BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of petition(s) to establish nondiscriminatory 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** **(Continental/Time Warner/MFS--Sprint United/Centel & GTE)** **Filed: March 5, 1996**

AT&T'S RESPONSES, OBJECTIONS, AND MOTION FOR PROTECTIVE ORDER WITH RESPECT TO SPRINT UNITED/CENTEL'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

AT&T Communications of the Southern States, Inc. (hereinafter "AT&T"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code and Rules 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Responses, Objections, and Motion for Protective Order with respect to Central Telephone Company of Florida and United Telephone Company of Florida's (hereinafter collectively referred to as "SPRINT UNITED/CENTEL") First Request for Production of Documents to AT&T served February 14, 1996.

OBJECTIONS AND MOTION FOR PROTECTIVE ORDER

Pursuant to the terms of Order No. PSC-95-1084-PCO-TP issued by the Florida Public Service Commission ("Commission") in the above-referenced docket on August 30, 1995, AT&T served it Objections to SPRINT UNITED/CENTEL's First Request for Production of Documents on February 26, 1996. A copy of such Objections is attached hereto and incorporated herein by specific reference thereto. AT&T's objections are

submitted pursuant to the authority contained in Slatnick 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 attached hereto and incorporated herein by specific reference thereto are to be construed as a request for a protective order.

RESPONSES TO SPECIFIC REQUESTS

Subject to and without waiver of its General Objections, Specific Objections, or Motion for Protective Order, AT&T submits the following Responses to specific requests.

Request No. 1: Provide all documents identified or described in AT&T's responses to Interrogatory Nos. 1 through 9 of SPRINT UNITED/CENTEL's First Set of Interrogatories to AT&T.

Response: In accordance with AT&T's Objections served on SPRINT UNITED/CENTEL on February 26, 1996, AT&T will produce those documents set forth in its answers to SPRINT UNITED/CENTEL's First Set of Interrogatories to AT&T.

Request No. 2: Provide all documents referred to or relied upon by AT&T in responding to SPRINT UNITED/CENTEL's First Set of Interrogatories to AT&T.

Response: AT&T objects to this request on the grounds set forth in AT&T's Objections served on SPRINT UNITED/CENTEL on February 26, 1996.

Request No. 3: Provide all documents that touch upon, describe or otherwise address the interconnection rates, terms or conditions that AT&T believes should apply to interconnection between local exchange companies and alternative local exchange companies.

Response: AT&T objects to this request on the grounds set forth in AT&T's Objections served on SPRINT UNITED/CENTEL on February 26, 1996.

Request No. 4: For each central office identified in response to Interrogatory No. 10, as one where you plan to interconnect or provide service, please provide each document in your possession, custody or control evaluating, analyzing or commenting on interconnection to United Telephone of Florida tandems, end offices or remote end offices.

Response: AT&T objects to this request on the grounds set forth in AT&T's Objections served on SPRINT UNITED/CENTEL on February 26, 1996.

Request No. 5: For each central office identified in response to Interrogatory No. 10, as one where you plan to interconnect or provide service, please provide each document in your possession, custody or control evaluating, analyzing or commenting on connection to Central Telephone Company of Florida (Centel) tandems, end offices or remote end offices.

Response: AT&T objects to this request on the grounds set forth in AT&T's Objections served on SPRINT UNITED/CENTEL on February 26, 1996.

SUBMITTED this 5th day of March, 1996.

Michael W. Tye
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
(904) 425-6360

Robin D. Dunson
1200 Peachtree St., NE
Promenade I, Room 4038
Atlanta, Georgia 30309
(404) 810-8689

ATTORNEYS FOR AT&T
COMMUNICATIONS OF THE
SOUTHERN STATES, INC.

AT&T

Michael W. Tye
Sr. Attorney

Suite 700
101 N. Monroe Street
Tallahassee, FL 32301
904 425-6360
904 425-6361

February 26, 1996

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

Re: Docket No. 950985-TP
MFS v. United-Centel

Dear Mrs. Bayo:

Enclosed for filing in the above referenced docket are an original and fifteen (15) copies of AT&T's Objections to Sprint-United/Centel's First Set of Interrogatories and First Request for Production of Documents.

Copies of the foregoing are being served on all parties of record in accordance with the attached Certificate of Service.

Yours truly,

Michael W. Tye

Attachments

cc: J. P. Spooner, Jr.
Parties of Record

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution of petition(s) to establish nondiscriminatory 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** **Filed: February 26, 1996**

AT&T'S OBJECTIONS TO SPRINT UNITED/CENTEL'S FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

AT&T Communications of the Southern States, Inc. (hereinafter "AT&T"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code and Rules 1.340 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Objections to Central Telephone Company of Florida and United Telephone Company of Florida's (hereinafter collectively referred to as "SPRINT UNITED/CENTEL") First Set of Interrogatories and First Request for Production of Documents to AT&T.

The Objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in Order No. PSC-95-1084-PCO-TP issued by the Florida Public Service Commission (hereinafter the "Commission") in the above-referenced docket on August 30, 1995. Should additional

grounds for objection be discovered as AT&T prepares its answers and responses to the above-referenced set of interrogatories and requests for production of documents, respectively, AT&T reserves the right to supplement, revise, or modify its objections at the time that it serves its answers and responses on SPRINT UNITED/CENTEL. Moreover, should AT&T determine that a Protective Order is necessary with respect to any of the material requested by SPRINT UNITED/CENTEL, AT&T reserves the right to file a motion with the Commission seeking such an order at the time that it serves its answers and responses on SPRINT UNITED/CENTEL.

General Objections

AT&T makes the following General Objections to SPRINT UNITED/CENTEL's First Set of Interrogatories and First Request for Production of Documents which will be incorporated by reference into AT&T's specific responses when its answers and responses are served on SPRINT UNITED/CENTEL.

1. AT&T objects to the definitions of "you", "your", "company" or "AT&T" contained in the "Definitions" section of SPRINT UNITED/CENTEL's First Request for Production of Documents to the extent that such definitions seek to impose an obligation on AT&T Communications of the Southern States, Inc. to respond on

behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definition is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Without waiver of its general objection, and subject to other general and specific objections, answers and responses to SPRINT UNITED/CENTEL'S First Set of Interrogatories and First Request for Production of Documents will be provided on behalf of AT&T Communications of the Southern States, Inc. which is the carrier certificated to provide regulated telecommunications services in Florida and which is a party to this docket. In addition to operating in the State of Florida, AT&T Communications of the Southern States, Inc. also operates in the States of Georgia, North Carolina and South Carolina. All references to "AT&T" in responding to SPRINT UNITED/CENTEL's discovery requests should be taken to mean AT&T Communications of the Southern States, Inc.

2. Unless otherwise indicated, AT&T has interpreted SPRINT UNITED/CENTEL's interrogatories and requests for production of documents to apply to AT&T's regulated intrastate operations in Florida and will limit its answers and responses accordingly. To the extent that any discovery request is intended to apply to

matters other than Florida intrastate operations subject to the jurisdiction of the Commission, AT&T objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

3. AT&T objects to each and every discovery request and instruction to the extent that such request or instruction calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. AT&T objects to each and every discovery request insofar as the request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Any answers or responses provided by AT&T to SPRINT UNITED/CENTEL's discovery requests will be provided subject to, and without waiver of, the foregoing objection.

5. AT&T objects to each and every discovery request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. AT&T will attempt to note each instance where this objection applies.

6. AT&T objects to SPRINT UNITED/CENTEL's general instructions, definitions or specific discovery requests insofar as they seek to impose obligations on AT&T which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

7. AT&T objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. AT&T objects to each and every discovery request, general instruction, or definition insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. AT&T objects to each and every discovery 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 SPRINT UNITED/CENTEL's discovery requests seek proprietary confidential business information which is not subject to the "trade secrets" privilege, AT&T will make such information available to counsel for SPRINT UNITED/CENTEL pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

10. AT&T objects to each of the interrogatories to the extent that they seek information that is not maintained in the format requested.

11. AT&T objects to the discovery requests to the extent that they seek information in the nature of market research. AT&T should not be required to provide to a competitor information which AT&T has compiled or which AT&T has paid to have complied and allow a competitor to have the benefit of such information.

12. AT&T has employees located in many different locations. in the course of its business, AT&T creates or comes into possession of countless documents that are not subject to any regulatory retention of records requirements. These documents are kept in numerous locations and are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document will be provided in response to these discovery requests. Rather, AT&T's responses will provide all of the information obtained by AT&T after a reasonable and diligent search conducted of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, AT&T

objects on the grounds that compliance would impose an undue burden or expense.

13. AT&T objects to every interrogatory that requests information about, or a summary of, a document which is also furnished pursuant to a document production request on the grounds that the documents speak for themselves and SPRINT UNITED/CENTEL is equally capable of extracting or summarizing the requested information.

