

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for recovery of intrastate costs and expenses relating to repair, restoration and replacement of facilities damaged by Hurricane Dennis, by GTC, Inc. d/b/a GT Com.	DOCKET NO. 060300-TL DATED: MAY 30, 2006
---	---

**GT COM'S OBJECTIONS AND RESPONSES  
TO STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1 - 3)**

Pursuant to Rules 28-106.206 and 25022.006, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, GT Com hereby files and serves its Objections and Responses to Staff's First Request for Production of Documents.

GT Com objects to each Request to the extent that it requests budgets, budgeted expenses or revenues, budget variances, financial statements, revenues, net operating income or loss, cost of capital, depreciation status, incremental costs or any information not specified in §364.051(4)(b), Florida Statutes. Such information is not relevant to GT Com's request for cost recovery under §364.051(b)(4), Florida Statutes nor is it reasonably calculated to lead to the discovery of admissible evidence.

Section 364.051(4)(b), Florida Statutes, permits recovery of "intrastate costs and expenses relating to repairing, restoring, or replacing the lines, plants, or facilities damaged by a named tropical system." Recovery is conditioned upon verification of the Company's costs and a determination that those costs are reasonable under the circumstances for the particular storm. The statute does not in any way predicate recovery of costs upon (or define recoverable costs in terms of or with reference to) budgets, budgeted expenses or revenues, budget variances, financial statements, revenues, net operating income or loss, cost of capital, depreciation status, incremental costs or any information not specified in §364.051(4)(b), Florida Statutes. In addition, GT Com is a price-regulated small local exchange company. GT Com's rates for basic

local telecommunications services are not based on traditional rate base, rate of return regulation or oversight of GT Com's revenues and expenses. GT Com therefore objects to each Request to the extent that it requests such information because such information is not relevant to GT Com's request for cost recovery under §364.051(b)(4), Florida Statutes nor is it reasonably calculated to lead to the discovery of admissible evidence.

The Commission must decide this case on an expedited basis under §364.051(4)(b), Florida Statutes. Accordingly, in an effort to be responsive and to allow timely preparation for hearing under the expedited procedural schedule in this case, GT Com will respond to Staff's Requests subject to and without waiver of any objection the Company may or could raise, or positions the Company may or could take, regarding the relevance, admissibility, or use of any responsive information in this hearing or otherwise. To be perfectly clear, GT Com fully intends to object to any attempt by any person, party or entity to introduce into evidence in this proceeding or otherwise bring before the Commission for consideration any documents or information that relate to matters irrelevant to this proceeding, including but not limited to those listed herein.

Subject to and without waiving objections as set forth above, GT Com responds to staff's Requests as follows:

1. Provide the engineering project specifications and designs for each project, and any other documents that identify the items necessary (labor, materials, equipment) to implement the designs for the temporary and permanent repairs to the systems damaged by Hurricane Dennis, and that justify the acquisition of the items shown on all invoices provided to the Commission and/or the Office of the Public Counsel.

Response: GT Com will provide responsive documents consisting of engineering drawings and staking sheets. All documents relating to accounting for such labor, materials and equipment have already been provided.

2. Provide a copy of any signed contracts GT Com completed with any subcontractors whose charges are included in the request for storm cost recovery.

Response: GT Com's responsive documents consist entirely of proprietary confidential business information. In accordance with Rule 25-22.006(3)(a) and (4), Florida Administrative Code, GT Com will provide such documents under confidential cover with a Notice of Intent to Request Confidential Classification, and will file a Request for Confidential Classification of said proprietary confidential business information within twenty-one days thereafter.

3. Provide a copy of the 2005 NECA cost study for GTC, Inc. – St. Joe Division.

Response: GT Com has no responsive documents.

Respectfully submitted this 30<sup>th</sup> day of May, 2006.



---

Kenneth A. Hoffman, Esquire  
Marsha E. Rule, Esquire  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
215 South Monroe St., Suite 420  
Tallahassee, FL 32301  
850.681.6788 (telephone)  
850.681.6515 (facsimile)

ATTORNEYS FOR GTC, INC.  
d/b/a GT COM