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February 19, 1996

IN REPLY REFER TO:

Tallahassee

BY HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Resolution of Petition to Establish Non-Discriminatory Rates, Terms, and Conditions for Interconnection Involving Local Exchange Companies and Alternative Local Exchange Companies pursuant to Section 364.162, Florida Statutes; Docket No. 950985-TP

Dear Ms. Bayo:

Enclosed for filing are the original and fifteen (15) copies of Sprint United/Centel's Objections to MCImetro's First set of Interrogatories and First Request for Production and Motion for Protective Order in the above styled docket.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

RECEIVED
FEB 19 1996

J. Jeffrey Wahlen

FPSC-RECORDS/REPORTING

Enclosures

cc: All Parties of Record (w/encls.)

DOCUMENT NUMBER-DATE

01950 FEB 19 96

FPSC-RECORDS/REPORTING

- ACK _____
- AFA _____
- APP 1
- CAF _____
- CMU Chen
- CTR _____
- EAG _____ JJW/bjm
- LEG 1 Enclosures
- LIN 5
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of Petition to)
Establish Non Discriminatory Rates,))
Terms, and Conditions for Inter-)
connection Involving Local Exchange))
Companies and Alternative Local)
Exchange Companies pursuant to)
Section 364.162, Florida Statutes)
_____)

DOCKET NO. 950985-TP

Filed: 02/19/96

**CENTRAL TELEPHONE COMPANY OF FLORIDA AND
UNITED TELEPHONE COMPANY OF FLORIDA'S
OBJECTIONS TO MCIMETRO'S FIRST SET OF INTERROGATORIES
AND FIRST REQUEST FOR PRODUCTION
AND MOTION FOR PROTECTIVE ORDER**

United Telephone Company of Florida ("Sprint/United") and Central Telephone Company of Florida ("Sprint/Centel") (collectively "Sprint-United/Centel" or the "Companies"), pursuant to Rule 25-22.034, Florida Administrative Code, Florida Rule of Civil Procedure 1.350, and the Procedural Order in this Docket, hereby submit the following Objections and Motion for Protective Order with respect to MCImetro's First Set of Interrogatories ("MCImetro's First Set") and First Request for Production of Documents ("MCImetro's First POD"), both of which were served by hand delivery on February 8, 1996 .

Preface

The objections are being made for the purpose of complying with the Order on Prehearing Procedure in this docket. The Companies have made a good faith effort to identify any and all objections they may have to MCImetro's First Set and First POD,

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1593

but reserve the right to raise additional objection up to the time of their answers if the need for additional objections becomes apparent while preparing the answers. If it becomes necessary to raise additional objections, the Companies will promptly file those objections and notify counsel for MCImetro of the basis for the objection.

General Objections of MCImetro's First Set

The Companies make the following general objections to MCImetro's First Set. These general objections apply to each of the individual interrogatories in MCImetro's First Set, whether or not a specific objection is raised, and to MCImetro's First Set in its entirety, and are incorporated in the specific objections below as though fully set forth therein.

1. The Companies have interpreted MCImetro's First Set to apply to the Companies' regulated intrastate operations in Florida and will limit their responses accordingly. To the extent that any interrogatory is intended to apply to matters other than the Florida intrastate operations subject to the jurisdiction of the Commission, the Companies object on the basis that such interrogatories are irrelevant, overly broad, unduly burdensome and oppressive.

2. The Companies object to each and every interrogatory to the extent that such requests call for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege. To the extent that the Companies identify privileged information during

the preparation of the answers to MCImetro's First Set, they will, without waiving any applicable privilege, disclose the nature of the information and the basis for the claim of privilege to counsel for MCImetro.

3. The Companies object to each and every interrogatory insofar as the interrogatories are vague, ambiguous, overly broad, duplicative, imprecise or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of the interrogatories. Any answer provided by the Companies will be provided subject to, and without waiver of, the foregoing objection.

4. The Companies object to each and every interrogatory insofar as the interrogatories are not reasonably calculated to lead to the discovery of admissible evidence, are not relevant to the subject matter of this action, and are beyond the scope of discovery as described in Florida Rule of Civil Procedure 1.280. The Companies will attempt to note each instance where this objection applies.

5. The Companies object to producing answers, documents, records and information to the extent that such information is already in the public record before the Florida Public Service Commission, or is equally available to MCImetro from some other source.

