procedure") issued by the Florida Public Service Commission ("Commission") in the above-referenced docket. Should additional grounds for objection be discovered as Sprint prepares its responses to the above-referenced requests, Sprint reserves the right to supplement, revise, or modify its objections at the time that it serves its responses on KMC. Moreover, should Sprint determine that a Protective Order is necessary with respect to any of the material requested by KMC, Sprint reserves the right to file a motion with the Commission seeking such an order at the time that it serves its answers and responses on KMC.

DOCUMENT NUMBER-DATE

01536 FEB 14 05

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GENERAL OBJECTIONS

Sprint makes the following General Objections to KMC's Fifth Set of Interrogatories and Fifth Request for Production of Documents ("PODs"). These general objections apply to each of the individual requests and interrogatories in the Fifth Set of Interrogatories and Fifth Request for PODs respectively, and will be incorporated by reference into Sprint's answers when they are served on KMC.

1. Sprint objects to the requests to the extent that such requests seek to impose an obligation on Sprint to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. Sprint has interpreted KMC's requests to apply to Sprint's regulated intrastate operations in Florida and will limit its responses accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, Sprint objects to such request to produce as irrelevant, overly broad, unduly burdensome, and oppressive.

3. Sprint objects to each and every request and instruction to the extent that such request or instruction calls for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. Sprint objects to each and every request insofar as the request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Any responses provided by Sprint to KMC's requests will be provided subject to, and without waiver of, the foregoing objection.

5. Sprint objects to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. Sprint will attempt to note in its responses each instance where this objection applies.

6. Sprint objects to KMC's discovery requests, instructions and definitions, insofar as they seek to impose obligation on Sprint that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

7. Sprint objects to providing information to the extent that such information is already in the public record before the Commission, or elsewhere.

8. Sprint objects to each and every request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. Sprint objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that KMC requests proprietary confidential business information which is not subject to the "trade secrets" privilege, Sprint will make such information available to counsel for KMC pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

10. Sprint is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, Sprint creates countless documents that are not subject to Commission or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document will be provided in response to these discovery requests. Rather, Sprint's responses will provide, subject

to any applicable objections, all of the information obtained by Sprint after a reasonable and diligent search conducted in connection with these requests. Sprint shall conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the discovery requests purport to require more, Sprint objects on the grounds that compliance would impose an undue burden or expense.

OBJECTIONS TO SPECIFIC INTERROGATORIES

Interrogatory No. 94. Describe by jurisdiction (e.g., local, intraLATA toll, intrastate interLATA toll, interstate toll, or “other”) all of the types of traffic originated from the network of Sprint-FL or any Sprint local exchange carrier affiliate in any state and destined for a KMC end user in any state at any time since January 1, 2004. For traffic designated as “other,” specifically describe the nature of the traffic, e.g., broadband IP-enabled voice traffic.

For the purposes of this and the following Interrogatories, “local” traffic means traffic originating and terminating within the same local calling area including mandatory EAS and virtual NXX traffic, “intraLATA toll” traffic mean non-“local” traffic originating and terminating within different LATAs, and “interstate” traffic is traffic is traffic originating and terminating in different states. For purposes of this and the following Interrogatories, a call originates at the location of the wire center serving the rate center where the telephone number of the calling party is homed regardless of how the call is subsequently routed.

OBJECTION: In addition to and in elaboration of the general objections set forth above, Sprint objects to this Interrogatory to the extent that it requests information concerning traffic terminated outside the state of Florida on the grounds that such traffic is not relevant to a resolution of the disputed issue that is the subject of this arbitration involving the terms of an interconnection agreement governing the relationship of KMC and Sprint-Florida, Incorporated for traffic exchanged within the state of Florida. In addition, Sprint objects to this Interrogatory because it seeks information regarding Sprint local exchange affiliates in other states on the grounds that such information is not relevant to the resolution of the disputed issue that is the subject of this arbitration involving the terms of an interconnection

agreement governing the relationship of KMC and Sprint-Florida, Incorporated for traffic exchanged with the state of Florida.

Interrogatory No. 95 Describe by jurisdiction (e.g., local, intraLATA toll, intrastate interLATA toll, interstate toll, or “other”) all of the types of traffic delivered to Sprint-FL or any Sprint local exchange carrier affiliate from other carriers or entities for termination on KMC’s network. For traffic designated as “other,” specifically describe the nature of the traffic, e.g., broadband IP-enabled voice traffic.

OBJECTION: Please objection to Interrogatory No. 94.

Interrogatory No. 98 Describe the compensation that Sprint-FL or any Sprint local exchange carrier affiliate currently receives from (a) KMC (b) other CLECs and (c) other ILECs for each of the traffic types identified in response to Interrogatories No. 94 and 95. Where the answer is not the same for all CLECs or ILECs in a given state jurisdiction, please describe all differences in compensation among CLECs and ILECs, respectively, as applicable.

OBJECTION: In addition to and elaboration of the general objections set forth above, Sprint objects to this Interrogatory to the extent it seeks information regarding Sprint local exchange affiliates in other states on the grounds that such information is not relevant to the resolution of the disputed issue that is the subject of this arbitration involving the terms of an interconnection agreement governing the relationship of KMC and Sprint-Florida, Incorporated for traffic exchanged with the state of Florida. In addition, Sprint objects to the Interrogatory to the extent it asks for detailed information regarding Sprint’s relationships with other carriers on the grounds that it is overly broad and unduly burdensome. As an ILEC in the state of Florida, Sprint has interconnection agreements or arrangements with hundreds

of local exchange carriers, including CLECs and ILECs. These interconnection agreements are filed with the FPSC and are publicly available to KMC.

Interrogatory No. 99 Describe the intercarrier compensation that Sprint-FL or any Sprint local exchange carrier affiliate currently pays (a) KMC (b) other CLECs and (c) other ILECs for each of the traffic types identified in response to Interrogatories No. 94 and 95. Where the answer is not the same for all CLECs or ILECs in a given state jurisdiction, please describe all differences in compensation among CLECs and ILECs, respectively, as applicable.

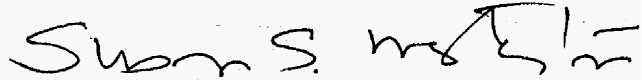
OBJECTION: Please see the objection to Interrogatory No. 98.

OBJECTIONS TO SPECIFIC PODs

POD No. 5 Produce all documents relating to or relied upon by Sprint in making its response, or identified by Sprint in connection with its response, to each interrogatory in KMC's Fifth Set of Interrogatories to Sprint. In producing documents, please identify and group documents by each individual interrogatory number.

OBJECTION: Please see objections to specific Interrogatories above.

DATED this 14th day of February 2005.

Handwritten signature of Susan S. Masterton in black ink on a light gray background.

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