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ORIGINAL

RECORDS AND
REPORTING

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RECEIVED-FPSC

May 30, 2000

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. 990649-TP (UNEs)

Dear Ms. Bayó:

Enclosed please find the original and fifteen copies of BellSouth Telecommunications, Inc.'s General Objections to Rhythms First Set of Interrogatories and Requests for Production of Documents, which we ask that you file in the above-referenced matter.

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,



Bennett L. Ross *(BWR)*

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

APP	_____
CAF	_____
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COM	_____
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OTH	_____

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06611 MAY 30 8

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation Into)
Pricing Of Unbundled Network)
Elements)
_____)

Docket No. 990649-TP

Filed: May 30, 2000

ORIGINAL

BELLSOUTH TELECOMMUNICATIONS, INC.'S
GENERAL OBJECTIONS TO RHYTHMS LINKS, INC.'S
FIRST SET OF INTERROGATORIES AND
FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.340, 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following General Objections to Rhythms Links, Inc.'s ("Rhythms") First Set of Interrogatories and First Requests for Production of Documents.

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

06611-00

GENERAL OBJECTIONS

BellSouth makes the following General Objections to Rhythms' First Set of Interrogatories and First Requests for Production of Documents (the "requests") which will be incorporated by reference into BellSouth's responses when they are served on Rhythms.

1. BellSouth objects to the requests to the extent that such requests 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 has interpreted Rhythms' requests to apply to BellSouth's regulated intrastate operations in Florida and will limit its responses accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such request to produce as irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request and instruction to the extent that such request 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 insofar as the request 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 responses provided by BellSouth in response to Rhythms' requests will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request insofar as the request 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 Rhythms' 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.

7. BellSouth objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission, or elsewhere.

8. BellSouth objects to each and every request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. BellSouth objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that Rhythms' requests proprietary confidential business information which is not subject to the "trade secrets" privilege, BellSouth will make such information available to counsel for Rhythms pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

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 Florida Public Service 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 will be provided in response to these discovery requests. Rather, BellSouth's responses will provide, subject to any applicable objections, all of the information obtained by BellSouth after a reasonable and diligent search conducted in connection with these requests. BellSouth shall conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the discovery requests purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense. To the extent that Rhythms requests herein documents that have previously been produced to other parties in response to previous discovery, then without limiting any of the foregoing objections, BellSouth incorporates herein by reference its objections to that previous discovery.

SPECIFIC OBJECTIONS

Interrogatories

27. BellSouth objects to Item No. 27 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service

offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

28. BellSouth objects to Item No. 28 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

31. BellSouth objects to Item No. 31 of Rhythms' First Set of Interrogatories to the extent it requests BellSouth to identify all documentation of BellSouth's methods and procedures for maintaining and generating plant records. This request is overly broad and unduly burdensome in that there are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to identify all such documents.

33. BellSouth objects to Item No. 33 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offering to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

36. BellSouth objects to Item No. 36 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning BellSouth's operations outside the state of Florida.

37. BellSouth objects to Item No. 37 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail exchange service is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

38. BellSouth objects to Item No. 38 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning BellSouth's operations outside the state of Florida.

39. BellSouth objects to Item No. 39 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail exchange service is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

40. BellSouth objects to Item No. 40 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning BellSouth's operations outside the state of Florida.

41. BellSouth objects to Item No. 41 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail exchange service is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

45. BellSouth objects to Item No. 45 of Rhythms' First Set of Interrogatories on grounds that the reference to "repeaters" is vague and ambiguous. BellSouth also objects to this request on grounds that it is overly broad and unduly burdensome to the extent it asks BellSouth to identify all documents referring or relating to BellSouth's current engineering methods, procedures, or guidelines. There are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to identify all such documents.

46. BellSouth objects to Item No. 46 of Rhythms' First Set of Interrogatories on grounds that the reference to "repeaters" is vague and ambiguous. BellSouth also objects to this request on grounds that it is overly broad and unduly burdensome to the extent it asks BellSouth to identify all documents referring or relating to BellSouth's current engineering methods, procedures, or guidelines. There are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to identify all such documents.

47. BellSouth objects to Item No. 47 of Rhythms' First Set of Interrogatories on grounds that the reference to "repeaters" is vague and ambiguous. BellSouth also objects to this request on grounds that it is overly broad and unduly burdensome to the extent it asks BellSouth to identify all documents referring or relating to BellSouth's current engineering methods, procedures, or guidelines. There are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to identify all such documents.

