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CO MAY 25 PM 4:32

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RECORDS AND  
REPORTING

May 25, 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:

BellSouth Telecommunications, Inc. has this day served its response to the Florida Competitive Carrier Association's First Request To Produce Documents. Copies have been served on counsel for the parties, and I would appreciate your filing this letter 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.

Sincerely,

*Bennett L. Ross*  
Bennett L. Ross (pw)

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

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*[Signature]*  
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FPSC-RECORDS/REPORTING

**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 25th day of May, 2000 to the following:

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Bennett L. Ross (Pw)

**(+) Signed Protective Agreement**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into )  
Pricing of Unbundled Network )  
Elements )  
\_\_\_\_\_ )

Docket No. 990649-TP

Filed: May 25, 2000

**BELLSOUTH TELECOMMUNICATIONS, INC.'S**  
**RESPONSES TO FCCA'S FIRST REQUEST**  
**TO PRODUCE DOCUMENTS**

**GENERAL OBJECTIONS**

BellSouth Telecommunications, Inc. ("BellSouth" or "Company") asserts the following general objections to the First Request to Produce Documents served by the Florida Competitive Carriers Association ("FCCA") on May 5, 2000.

1. BellSouth objects to the request to the extent that such request seeks 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 a request is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth has interpreted FCCA's request 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 the request and instruction to the extent that such request or instruction calls for information which is exempt from discovery

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by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to the 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 this request. Any responses provided by BellSouth in response to FCCA's request will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to the 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.

6. BellSouth objects to FCCA's discovery request, 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 the request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. BellSouth objects to the 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 FCCA's requests proprietary confidential business information which is not subject to the "trade secrets" privilege, BellSouth will make such information available to counsel for FCCA



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 request purports to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense. To the extent that FCCA 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.

### **PRODUCTION REQUEST**


Subject to the General Objections stated herein, BellSouth provides the following responses to FCCA's Production Request:

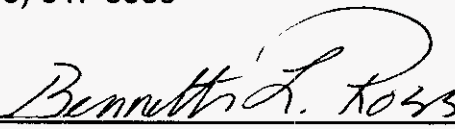
**Request No. 1:** Provide copies of all documents constituting current contracts for the purchase of local switches between BellSouth and any vendor of such switches.

**Response:** BellSouth will make this information available for FCCA's review at BellSouth's offices, 675 West Peachtree Street, Atlanta, GA. This information contains vendor proprietary information and will be made available at a mutually convenient time subject to the terms of the nondisclosure agreement executed in this docket.

Respectfully submitted this 25th day of May, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
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