

ORIGINAL

Matilda Sanders

From: CJ Cratty [cjcratty@moylelaw.com]
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Attachments: Discovery proposal 06.13.05.pdf

<<Discovery proposal 06.13.05.pdf>>

Pursuant to the Commission's procedures for e-filing, Competitive Carriers of the Southeast provides the following information:

A. The attorney responsible for filing is:

Vicki Gordon Kaufman
 Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
 The Perkins House
 118 North Gadsden Street
 Tallahassee FL 32301
 850.681.3828
 850.681.8788 Fax

B. The document is to be filed in Docket No. 041269-TP.

C. The document is filed on behalf of Competitive Carriers of the Southeast.

D. The document is 4 pages long.

E. The document is Joint Discovery Proposal.

CJ Cratty

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ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to establish generic
Docket to consider amendments
To interconnection agreements
Resulting from changes in law, by
BellSouth Telecommunications,
Inc.

Docket No.: 041269-TP

Filed: June 13, 2005

JOINT DISCOVERY PROPOSAL

The Competitive Carriers of the Southeast (CompSouth) and BellSouth Telecommunications, Inc. (BellSouth) (hereinafter, Movants) file the following proposal for the conduct of discovery in this matter for the Commission's consideration. As grounds therefor, Movants state:

1. In this docket, the Commission will address BellSouth's generic petition in which it seeks to amend its various interconnection agreements to address recent changes in law.

2. BellSouth has filed a similar petition before the other public service commissions in the other eight (8) BellSouth states. Movants anticipate that these proceedings, including discovery relating to the matters at issue in the various proceedings, will occur simultaneously or very close in time in the numerous jurisdictions. Movants also anticipate that an Order Establishing Procedure ("OEP"), setting out the procedure applicable to this docket, will be issued soon.

3. Therefore, in an attempt to deal expeditiously and efficiently with the conduct of discovery in multiple jurisdictions and to avoid duplication and waste of resources, the Movants have conferred in an attempt to agree on a discovery process that will facilitate the conduct of this docket, as well as the dockets pending in other states.

4. To that end, the Movants have agreed on the following discovery parameters which they request that the Commission consider and incorporate in its OEP in this matter:

a. Discovery in this docket shall begin on June 29, 2005. The last day to issue discovery will be seven (7) calendar days after rebuttal testimony is due.¹

b. Discovery (of all types) shall be limited to a total (for all BellSouth states) of 30 requests (including subparts) from each carrier or association to each carrier or association. A limit of a cumulative total of 200 requests will apply to each carrier or association.²

c. Requests that concern carrier-specific data will be submitted directly to the carrier, not the association.

d. Depositions will be limited to one per witness, with follow up limited to new material.

e. The parties will identify mutually acceptable locations, times and dates for witness depositions.

f. Discovery propounded in one state may be used in other states.

g. Discovery propounded in one state may seek information from another state and a party will not object on that basis.

h. Objections to discovery requests shall be served within 10 calendar days of service of the request.

i. Discovery answers shall be served within 30 calendar days of service of the request.

¹ In Florida, depending on actual deadlines, this would be October 6, 2005.

² To illustrate, BellSouth may send 30 requests to carrier A, 30 requests to carrier B, etc. Carrier A may send 30 requests to BellSouth; carrier B may send 30 requests to BellSouth, etc. No entity is obligated to answer more than 200 requests in total region-wide.

j. Any discovery disputes will be resolved in the jurisdiction in which the discovery is served. If a discovery request seeks information for a specific state, any motion to compel that information should be resolved by the Commission in that state, if possible.

k. The parties will attempt to resolve discovery disputes prior to submitting them to the Commission for resolution.

WHEREFORE, Movants request that the Commission incorporate the above discovery procedures, which Movants have negotiated and agreed upon, in the procedural order governing the conduct of this docket.

s/ Meredith Mays

Nancy White
Meredith Mays
BellSouth Telecommunications, Inc.
c/o Ms. Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301-1556

Attorneys for BellSouth

s/ Vicki Gordon Kaufman

Vicki Gordon Kaufman
Moyle Flanigan Katz Raymond &
Sheehan, PA
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301

Attorneys for CompSouth

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Electronic Mail and U.S. Mail this 13th day of June, 2005.

Adam Teitzman
Office of General Counsel, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0850

Michael A. Gross
Vice President, Regulatory Affairs &
Regulatory Counsel
Florida Cable Telecommunications
Association, Inc.
246 E. 6th Avenue
Tallahassee FL 32303

Kenneth A. Hoffman
Martin P. McDonnell
Rutledge, Ecenia, Purnell & Hoffman
P.O. Box 551
Tallahassee FL 32303

John J. Heitmann
Scott A. Kassman
Kelley Drye & Warren LLP
1200 19th Street, N.W., Fifth Floor
Washington DC 20036

Wanda Montano
Terry Romine
US LEC Corp.
6801 Morrison Boulevard
Charlotte NC 28211

Tracy W. Hatch
Senior Attorney
AT&T
101 N. Monroe Street, Suite 700
Tallahassee FL 32301

Donna Canzano McNulty
MCI
1203 Governors Square Blvd., Suite 201
Tallahassee FL 32301

Dana Shaffer
XO Communicatinos, Inc.
105 Molloy Street, Suite 300
Nashville TN 37201

Steven B. Chaiken
Supra Telecommunications and
Information Systems, Inc.
General Cousnel
2901 SW 149th Avenue, Suite 300
Miramar FL 33027

Nanette Edwards
ITC^DeltaCom Communications, Inc.
7037 Old Madison Pike, Suite 400
Huntsville AL 35806

Matt Feil
Florida Digital Network, Inc.
2301 Lucien Way, Suite 200
Maitland FL 32751-7025

Susan Masterson
Sprint Communications Company LP
P.O. Box 2214
Tallahassee FL 32316-2214

Norman H. Horton
Robert J. Telfer
Messer, Caparello & Self, P.A.
215 South Monroe Street, Suite 701
Tallahassee FL 32301

S/Vicki Gordon Kaufman
Vicki Gordon Kaufman