6. The Companies object to each and every interrogatory, and all of the interrogatories taken together, insofar as they

are unduly burdensome, expensive, oppressive, or excessively time-consuming to answer as written.

7. The Companies object to each and every interrogatory to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that the interrogatories seek proprietary confidential business information which is not subject to the "trade secrets" privilege, the Companies will make such information available to counsel for MCImetro pursuant to a mutually acceptable Protective Agreement, subject to any other general or specific objections contained herein. The Companies have attempted to identify all instances where confidential information has been requested, but reserve the right to claim additional information as confidential if the need to do so becomes apparent while preparing the answers to MCImetro's First Set.

8. The Companies object to the definition of "you," "your," "Company" and "Sprint-United/Centel" on grounds that the definition of these terms is overbroad and would cause the Companies' search for the information requested to be burdensome.

Specific Objections to MCImetro's First Set

1. What is your most current estimate of the Total Service Long Run Incremental Cost (TSLRIC) of providing local interconnection for termination of local traffic in Florida? If a TSLRIC estimate is not available, please provide your current estimate based upon available incremental cost studies. If no estimate of the incremental cost of providing local interconnection for termination of local traffic is available, please provide your current estimate of the incremental cost of terminating switched access traffic in Florida.

Objection: In addition to the general objections stated above, the Companies object to this question on grounds that it calls for information that the Companies believe is proprietary confidential business information. Without waiving this objection, the Companies will provide the answer to MCImetro pursuant to a mutually acceptable Non-Disclosure Agreement executed between the MCImetro and the Companies.

2. What is your most current estimate of the Total Service Long Run Incremental Cost (TSLRIC) of providing a local loop in Florida as part of the provision of Sprint-United/Centel's local exchange service? If the cost for residential loops is different than the cost for business loops, please provide both figures. If such information is available by loop length, loop density, or a combination of loop length and loop density, please provide such information on a disaggregated basis. If a TSLRIC estimate is not available, please provide your current estimate based upon available incremental cost studies.

Objection: In addition to the general objections stated above, the Companies object to this question on grounds that it calls for information that the Companies believe is proprietary confidential business information. Without

waiving this objection, the Companies will provide the answer to MCImetro pursuant to a mutually acceptable Non-Disclosure Agreement executed between the MCImetro and the Companies.

3. If different from the response to Interrogatory No. 2, what is your most current estimate of the Total Service Long Run Incremental Cost (TSLRIC) of providing a unbundled local loop in Florida? If the cost for unbundled residential loops is different than the cost for unbundled business loops, please provide both figures. If such information is available by loop length, loop density, or a combination of loop length and loop density, please provide such information on a disaggregated basis. If a TSLRIC estimate is not available, please provide your current estimate based upon available incremental cost studies.

Objection: In addition to the general objections set forth above, which are incorporated herein by reference, the Companies object to this interrogatory on grounds that performing the analysis necessary to answer would be burdensome. The Companies have not performed any of the studies that might be used to answer this question, and since answering this question would require assumptions about demand, which were not given in the question, the question cannot be answered.

4. What is your most current estimate of the Total Service Long Run Incremental Cost (TSLRIC) of providing basic residential service in Florida? If a TSLRIC estimate is not available, please provide your current estimate based upon available incremental cost studies.

Objection: In addition to the general objections stated above, the Companies object to this question on grounds that

it calls for information that the Companies believe is proprietary confidential business information. Without waiving this objection, the Companies will provide the answer to MCImetro pursuant to a mutually acceptable Non-Disclosure Agreement executed between the MCImetro and the Companies.

5. **What is your most current estimate of the Total Service Long Run Incremental Cost (TSLRIC) of providing basic business service in Florida? If a TSLRIC estimate is not available, please provide your current estimate based upon available incremental cost studies.**

Objection: In addition to the general objections stated above, the Companies object to this question on grounds that it calls for information that the Companies believe is proprietary confidential business information. Without waiving this objection, the Companies will provide the answer to MCImetro pursuant to a mutually acceptable Non-Disclosure Agreement executed between the MCImetro and the Companies.

