

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into pricing of unbundled network elements.

DOCKET NO. 990649-TP

Filed: September 18, 2000

STAFF'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

1. INTRODUCTION

Staff of the Florida Public Service Commission (staff) hereby files this motion seeking an order from the Florida Public Service Commission (Commission) compelling Supra Telecommunications and Information Systems, Inc. (Supra) to respond fully and completely to Staff's discovery requests. Staff requests expedited treatment of this Motion in view of the fact that the hearing is scheduled to conclude on Friday, September 22, 2000

II. DISCUSSION

Supra should be compelled to furnish responses to interrogatories and requests for production served by Staff on August 24, 2000, seeking to question assertions made by Supra in relation to this proceeding, and discover all documents used in the development of the material and placement costs for copper and fiber cable proposed by Supra.

Pursuant to the Second Revised Order on Procedure (Order No. PSC-00-0540-PCO-TP), issued March 16, 2000, the party to whom a

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FPSC-RECORDS/REPORTING

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discovery request is made shall serve the answer within 20 days after service of the request, with no additional time for mailing. The Order dictates responses are to be served by either express mail, facsimile, or hand delivery. Several attempts have been made to contact lead and other appearing counsel for Supra, to no avail. With the exception of Supra, all ALECs to whom discovery requests were propounded have submitted responses, or have communicated with staff as to the status and timeliness of their responses.

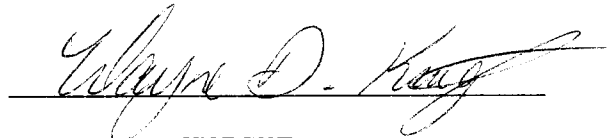
The information requested from Supra is important in staff's evaluation of the competing claims of the various parties to this proceeding. Material, placement, line conditioning and other costs are a significant element in this proceeding, and it is essential that staff have a full and clear understanding of the assumptions and theories behind each parties' assertion. Supra, by its failure to respond, has compromised staff's ability to reach the underlying reasoning of its assertions.

III. CONCLUSION

For the foregoing reasons, the Commission should grant staff's Motion to Compel Responses to Interrogatories and should order Supra to respond fully and completely to staff's discovery requests before the adjournment of the hearing scheduled for September 19-22, 2000.

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Respectfully submitted this 18th day of September, 2000.

A handwritten signature in cursive script, reading "Wayne D. Knight", is written over a horizontal line.

WAYNE D. KNIGHT
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
Gerard L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6199

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In re: Investigation into
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elements.

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FILED: SEPTEMBER 18, 2000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's Motion to Compel Responses to Interrogatories and Request for Production of Documents, has been served **VIA-U.S. MAIL and ELECTRONIC MAIL**, this 18th day of September, 2000, to the following:

ACI Corp.
7337 S. Revere Pkwy.
Englewood, CO 80112

Ms. Marsha Rule
AT&T Communications of the Southern
States, Inc.
101 N. Monroe Street
Suite 700
Tallahassee, FL 32301-1549

Ms. Nancy B. White
c/o Ms. Nancy H. Sims
BellSouth Telecommunications,
Inc.
150 South Monroe Street
Tallahassee, FL 32301

Mr. Jeffrey Blumenfeld
Ms. Elise Kiely
Blumenfeld & Cohen
1625 Massachusetts Ave., NW
Suite 300
Washington, DC 20036

Ms. Kimberly Caswell
Verizon Select Services Inc.
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110

Ms. Catherine F. Boone
c/o Covad Communications Company
10 Glenlake Parkway, Ste. 650
Atlanta, GA 30328

Mr. Matthew Feil
Florida Digital Network, Inc.
390 N. Orange Ave.
Suite 2000
Orlando, FL 32801

Mr. Scott Sapperstein
Intermedia Communications, Inc.
3625 Queen Palm Drive
Tampa, FL 33619-1309

Mr. Charles Rehwinkel
Sprint-Florida, Inc.
P.O. Box 2214
Tallahassee, FL 32316-2214

Mr. Richard Melson
Ms. Gabriel E. Nieto
Hopping Green Sams and Smith, P.A.
P.O. Box 6526
Tallahassee, FL 32314

CERTIFICATE OF SERVICE
DOCKET NO. 990649-TP

Ms. Donna C. McNulty
MCI WorldCom
325 John Knox Road
Suite 105
Tallahassee, FL 32303

Mr. Brian Sulmonetti
MCI WorldCom
Concourse Corporate Center Six
Six Concourse Parkway
Suite 3200
Atlanta, GA 30328

Mr. Joseph McGlothlin
Ms. Vicki Kaufman
McWhirter, Reeves, McGlothlin,
Davidson, Decker, Kaufman,
Arnold, and Steen, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

Mr. Rodney L. Joyce
Shook, Hardy & Bacon LLP
600 14th Street, N.W.
Suite 800
Washington, DC 20005-2004

Mr. Michael A. Gross
Florida Cable
Telecommunications Assoc.
Inc.
310 North Monroe Street
Tallahassee, FL 32301

Ms. Monica Barone
Sprint Communications Company
Limited Partnership
3100 Cumberland Circle
Mailstop GAATLN0802
Atlanta, GA 30339

Mr. Jonathan Canis
Mr. Michael Hazzard
Kelley Drye and Warren, LLP
1200 19th St. NW, Fifth Floor
Washington, DC 20036

Mr. Peter Dunbar
Ms. Karen Camechis
Pennington, Moore, Wilkinson, Bell &
Dunbar, P.A.
P.O. Box 10095
Tallahassee, FL 32302-2095

Mr. Eric J. Branfman
Mr. Morton Posner
Swidler Berlin Shereff
Friedman, LLP
3000 K Street NW, #300
Washington, DC 20007-5116

Ms. Carolyn Marek
Time Warner AxS of Florida, L.P.
233 Bramerton Court
Franklin, TN 37069

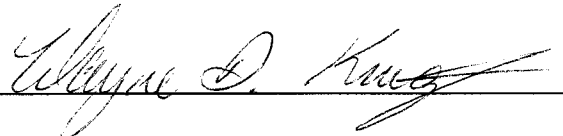
Mr. Gary Cohen
Blumenfeld & Cohen
16225 Massachusetts Ave., NW
Suite 320
Washington, DC 20036

Mr. Mark E. Buechele
Koger Center - Ellis Bldg.
1311 Executive Center Drive
Suite 200
Tallahassee, FL 32301-5027

CERTIFICATE OF SERVICE
DOCKET NO. 990649-TP

Mr. Floyd Self
Messer, Caparello, and Self
P.O. Box 1876
Tallahassee, FL 32302

Mr. Michael Sloan
Swidler Berlin Shereff Friedman, LLP
3000 K Street NW
Suite 300
Washington, DC 20007-5116



WAYNE D. KNIGHT
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6199