

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

ORIGINAL

December 26, 2000

BY HAND DELIVERY

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

RECEIVED-TPSC
00 DEC 26 PM 1:34
RECORDS AND REPORTING

Re: Docket No. 000828-TP

Dear Ms. Bayo:

Enclosed for filing are the original and fifteen (15) copies of Sprint's Responses and Objections to BellSouth's First Request for Production of Documents.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

RECEIVED & FILED
Monte Roberts
FPSC-BUREAU OF RECORDS

Sincerely,

J. Jeffrey Wahlen
J. Jeffrey Wahlen

Enclosures

APP _____
CAF _____
CMP 5 cc: All parties of record
COM 5 Fulwood
CTR _____
ECR 5 Stallcup
LEG 2
OPC _____
PAI _____
RGO _____
SEC 1
SER _____
OTH _____

DOCUMENT NUMBER-DATE

16406 DEC 26 8

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Sprint)
Communications Company Limited)
Partnership for arbitration of) DOCKET NO. 000828-TP
certain unresolved terms and) Filed: December 26, 2000
conditions of a proposed renewal)
or current interconnection)
agreement with BellSouth)
Telecommunications, Inc.)
_____)

**SPRINT'S RESPONSES AND OBJECTIONS TO BELL SOUTH
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP ("Sprint"), by and through its undersigned counsel, hereby responds to BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Requests for Production of Documents ("First POD") as set forth below.

OBJECTIONS

On December 18, 2000, Sprint filed and served its preliminary objections ("Preliminary Objections") to BellSouth's First Request for Production of Documents in accordance with Order No. PSC-00-1823-PCO-TP ("Procedural Order") issued by the Florida Public Service Commission ("Commission"). The foregoing responses are being provided subject to and without waiving the general and specific objections contained in the Preliminary Objections, which objections are incorporated herein by reference. For purposes of clarity, Sprint has restated herein its specific objections as set forth in its Preliminary Objections. Supplements, revisions and modifications to its objections as set forth in the Preliminary Objections, if any, are

DOCUMENT NUMBER-DATE
16406 DEC 26 8
FPSC-RECORDS/REPORTING

shown below in legislative format (additions shown with underlining and deletions shown in ~~strikethrough~~).

SPECIFIC RESPONSES

- 1. Produce every document identified in Sprint's responses to BellSouth's interrogatories.**

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it is vague, overbroad and burdensome. As shown above, Sprint has objected to certain of the interrogatories (e.g., Nos. 2, 3 and 4) calling for the identification of certain documents, and those objections are incorporated herein by reference.

Response: Subject to and without waiving the foregoing objections, Sprint states that the Arbitration Petition in this docket has been served on BellSouth. The FCC's First Report and Order in CC Docket No. 96-98 (issued August 8, 2000), the FCC's rules, the referenced FPSC orders and the Telecommunications Act of 1996 are in the public record and are as available to BellSouth as they are to Sprint. Sprint will produce documents that may be responsive to this request under a separate cover letter.

- 2. Produce all documents referring, relating or pertaining to the payment to or by Sprint or any other ILEC or ALEC of reciprocal compensation for ISP-bound traffic. To be perfectly clear, BellSouth believes that Sprint has memoranda in which its employees discuss whether payment of reciprocal compensation for ISP traffic is required or appropriate.**

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it is vague, overbroad and burdensome.

Response: See Objections.

- 3. Produce all documents referring, relating or pertaining to telephone-to-telephone voice calls delivered over IP Telephony.**

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it is vague, overbroad and burdensome.

Response: Subject to and without waiving the foregoing objections, Sprint provides the following information. There are over 161,000 web page matches for voice over IP. The following are some examples:

[http://dir.yahoo.com/Business and Economy/Business to Business/Communications and Networking/Broadband/Equipment/Digital Subscriber Line DSL /Voice OverDSL/](http://dir.yahoo.com/Business_and_Economy/Business_to_Business/Communications_and_Networking/Broadband/Equipment/Digital_Subscriber_Line_DSL/Voice_OverDSL/)

http://www.cnn.com/2000/TECH/computing/01/11/coic_e.ip.idg

Sprint will produce these examples under separate cover.

