

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Request for Arbitration Concerning Complaint of Intermedia Communications Inc. against BellSouth Telecommunications, Inc. for Breach of Terms of Interconnection Agreement under Sections 251 and 252 of the Telecommunications Act of 1996 and Request for Relief

Docket No. 991534-TP

Filed: March 16, 2000

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INTERMEDIA COMMUNICATIONS INC.'S OBJECTIONS TO BELL SOUTH TELECOMMUNICATIONS, INC.'S FIRST REQUEST FOR PRODUCTION TO INTERMEDIA COMMUNICATIONS INC.

GENERAL OBJECTIONS

Intermedia Communications Inc. ("Intermedia") asserts the following objections with respect to each and every request for production served by BellSouth Telecommunications, Inc. ("BellSouth"):

1. Intermedia objects to each production request to the extent that any response would require the inclusion of information protected by the attorney-client privilege, the work product doctrine, the joint defense privilege or any other discovery privilege recognized under the Florida Rules of Civil Procedure or other applicable Florida law.

2. Intermedia objects to each production request to the extent it seeks disclosure of trade secrets, confidential, or competitively confidential information pursuant to Section 364.183, Florida Statutes. Intermedia will only produce such information upon the execution of a Confidentiality Agreement and/or Protective Order providing, among other things, that such information shall be used solely for purposes of this proceeding, and that access to and distribution of such information within BellSouth will be strictly limited to those needing it for the purposes of this proceeding.

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3. Intermedia objects to the Instructions and Definitions in the Request for Production to the extent that they exceed the obligations imposed on Intermedia by the Florida Rules of Civil Procedure and by the rules of the Commission. For example, Intermedia objects to BellSouth's instruction (e) demanding that Intermedia supplement its discovery responses; that is not required by the Florida Rules of Civil Procedure.

4. Intermedia objects to each and every production request to the extent it seeks to impose an obligation on Intermedia 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 the applicable discovery rules.

5. Intermedia objects to each and every production request to the extent it is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. Intermedia objects to such requests as being irrelevant, overly broad, unduly burdensome, and oppressive.

6. Intermedia objects to each and every production request to the extent it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations not properly defined or explained for these purposes. Any answers provided by Intermedia to these requests will be provided subject to, and without waiver of, the objection.

7. Intermedia objects to each and every production request to the extent it is not reasonably calculated to lead to admissible evidence and is not relevant to the subject matter of this proceeding. Intermedia will note in its responses where this objection applies.

8. Intermedia objects to providing documents in response to these production requests to the extent they are already in the public record before the Commission.

REQUESTS FOR PRODUCTION

In addition, Intermedia asserts the following specific objections to BellSouth's First Request for Production. Notwithstanding that, Intermedia intends to produce documents responsive to these requests consistent with and subject to each and every objection stated herein.

2. Produce all documents upon which Intermedia intends to rely or introduce into evidence at the hearing on this matter.

Objection: Intermedia incorporates its objections to BellSouth's First Set of Interrogatories in response to this request.

9. Produce all documents referenced or identified in Intermedia's answers to BellSouth's First Set of Interrogatories to Intermedia.

Objection: Intermedia incorporates its objections to BellSouth's First Set of Interrogatories in response to this request.

This 16th day of March, 2000.



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CERTIFICATE OF SERVICE

Docket No. 991534-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing Intermedia Communications Inc.'s Objections BellSouth Telecommunications, Inc.'s First Request for Production to Intermedia Communications Inc. was served by hand delivery* or by Federal Express overnight delivery** this 16th day of March, 2000 upon the following:

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