Objections to Specific Interrogatories

Subject to, and without waiver of, each of the foregoing general objections, AT&T enters the following specific objections with respect to SPRINT UNITED/CENTEL's interrogatories:

INTERROGATORY NO. 3: Pursuant to General Objection No. 13, AT&T objects to subparts (c) to (j) of this interrogatory on the grounds that such information is available to SPRINT UNITED/CENTEL from an examination of the documents covered by the related document production request.

INTERROGATORY NO. 4: Pursuant to General Objection No. 13, AT&T objects to the interrogatory inasmuch as it requests the type of information requested in Interrogatory No. 3(c) to (i) on the grounds that such information is available to SPRINT

UNITED/CENTEL from an examination of the documents covered by the related document production request. To the extent that AT&T's answer to this interrogatory contains proprietary confidential business information, AT&T will allow counsel for SPRINT UNITED/CENTEL to inspect such information only upon execution of an appropriate Protective Agreement.

INTERROGATORY NO. 5: Pursuant to General Objection No. 13, AT&T objects to subparts (b) to (e) of this interrogatory on the grounds that such information is available to SPRINT UNITED/CENTEL from an examination of the documents covered by the related document production request.

INTERROGATORY NO. 6: Pursuant to General Objection No. 13, AT&T objects to subparts (b) to (e) of this interrogatory on the grounds that such information is available to SPRINT UNITED/CENTEL from an examination of the documents covered by the related document production request.

INTERROGATORY NO. 7: Pursuant to General Objection No. 13, AT&T objects to subparts (b) to (d) of this interrogatory on the grounds that such information is available to SPRINT UNITED/CENTEL from an examination of the documents covered by the related document production request.

INTERROGATORY NO. 9: Pursuant to General Objection No. 13, AT&T objects to this interrogatory on the grounds that such information is available to SPRINT UNITED/CENTEL from an examination of the documents covered by the related document production request.

INTERROGATORY NO. 10: To the extent that AT&T has not requested to interconnect with any of SPRINT UNITED/CENTEL'S central offices in Florida, AT&T objects to this interrogatory on the grounds that it is irrelevant, unduly burdensome and oppressive. Moreover, to the extent that SPRINT UNITED/CENTEL is a direct competitor of AT&T, AT&T objects to the disclosure of any information to SPRINT UNITED/CENTEL regarding the costs, profitability, or configuration of its actual or potential local exchange network, on the grounds that such information is highly sensitive, confidential business information which cannot be disclosed to a direct competitor and which constitutes a "trade secret" that is privileged under Florida law.

Objections to Specific Document Production Requests

Subject to, and without waiver of, the foregoing general objections, AT&T enters the following specific objections with respect to SPRINT UNITED/CENTEL's document production requests:

REQUEST NO. 1: Pursuant to General Objection No. 1, AT&T will limit its answer to this interrogatory to matters that apply to the regulated intrastate operations of AT&T Communications of the Southern States, Inc., which operates in the states of Florida, Georgia, South Carolina, and North Carolina. AT&T also objects to this request on the grounds set forth in the individual specific objections made by AT&T to the related interrogatories. Such specific objections are incorporated herein by specific reference thereto.

REQUEST NO. 2: Pursuant to General Objection No. 1, AT&T will limit its answer to this interrogatory to matters that apply to the regulated intrastate operations of AT&T Communications of the Southern States, Inc., which operates in the states of Florida, Georgia, South Carolina, and North Carolina. AT&T also objects to this request on the grounds that AT&T may be required to refer to or rely on a voluminous amount of information in order to respond

to the related interrogatories and this request is therefore overly broad, unduly burdensome, and oppressive.

REQUEST NO. 3: Pursuant to General Objection No. 1, AT&T will limit its answer to this interrogatory to matters that apply to the regulated intrastate operations of AT&T Communications of the Southern States, Inc., which operates in the states of Florida, Georgia, South Carolina, and North Carolina. AT&T also objects to this request as irrelevant inasmuch as AT&T is not a petitioner in this docket. AT&T's status is merely that of intervenor. Indeed, the issues before the Commission in this docket relate to the specific requests of the petitioners for interconnection. Moreover, AT&T objects to this request on the grounds that it is overly broad, unduly burdensome and oppressive in that it would have the effect of penalizing AT&T for its intervention in this case by forcing it to search files and provide documents which are not relevant to the petitions before the Commission. AT&T further objects to this request on the grounds that it calls for highly sensitive, confidential business information which is protected by the "trade secrets" privilege under Florida law. AT&T objects to any request that would require it to release such information, even under a Protective Agreement, to a competitor, such as SPRINT

UNITED/CENTEL. AT&T submits that this request is an improper attempt by SPRINT UNITED/CENTEL to secure valuable, competitively sensitive information intended to give it an advantage in any future negotiations that may take place between AT&T and SPRINT UNITED/CENTEL. The forced disclosure of such information in this docket would improperly influence the bargaining positions of the parties, contrary to the intent of Section 364.161(1) of the Florida Statutes and Section 251(c)(1) of the Telecommunications Act of 1996.