4. Produce all documents referring or relating to forecasted growth of Sprint's local market in Florida over the next 24 months.

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it calls for highly proprietary Sprint confidential information, and calls for information that is beyond the scope of discovery in this case, i.e., is not relevant and not calculated to lead to the discovery of admissible evidence.

Response: See Objections.

5. Produce all documents referring or relating to historical growth of Sprint's local market in Florida over the past 24 months.

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it calls for highly proprietary Sprint confidential information, and calls for information that is beyond the scope of discovery in this case, i.e., is not relevant and not calculated to lead to the discovery of admissible evidence.

Response: See Objections.

6. Produce all documents referring, relating or pertaining to any agreements to which Sprint is a party that involves the sharing of any reciprocal compensation received by Sprint from BellSouth.

Response: Subject to and without waiving the foregoing objections, Sprint refers BellSouth to its answer to Interrogatory No. 12. Based on Sprint's understanding of the request, there are no responsive documents.

7. Produce all documents referring, relating or pertaining to any ownership or interest Sprint has in an ISP in Florida.

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it calls for highly proprietary Sprint confidential information, is overly broad and burdensome, and calls for information that is beyond the scope

of discovery in this case, i.e., is not relevant and not calculated to lead to the discovery of admissible evidence.

Response: Subject to and without waiving the foregoing objections, Sprint responds by stating that the following are examples of the requested information available on the web:

<http://www.thestreet.com/brknews/internet/935999.html>

<http://www.usatoday.com/life/cyber/invest/in673.htm>

http://www.internetnews.com/isp-news/article/0,,8_357601,00.html

<http://www.businessweek.com/1998/49/b3607144.htm>

<http://www.bizjournals.com/atlanta/stories/2000/02/21/daily1.html>

<http://www.internetwk.com/news/news0211-8.htm>

Sprint will produce copies of these examples under a separate cover.

8. **Produce all documents referring, relating or pertaining to any agreements to which Sprint is a party that set forth any compensation arrangements with any other ILEC or ALEC regarding IP Telephony.**

Response: Subject to and without waiving the foregoing objections, Sprint states that there are no such documents. See Sprint's answer to Interrogatory No. 53.

9. **Produce any document relied upon by Sprint in preparing any answer to any Interrogatory in this proceeding.**

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it is overbroad and unduly burdensome.

Response: Subject to and without waiving the foregoing objections, Sprint will produce documents that may be responsive to this request.

10. **Using the performance measures set forth in the Florida Commission Staff's Proposed Performance Assessment Plan, please provide any and all documents reflecting Sprint's performance as it relates to each of these proposed measurements.**

Objections: Since the issues in this case relating to performance measures have been deferred to another docket, this request calls for documents that are beyond the scope of discovery.


Response: See Objections.

11. Please provide any and all documents that relate, in any way, to any of the unresolved issues set forth in Attachment A to the Order Establishing Procedure dated October 5, 2000.

Objections: In addition to its general objections, which are incorporated herein by reference, Sprint objects to this request on grounds that it is vague, overbroad and burdensome.

Response: Subject to and without waiving the foregoing objections, Sprint will product documents that may be responsive to this request under a separate cover.

DATED this 26TH day of December, 2000.



SUSAN S. MASTERTON
P.O. Box 2214
Tallahassee, FL 32316-2214
850.599.1560

and

WILLIAM R. L. ATKINSON
3100 Cumberland Circle
Atlanta, GA 30339
404.649.6221

and

J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32302
850.425.5471

ATTORNEYS FOR SPRINT
COMMUNICATIONS COMPANY
LIMITED PARTNERSHIP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that U.S. Mail or hand-delivery (*) served a true and correct copy of the foregoing this 26TH day of December, 2000 to the following:

Tim Vaccaro *
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Nancy B. White *
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 S. Monroe Street, Suite 4000
Tallahassee, Florida 32301-1556

E. Earl Edenfield
Senior Attorney
BellSouth Telecommunications, Inc.
657 W. Peachtree St., N.E.
Atlanta, GA 30375

F. B. (Ben) Poag
Sprint-Florida, Inc.
P. O. Box 2214 (MC FLTLHO0107)
Tallahassee, FL 32316-2214

Attorney 