11. **Please provide the average monthly revenue that you received per unit of service during the most recent 12-month period for which data is available for (a) basic residential service and (b) basic business service.**

Objection: In addition to the general objections stated above, which are incorporated herein by reference, the Companies object to the question on grounds that answering the question would be burdensome. Due to the way the Companies' accounting systems are designed, the Companies do

not maintain the information necessary to answer this question with precision in the ordinary course of business and it would take a significant amount of time and effort to gather the requested information. However, the Companies can and will provide an answer consisting of their average tariffed R-1 and B-1 rates.

General Objections of MCImetro's First POD

The Companies make the following general objections to MCImetro's First POD. These general objections apply to each of the individual requests for production in MCImetro's First POD, whether or not a specific objection is raised, and to MCImetro's First POD in its entirety.

1. The Companies have interpreted MCImetro's First POD to apply to the Companies' regulated intrastate operations in Florida and will limit their responses accordingly. To the extent that any request is intended to apply to matters other than the Florida intrastate operations subject to the jurisdiction of the Commission, the Companies object on the basis that such interrogatories are irrelevant, overly broad, unduly burdensome and oppressive.

2. The Companies object to each and every request to the extent that such requests call for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege or other applicable privilege. To the extent that the Companies identify privileged information during the

preparation of the answers to MCImetro's First POD, they will, without waiving any applicable privilege, disclose the nature of the information and the basis for the claim of privilege to counsel for MCImetro.

3. The Companies object to each and every request insofar as the instructions and definitions cause them to be vague, ambiguous, overly broad, duplicative, imprecise or utilize terms that are subject to multiple interpretations but are not properly defined or explained. Any response provided by the Companies will be provided subject to, and without waiver of, the foregoing objection.

4. The Companies object to each and every request insofar as the requests are not reasonably calculated to lead to the discovery of admissible evidence, are not relevant to the subject matter of this action, and are beyond the scope of discovery as described in Florida Rule of Civil Procedure 1.280. The Companies will note each instance where this objection applies.

5. The Companies object to producing documents, records and information to the extent that such information is already in the public record before the Florida Public Service Commission, or is equally available to MCImetro from some other source.

6. The Companies object to each and every request, and all of the individual requests taken together, insofar as they are unduly burdensome, expensive, oppressive, or excessively time-consuming as written.

7. The Companies object 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 the requests seek proprietary confidential business information which is not subject to the "trade secrets" privilege, the Companies will make such information available to counsel for MCImetro pursuant to a mutually acceptable Protective Agreement, subject to any other general or specific objections contained herein. The Companies have attempted to identify all instances where confidential information has been requested, but reserve the right to claim additional information as confidential if the need to do so becomes apparent while preparing the responses to MCImetro's First POD.

8. The Companies object to the definition of "you," "your," "Company" and "Sprint-United/Centel" on grounds that the definition of these terms is overbroad and would cause the Companies' search for the information requested to be burdensome.

9. The Companies object to instruction (j) on grounds that this instruction is inconsistent with the Florida Rules of Civil Procedure on discovery, which rules are incorporated by reference into the rules of the Florida Public Service Commission. To the extent the Companies produce documents in response to MCImetro's First POD, the Companies will produce document in their possession, custody or control on the date the response is due.

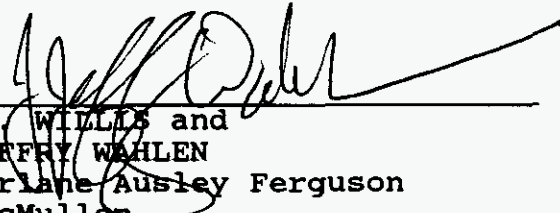
Specific Objections to MCImetro's First Set

To the extent the Companies have responsive documents, the Companies object to individual requests 1, 2, 3, 4, 5, 6, 7 and 8 on grounds that the requested documents contain information that the Companies believe is proprietary confidential business information. Without waiving this objection, the Companies will provide the documents to MCImetro pursuant to a mutually acceptable Non-Disclosure Agreement executed between the MCImetro and the Companies.

Motion for Protective Order

The Companies submit their objections to MCImetro's First Set pursuant to the authority contained in Slatnik v. Leadership Housing Systems of Florida, Inc., 368 So.2d 79 (Fla. 3d DCA 1979). To the extent that a Motion for Protective Order is required, the objections set forth herein are to be construed as a request for protective order.

DATED this 19th day of February, 1996.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) this 19th day of February, 1996, to the following:

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