REQUEST NO. 4: In addition to, and without waiver of, the General Objections stated above, AT&T objects to this request on the grounds set forth in the individual specific objections made by AT&T to the related interrogatory. Such specific objections are incorporated herein by specific reference thereto.

REQUEST NO. 5: In addition to, and without waiver of, the General Objections stated above, AT&T objects to this request on the grounds set forth in the individual specific objections made by AT&T to the related interrogatory. Such specific objections are incorporated herein by specific reference thereto.

SUBMITTED this 26th day of February, 1996.

Michael W. Tye
101 N. Monroe St.
Suite 700
Tallahassee, FL 32301
(904) 425-6360

Robin D. Dunson
1200 Peachtree St., NE
Promenade I, Room 4038
Atlanta, Georgia 30309
(404) 810-8689

ATTORNEYS FOR AT&T
COMMUNICATIONS OF THE SOUTHERN
STATES, INC.

CERTIFICATE OF SERVICE

DOCKET NO. 950985-TP

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by next day express mail, U. S. Mail or hand-delivery to the following parties of record this 26th day of February, 1996.

Robert V. Elias, Esq.
Florida Public Service Comm.
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Donna L. Canzano, Esq.
Florida Public Service Comm.
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Floyd R. Self, Esq.
Messer Vickers et al
215 S. Monroe St., Suite 701
Tallahassee, FL 32301

Richard D. Melson, Esq.
Hopping Green Sams & Smith
123 S. Calhoun Street
Tallahassee, FL 32301

Lee Willis, Esq.
Jeffry Wahlen, Esq.
Macfarlane Ausley et al.
227 S. Calhoun Street
Tallahassee, FL 32301

Patrick Wiggins, Esq.
Marsha Rule, Esq.
Wiggins & Villacorta, P.A.
501 E. Tennessee St., Suite B
Tallahassee, FL 32301

Anthony P. Gillman, Esq.
Kimberly Caswell, Esq.
GTE Florida, Incorporated
201 N. Franklin St.
Tampa, FL 33601

Jodie Donovan-May, Esq.
Teleport Communications
1133 21st St., NW, #400
Washington, DC 20036

Nancy H. Sims
BellSouth Telecommunications
150 S. Monroe St., Ste. 400
Tallahassee, FL 32301

Michael J. Henry, Esq.
MCI Telecommunications
780 Johnson Ferry Road #700
Atlanta, GA 30342

Donald Crosby, Esq.
Continental Cablevision
7800 Belfort Parkway #270
Jacksonville, FL 32256-6925

James C. Falvey, Esq.
Richard M. Rindler, Esq.
Swidler & Berlin
3000 K St., NW, Suite 300
Washington, D.C. 20007

Kenneth Hoffman, Esq.
Rutledge Ecenia et al
215 S. Monroe St., Suite 420
Tallahassee, FL 32301

David B. Erwin, Esq.
Young, VanAssenderp, Varnadoe
225 S. Adams St., Suite 200
Tallahassee, FL 32301

Charles Beck, Esq.
Office of the Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400

Laura Wilson, Esq.
Florida Cable
310 N. Monroe Street
Tallahassee, FL 32301

Peter M. Dunbar, Esq.
Pennington Culpepper, P.A.
215 S. Monroe St., Suite 200
Tallahassee, FL 32302

Jill Butler
2773 Red Maple Ridge
Tallahassee, FL 32301

Patricia Kurlin, Esq.
Intermedia Communications
3625 Queen Palm Drive
Tampa, FL 33619

Lynn B. Hall
Vista-United
3100 Bonnett Creek Parkway
Lake Buena Vista, FL 32830

Timothy Devine
MFS Communications Company, Inc.
Six Concourse Pkwy., Suite 2100
Atlanta, GA 30328

Angela Green, Esq.
FPTA
125 S. Gadsden St., Suite 200
Tallahassee, FL 32301

Benjamin Fincher, Esq.
Sprint Communications Co.
3065 Cumberland Circle
Atlanta, GA 30339

Sue E. Weiske, Esq.
Time Warner Communications
160 Inverness Drive West
Englewood, Colorado 80112

C. Everett Boyd, Jr., Esq.
Ervin Varn Jacobs & Odom
305 S. Gadsden Street
Tallahassee, FL 32301

Michael W. Tye