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August 5, 1999

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

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Re: Docket Number 990691-TP

Dear Ms. Bayo:

Enclosed for filing and distribution are the original and fifteen photocopies of ICG Telecom Group, Inc.'s Motion for Expedited Discovery Response Time and Relief from Limitation on Number of Interrogatories in the above-referenced matter.

Please acknowledge receipt of the above on the extra copy enclosed herein and return it to me. Thank you for your assistance.

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*[Signature]*  
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Yours truly,

*[Signature: Vicki Gordon Kaufman]*  
Vicki Gordon Kaufman

JAM/jk  
enc.  
cc/enc: ICG Group  
*Favors*  
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of: )  
 )  
Petition by ICG TELECOM GROUP, INC. ) Docket No. 990691-TP  
for Arbitration of an Interconnection )  
Agreement with BELLSOUTH ) Filed: August 5, 1999  
TELECOMMUNICATIONS, INC. Pursuant to )  
Section 252(b) of the Telecommunication )  
Act of 1996 )  
\_\_\_\_\_ )

**ICG TELECOM GROUP, INC.'S MOTION  
FOR EXPEDITED DISCOVERY RESPONSE TIME  
AND RELIEF FROM LIMITATION ON NUMBER OF INTERROGATORIES**

ICG Telecom Group, Inc. (ICG), pursuant to rule 28-106.206, Florida Administrative Code, files this request for entry of an order requiring responses to all discovery requests filed by ICG to be answered within twenty (20) days from service. In addition, ICG requests that the limitation on the number of interrogatories contained in Order No. PSC-99-1532-PCO-TP be modified. As grounds therefor, ICG states:

1. On May 27, 1999, ICG filed a Petition for Arbitration of an Interconnection Agreement with BellSouth Telecommunications, Inc. (BellSouth). ICG served its First Set of Interrogatories and First Set of Requests for Production on July 21, 1999. ICG served its Second Set of Interrogatories and Second Set of Requests for Production on August 3, 1999. Direct testimony was filed August 2, 1999; rebuttal testimony is due on September 7, 1999. The Order Establishing Procedure was issued August 4, 1999. The hearing is set for October 8, 1999.

2. ICG seeks to arbitrate 26 issues. Information as to many of these issues is solely within the possession of BellSouth and is critical to the preparation of ICG's case. Due to the complexity of the issues and the relatively short preparation time, ICG requests that the time allowed for discovery responses be expedited. The normal time allotted for response is 30 days. See Rule 1.350, Florida Rules of Civil Procedure. However, ICG requests that the Prehearing Officer require BellSouth to respond to discovery in twenty (20) days. According to the Telecommunications Act of 1996, the circumstances here are appropriate for an expedited time frame, thus it is both

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appropriate and reasonable for BellSouth to respond to discovery requests in less than 30 days.

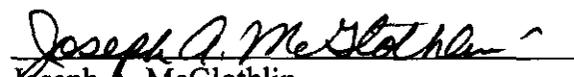
3. These shortened time frames should *not* prejudice BellSouth as it is familiar with the issues in this case.

4. Interrogatories were served on BellSouth before ICG received the Order Establishing Procedure containing limitations on the number of interrogatories. ICG has served eighty-two (82) interrogatories. While they do include numerous subparts, the subparts are logical and necessary efforts to organize the responses. ICG requests that the limitation be modified to permit ICG to proceed with its First and Second Sets of Interrogatories.

5. Pursuant to Rule 28-106.204, Florida Administrative Code, ICG has conferred with counsel for BellSouth regarding this request and is authorized to represent that BellSouth has no objection to the expedited discovery response time, but does object to modifications of the number of discovery requests.

**WHEREFORE**, ICG represents that:

- A. BellSouth be required to respond to discovery requests within 20 days of service; and
- B. The limitation on the number of discovery requests be modified to permit ICG to proceed with its First and Second Sets of Interrogatories.

  
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Attorneys for ICG Telecom Group, Inc.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy ICG Telecom Group, Inc.'s Motion for Expedited Relief from Limitation on Number of Interrogatories has been furnished by hand-delivery\* and by United States mail this 5th day of August, 1999 to:

\* Lee Fordham  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Gunter Building, Room 370  
Tallahassee, FL 32399

\*Nancy B. White  
Michael P. Goggin  
c/o Nancy Sims  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, Florida 32301

  
\_\_\_\_\_  
Joseph A. McGlothlin