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RECORDS AND  
REPORTING

May 22, 2000

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

Re: Docket No. 990649-TP (UNE Docket)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s General Objections to AT&T's Second Requests for Production of Documents and Second Set of Interrogatories. Please file this in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

*Bennett L. Ross*  
Bennett L. Ross (BR)

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey  
Nancy B. White

APP \_\_\_\_\_  
CAF \_\_\_\_\_  
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COM 5  
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FPSC-RECORDS/REPORTING

In re: Investigation Into )  
Pricing Of Unbundled Network )  
Elements )  
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Docket No. 990649-TP

Filed: May 22, 2000

**BELLSOUTH TELECOMMUNICATIONS, INC.'S**  
**GENERAL OBJECTIONS TO AT&T's**  
**SECOND REQUESTS FOR PRODUCTION OF DOCUMENTS AND**  
**SECOND SET OF INTERROGATORIES**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340, 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following General Objections to AT&T Communications of the Southern States ("AT&T") Second Requests for Production of Documents and Second Set of Interrogatories.

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 the procedural order issued by the Florida Public Service Commission ("Commission") in the above-referenced docket. Should additional grounds for objection be discovered as BellSouth prepares its responses to the above-referenced requests, BellSouth reserves the right to supplement, revise, or modify its objections at the time that it serves its responses on AT&T. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the material requested by AT&T, BellSouth reserves the right to file a motion with the Commission seeking such an order at the time that it serves its responses on AT&T.

## **GENERAL OBJECTIONS**

BellSouth makes the following General Objections to AT&T's Second Requests for Production of Documents and Second Set of Interrogatories (the "requests") which will be incorporated by reference into BellSouth's responses when they are served on AT&T.

1. BellSouth objects to the requests to the extent that such requests seek to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth has interpreted AT&T's requests to apply to BellSouth's regulated intrastate operations in Florida and will limit its responses accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such request to produce as irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every 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. BellSouth objects to each and every 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 responses provided by BellSouth in response to AT&T's requests will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every 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. BellSouth will attempt to note in its responses each instance where this objection applies.

6. BellSouth objects to AT&T's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

7. BellSouth objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission, or elsewhere.

8. BellSouth objects to each and every request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

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

10. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to Florida Public Service Commission or FCC retention of records requirements. These documents are kept in numerous locations that 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, BellSouth's responses will provide, subject to any applicable objections, all of the information obtained by BellSouth after a reasonable and diligent search conducted in connection with these requests. BellSouth shall conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the discovery requests purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense. To the extent that AT&T requests herein documents that have previously been produced to other parties in response to previous discovery, then without limiting any of the foregoing objections, BellSouth incorporates herein by reference its objections to that previous discovery.

#### **SPECIFIC OBJECTIONS**


71. BellSouth objects to Item No. 71 of AT&T's Second Set of Interrogatories on grounds that information concerning BellSouth's plans to provide cable television services in Florida is not relevant to any issue in this


proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

72. BellSouth objects to Item No. 72 of AT&T's Second Set of Interrogatories on grounds that information concerning BellSouth's plans to provide DSL services in Florida is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted this 22nd day of May, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
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**CERTIFICATE OF SERVICE**  
**Docket No. 990649-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

(#) Facsimile and U.S. Mail this 22nd day of May, 2000 to the following:

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**(+) Signed Protective Agreement**