

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: )  
 )  
Complaint by BellSouth Telecommunications, Inc. ) Docket No. 000475-TP  
against Thrifty Call, Inc. regarding practices in the ) Filed: April 18, 2008  
reporting of percent interstate usage for compensa- )  
tion for jurisdictional access services )

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**THRIFTY CALL, INC.'S OBJECTIONS TO AT&T FLORIDA'S FIRST REQUEST  
FOR ADMISSIONS**

Thrifty Call, Inc. ("Thrifty Call"), hereby files these objections to BellSouth Telecommunications, Inc. d/b/a AT&T Florida's ("AT&T") First Request for Admissions, pursuant to Florida Public Service Commission Order No. PSC-07-1027-PCO-TP.

**GENERAL OBJECTIONS AND RESERVATION OF RIGHTS**

1. Any response to a Request for Admission shall be made without waiving or intending to waive, but on the contrary intending to preserve and preserving: (a) the right to object, on the grounds of competency, relevancy, materiality, privilege or admissibility as evidence for any purpose, or any other ground, to the use of the Response or the subject thereof, in this or any subsequent or other proceeding; and (b) the right to object on any ground to other

Request for Admissions, document requests, or other discovery proceedings involving or relating to the subject matter of the Request for Admission.

2. Thrifty Call will make a reasonable effort to respond to each and every individual Request for Admission not objected to. If AT&T should assert an interpretation of any Request for Admission that differs from Thrifty Call's, Thrifty Call reserves the right to supplement or amend its Specific Objections.

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3. Thrifty Call objects to each and every one of the Request for Admissions that calls for information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, the consulting expert privilege, third-party confidentiality agreements or protective order, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time response is first made or is later determined to be applicable for any reason. Thrifty Call in no way intends to waive such privilege or protection, subject to the executed Agreement.

4. Thrifty Call objects to providing information that is proprietary, confidential business information without provisions in place to protect the confidentiality of the information. Thrifty Call has not had sufficient time in every case to determine whether the discovery requests call for the disclosure of confidential information. Thrifty Call in no way intends to waive claims of confidentiality, subject to the executed Agreement.

5. Thrifty Call objects to the Instructions and to each Request for Admission to the extent that they purport to impose upon Thrifty Call obligations that Thrifty Call does not have under the law or applicable rules of procedure.

6. Thrifty Call objects to providing information to the extent such information is already in the public record.

7. Thrifty Call objects to each Request for Admission to the extent it is not limited to any stated period of time or a stated period of time that is longer than is relevant for purposes of the issues in this proceeding.

8. Thrifty Call expressly reserves and does not waive any and all objections it may have to the admissibility, authenticity or relevancy of the information provided pursuant to the Interrogatories.

9. Many of the Specific Objections that Thrifty Call makes are applicable to several of the Interrogatories. For this reason, Thrifty Call provides the following definitions of those objections and, where applicable, repeats only the defined term in stating its Specific Objections.

a. Relevance: the Request for Admission is not relevant to any specific claims, defenses, issues or questions presented in this proceeding and is not reasonably calculated to lead to the discovery of information relevant to resolution of these issues, or the Interrogatory applies to matters other than those subject to the jurisdiction of the Commission.

b. Unduly Burdensome: the Request for Admission is unduly burdensome in that providing the requested data (i) would require an unreasonable expenditure of time and resources to search for documents or information, (ii) is cumulative and/or has only a limited likelihood of leading to the discovery of information relevant to resolution of the specific issue and either (a) the value of providing the information is outweighed by the burden of production or (b) AT&T can obtain the information through publicly available information.

c. Overly Broad: the Request for Admission seeks a general category of information within which only certain portions of the information may be reasonably related to the subject matter of this proceeding.

d. Vague and Ambiguous: the Request for Admission is vague and ambiguous in that it does not describe the information sought with sufficient precision or particularity, fails to convey with reasonable clarity what is being requested, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of the specific Interrogatory. As such Thrifty Call cannot reasonably determine the intended meaning, scope or limits of the Request for Admission.

10. The information supplied herein is for use in this litigation and for no other purpose.

11. Thrifty Call objects to the definition of “document” on the grounds that it is Vague, Ambiguous, Overly Broad, and Unduly Burdensome. Thrifty Call also objects to this definition to the extent that it exceeds the requirements of the Florida Rules of Civil Procedure.

### **RESPONSES AND OBJECTIONS TO SPECIFIC REQUESTS FOR ADMISSIONS**

The General Objections and Reservations of Rights noted above apply to, and are incorporated in, the individual response herein, whether or not expressly incorporated by referenced in such individual response. Thrifty Call objects specifically to the individual Requests as follows:

3. Admit that telephone voice traffic originating in Florida, routed through a switch in Orlando, Florida and delivered to an end-user in Florida is intrastate in nature.

Objection: Vague and Ambiguous and calls for a legal conclusion.

4. Admit that telephone voice traffic originating in Florida, routed through a switch in Atlanta, Georgia and delivered to an end-user in Florida is intrastate in nature.

Objection: Vague and Ambiguous and calls for a legal conclusion.

5. Admit that Thrifty Call did not correctly jurisdictionalize traffic delivered to AT&T Florida during the period of January 1, 1998 to December 1, 2000.

Objection: Vague and Ambiguous and calls for a legal conclusion.

6. Admit that Thrifty Call did not correctly jurisdictionalize traffic delivered to AT&T Florida during the period of July 1999 to June 2000.

Objection: Vague and Ambiguous and calls for a legal conclusion.

12. Admit that based upon the FCC’s Declaratory Ruling issued in *In the Matter of Thrifty Call, Inc. Petition for Declaratory Ruling Concerning BellSouth Telecommunications, Inc. Tariff F.C.C. No. 1*, Thrifty Call did not correctly report PIUs to AT&T Florida for

traffic delivered to AT&T Florida during the period of January 1, 1998 to December 1, 2000.

Objection: Vague and Ambiguous and calls for a legal conclusion.

13. Admit that long distance telephone calls which originate and terminate within the State of Florida are intrastate calls subject to the Florida Public Service Commission's jurisdiction even though the calls may be routed through a switch located in another state.

Objection: Vague and Ambiguous and calls for a legal conclusion.

14. Admit that Thrifty Call has not paid AT&T North Carolina the amount of \$1,898,685 as ordered by the North Carolina Utilities Commission in its April 11, 2001 Recommended Order on Complaint in Docket No. P-447, SUB 5.

Objection: Irrelevant.

15. Admit that Thrifty Call was unable to completely and accurately determine the PIU it provided to AT&T Florida during the period of January 1, 1998 to December 1, 2000.

Objection: Overly Broad, Vague and Ambiguous and calls for legal conclusion.

16. Admit that Thrifty Call was unable to completely and accurately determine the PIU it provided to AT&T Florida during the period of January 1, 1998 to December 1, 2000.

Objection: Overly Broad, Vague and Ambiguous and calls for legal conclusion.

17. Admit that Thrifty Call did not accurately determine the PIU it provided to AT&T Florida during the period of January 1, 1998 to December 1, 2000.

Objection: Overly broad, vague and ambiguous and calls for legal conclusion.

Respectfully submitted,

  
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**CERTIFICATE OF SERVICE**

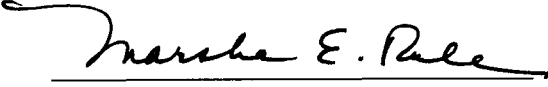
I HEREBY CERTIFY that a copy of the foregoing was furnished by U.S. Mail to the following this 18 day of April, 2008:

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