

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of TDS Telecom d/b/a)
TDS Telecom/Quincy Telephone, ALLTEL)
Florida, Inc., Northeast Florida Telephone)
Company d/b/a NEFCOM, GTC, Inc. d/b/a)
GT Com, Smart City Telecommunications,)
LLC d/b/a Smart City Telecom, ITS Tele-)
communications Systems, Inc. and Frontier)
Communications of the South, LLC,)
("Joint Petitioner") objecting to and)
requesting suspension of Proposed Transit)
Traffic Service Tariff filed by BellSouth)
Telecommunications, Inc.)
_____)

Docket Nos. 050119-TP and 050125-TP

**SMALL LOCAL EXCHANGE TELECOMMUNICATIONS
COMPANIES' FIRST SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS
TO BELLSOUTH TELECOMMUNICATIONS, INC.**

TDS Telecom, d/b/a TDS Telecom/Quincy Telephone, Northeast Florida Telephone Company, d/b/a NEFCOM, GTC, Inc. d/b/a GT Com, Smart City Telecommunications, LLC d/b/a Smart City Telecom and Frontier Communications of the South, LLC ("Small LECs"), by and through their undersigned counsel, and pursuant to Rule 28-106.206, Florida Administrative Code and Rule 1.350, Florida Rules of Civil Procedure, hereby serves its First Set of Requests for Production of Documents upon BellSouth Telecommunications, Inc. ("BellSouth). The Small LECs request BellSouth to produce for inspection a copy of all documents in the possession, custody or control of BellSouth or otherwise available to BellSouth which are responsive to the requests contained in the numbered paragraphs below, at the office of the Rutledge, Ecenia, Purnell & Hoffman, P.A., 215 South Monroe Street, Suite 420, Tallahassee, Florida 32301, within thirty (30)

days of service hereof.

DEFINITIONS

1. The singular of any word contained herein shall include the plural and vice versa; the terms “and” and “or” shall be both conjunctive and disjunctive; and the term “including” means “including without limitation.”

2. “All” means all or any.

3. “Document” or documents” means “documents” as defined in Rule 1.350 of the Florida Rules of Civil Procedure. In addition, the words “document” or “documents” shall mean any writing, recording, computer~stored information, or photograph in your possession, custody, care or control, which pertain directly or indirectly, in whole or in part, to any of the subjects listed below, or which are themselves listed below as specific documents, including, but not limited to analyses, correspondence, memoranda, notes, messages, e-mails, diaries, minutes, books, reports, charts, ledgers, invoices, computer printouts, computer discs, microfilms, video tapes, tape recordings or studies.

4. “Identify” shall mean to denote, list, state or respond in similar fashion.

5. “Identify” shall also mean (1) when used with respect to a person, to state the person’s full name, present or last known business address; and present or last known employer and position; (2) when used in respect to a document, to describe the document by character (e.g., letter, report, memorandum, etc.), author, date, and to state its present location and custodian, and (3) when used with respect to an oral communication, to identify the persons making and receiving the communication, the approximate date of and time of the communication, and a summary of its content or substance.

6. "Person" or "persons" means all natural persons and entities, including but not limited to: corporations, companies, partnerships, limited partnerships, joint ventures, trusts, estates, associations, public agencies, departments, bureaus or boards.

7. "Relate to" or "Related to" shall mean and include address, contain, discuss, describe, pertain and/or refer.

8. "You," "yours" and/or "yourselves" means and refers to GPIWA as defined and described in paragraph No. 2 below.

INSTRUCTIONS

9. Scope of Production. In responding to this request to produce, produce all responsive documents, including any and all non-identical copies of each such document.

10. Manner of Objections and Inability to Respond. If you object to a part of a request and refuse to respond to that part, state your objection and answer the remaining portion of that request. If you object to the scope of a request and refuse to produce documents for that scope, state your objection and produce documents for the scope you believe is appropriate.

11. If any of the requests cannot be responded to in full after exercising due diligence to secure the requested documents, please so state and respond and produce documents to the extent possible, specifying your inability to respond further. If your response or production is qualified or limited in any particular way, please set forth the details and specifics of such qualification or limitation.

12. Privileged Information or Document. In the event you wish to assert attorney/client privilege or the work product doctrine or both, or any other claim of privilege, then as to such

documents allegedly subject to such asserted privileges, you are requested to supply an identification of such documents, in writing, with sufficient specificity to permit the Court to reach a determination in the event of a motion to compel as to the applicability of the asserted objection, together with an indication of the basis for the assertion of the claim of attorney/client privilege or the work product doctrine, or any other claim of privilege. The identification called for by this instruction shall include the nature of the document (e.g., interoffice memoranda, correspondence, report, etc.), the sender or author, the recipient of each copy, the date, the name of each person to whom the original or any copy was circulated, the names appearing on any circulation list associated with such document, and a summary statement of the subject matter of the document in sufficient detail to permit the Court to reach a determination in the event of a motion to compel.

13. Computer-Generated Documents. If a requested document is on computer or word processing disc or tape, produce an electronic copy of the document and a printout of the document.

14. With respect to the documents produced, you shall produce them as they are kept in the usual course of business, labeling them to correspond with each numbered paragraph of this Request in response to which such documents are produced. All pages now stapled or fastened together and all documents that cannot be copied legibly should be produced in their original form.

DOCUMENTS REQUESTED

1. Any and all documents utilized or relied upon by BellSouth to develop the rate or charge set forth in BellSouth's proposed Transit Traffic Tariff No. FL 2004-284.

2. Any and all documents that identify, refer or relate to the rate or charge set forth in BellSouth's proposed Transit Traffic Tariff No. FL 2004-284.

3. For each third-party carrier listed in response to the Small Local Exchange Telecommunications Companies' Interrogatory No. 1, provide copies of the interconnection contract language (excerpts from interconnection agreements) that BellSouth has in place with each of the third-party carriers that specifically addresses BellSouth's provision of transit services and the rights and responsibilities of BellSouth and the third-party carrier with respect to BellSouth's provision of transit services.

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