

ORIGINAL

RECEIVED-FPSC

Legal Department

MICHAEL P. GOGGIN
General Attorney

99 OCT -8 PM 4: 37

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

RECORDS AND
REPORTING

October 8, 1999

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. 990750-TP (ITC^DeltaCom)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Objections to Staff's Second Set of Interrogatories and Second Request for Production of Documents, which we ask that you file 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,

Michael P. Goggin
Michael P. Goggin

AFA _____
APP _____
CAE _____
CMU 1 _____
CTR _____
EAG _____
LEG 1 _____
MAS 2 _____
OPC _____
PAI _____
SEC 1 _____
WAW _____
OTH _____

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

RECEIVED & FILED

[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12266 OCT-8 99

FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
Docket No. 990750-TP**

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

U.S. Mail this 8th day of October, 1999 to the following:

Diana Caldwell
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6175
Fax. No. (850) 413-6176

Ms. Parkey Jordan
BellSouth Telecomm., Inc.
BellSouth Center
675 West Peachtree Street, N.E.
Suite 4300
Atlanta, Georgia 30375-0001
Tel. No. (404) 335-0794
Fax. No. (404) 658-9022

David I. Adelman, Esq.
Charles B. Jones, III, Esq.
Sutherland Asbill & Brennan L.L.P.
999 Peachtree Street
Atlanta, GA 30309-3996
Tel. No. (404) 853-8000
Fax. No. (404) 853-8806


Michael P. Goggin

*Signed a Protective Agreement

Nanette S. Edwards, Esq. •
Regulatory Attorney
ITC DELTACOM
700 Blvd. South
Suite 101
Huntsville, Alabama 35802
Tel. No. (256) 650-3957
Fax. No. (256) 650-3852

J. Michael Huey
J. Andrew Bertron, Jr.
Huey, Guilday & Tucker, P.A.
106 East College Avenue
Suite 900 (32301)
Post Office Box 1794
Tallahassee, Florida 32302
Tel. No. (850) 224-7091
Fax. No. (850) 222-2593

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| | | |
|------------------------------------------|---|------------------------|
| In Re: |) | Docket No. 990750-TP |
| |) | |
| Petition for Arbitration of ITC^DeltaCom |) | |
| Communications, Inc. with BellSouth |) | |
| Telecommunications, Inc. pursuant to the |) | |
| Telecommunications Act of 1996. |) | |
| <hr/> | | Filed: October 8, 1999 |

**BELLSOUTH TELECOMMUNICATIONS, INC.'S OBJECTIONS TO
STAFF'S SECOND SET OF INTERROGATORIES AND
SECOND REQUEST FOR PRODUCTION**

BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 28-106.206, *Florida Administrative Code*, and Rules 1.340, 1.350 and 1.280, *Florida Rules of Civil Procedure*, file the following general objections to the Second Set of Interrogatories and Second Request for Production served by the Staff of the Florida Public Service Commission's ("Staff") on September 28, 1999.

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the 10-day requirement set forth in the procedural order issued by the Florida Public Service Commission ("Commission") in the above-captioned docket. Should additional grounds for objection be discovered as BellSouth prepares its answers to the above-referenced interrogatories and requests for production of documents, BellSouth reserves the right to supplement, revise, or modify its objections at the time it serves its answers. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the requested information,

DOCUMENT NUMBER-DATE
12266 OCT-8 99
FPSC-RECORDS/REPORTING

BellSouth reserves the right to file a motion with the Commission seeking such an order at the time that it serves its answers.

GENERAL OBJECTIONS

1. BellSouth objects to the interrogatories and requests for production of documents to the extent they 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 objects to the interrogatories and requests for production of documents to the extent they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. BellSouth objects to such interrogatories and requests for production of documents as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every interrogatory, request for production of documents and instruction to the extent that such interrogatory, request for production of documents 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 for interrogatory and request for production of documents insofar as the interrogatory or request for production of documents 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 provided by BellSouth in response to these interrogatories and requests for production of documents will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every interrogatory and request for production of documents insofar as the interrogatory or request for production of documents 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 providing information to the extent that such information is already in the public record before the Commission.

7. BellSouth objects to each and every interrogatory and request for production of documents to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to §90.506, *Florida Statutes*. BellSouth also objects to each and every interrogatory and request for production of documents that would require the disclosure of customer specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that Staff requests proprietary information that is not subject to the "trade secrets" privilege or to §364.24, BellSouth will make such information available to Staff at a mutually agreeable time and place upon the execution of a confidentiality agreement, or subject to a Request for Confidential Classification.

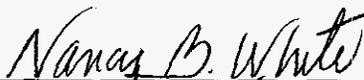
8. BellSouth objects to Staff's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth that exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

9. BellSouth objects to each and every interrogatory and request for production of documents, insofar as any of them is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

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 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 has been identified in response to these interrogatories and requests for production of documents. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the interrogatories and requests for production of documents purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

Respectfully submitted this 8th day of October, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE (PW)
MICHAEL P. GOGGIN
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558



R. DOUGLAS LACKEY (PW)
E. EARL EDENFIELD, JR.
Suite 4300
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0747

181461