48. BellSouth objects to Item No. 48 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

49. BellSouth objects to Item No. 49 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service

offerings to its retail customers is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

50. BellSouth objects to Item No. 50 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

51. BellSouth objects to Item No. 51 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

52. BellSouth objects to Item No. 52 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

54. BellSouth objects to Item No. 54 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail exchange service is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

58. BellSouth objects to Item No. 58 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

59. BellSouth objects to Item No. 59 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

63. BellSouth's objects to Item No. 63 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

64. BellSouth's objects to Item No. 64 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

65. BellSouth objects to Item No. 65 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's *retail exchange service is not relevant to any issue in this proceeding or* reasonably calculated to lead the discovery of admissible evidence.

66. BellSouth objects to Item No. 66 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail exchange service is not relevant to any issue in this proceeding or reasonably calculated to lead the discovery of admissible evidence.

71. BellSouth objects to Item No. 71 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's

retail service offerings is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

72. BellSouth objects to Item No. 72 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail service offerings is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

73. BellSouth objects to Item No. 73 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail service offerings is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

74. BellSouth objects to Item No. 74 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail service offerings is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

75. BellSouth objects to Item No. 75 of Rhythms' First Set of Interrogatories on grounds that information concerning the cost of BellSouth's retail service offerings is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

76. BellSouth objects to Item No. 76 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning BellSouth's operations outside of the state of Florida.

89. BellSouth objects to Item No. 89 of Rhythms' First Set of Interrogatories to the extent that it requests BellSouth to identify every "source

purchase order or other similar document” reflecting BellSouth's purchase of feeder electronics. This request is overly broad and unduly burdensome in that there are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to identify all such documents.

90. BellSouth objects to Item No. 90 of Rhythms' First Set of Interrogatories on grounds that information concerning purchases by BellSouth for the past 10 years is overly broad and unduly burdensome. BellSouth also objects on grounds that such information is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

93. BellSouth objects to Item No. 93 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

94. BellSouth objects to Item No. 94 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

95. BellSouth objects to Item No. 95 of Rhythms' First Set of Interrogatories on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

96. BellSouth objects to Item No. 96 of Rhythms' First Set of Interrogatories on grounds that information concerning forecasts of BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead the discovery of admissible evidence.

97. BellSouth objects to Item No. 97 of Rhythms' First Set of Interrogatories on grounds that information concerning forecasts of BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

98. BellSouth objects to Item No. 98 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning cost of products and services that are not at issue in this proceeding and for which BellSouth has not filed a cost study on grounds that such information is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

101. BellSouth objects to Item No. 101 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning the cost of BellSouth's retail service offerings on grounds that such information is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

102. BellSouth objects to Item No. 102 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning the cost of

BellSouth's retail service offerings on grounds that such information is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

103. BellSouth objects to Item No. 103 of Rhythms' First Set of Interrogatories to the extent that it seeks information concerning the cost of BellSouth's retail service offerings on grounds that such information is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

105. BellSouth objects to Item No. 105 of Rhythms' First Set of Interrogatories to the extent that it purports to require BellSouth to create documents that currently do not exist.

Requests for Production

15. BellSouth objects to Item No. 15 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

16. BellSouth objects to Item No. 16 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

18. BellSouth objects to Item No. 18 of Rhythms' First Request for Production of Documents to the extent it requests BellSouth to produce all documentation of BellSouth's methods and procedures for maintaining and generating plant records. This request is overly broad and unduly burdensome in that there are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to produce all such documents.

19. BellSouth objects to Item No. 19 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offering to its retail customers is not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

22. BellSouth objects to Item No. 22 of Rhythms' First Request for Production of Documents on grounds that the reference to "repeaters" is vague and ambiguous. BellSouth also objects to this request on grounds that it is overly broad and unduly burdensome to the extent it asks BellSouth to produce all documents referring or relating to BellSouth's current engineering methods, procedures, or guidelines. There are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to produce all such documents.

23. BellSouth objects to Item No. 23 of Rhythms' First Request for Production of Documents on grounds that the reference to "repeaters" is vague and ambiguous. BellSouth also objects to this request on grounds that it is overly broad and unduly burdensome to the extent it asks BellSouth to produce

all documents referring or relating to BellSouth's current engineering methods, procedures, or guidelines. There are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to produce all such documents.

24. BellSouth objects to Item No. 24 of Rhythms' First Request for Production of Documents on grounds that the reference to "repeaters" is vague and ambiguous. BellSouth also objects to this request on grounds that it is overly broad and unduly burdensome to the extent it asks BellSouth to produce all documents referring or relating to BellSouth's current engineering methods, procedures, or guidelines. There are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to produce all such documents.

26. BellSouth objects to Item No. 26 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

27. BellSouth objects to Item No. 27 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

30. BellSouth objects to Item No. 30 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

31. BellSouth objects to Item No. 31 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

34. BellSouth's objects to Item No. 34 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

35. BellSouth objects to Item No. 35 of Rhythms' First Request for Production of Documents on grounds on grounds that information concerning the cost of BellSouth's retail service offerings is not relevant to any issue in this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

36. BellSouth objects to Item No. 36 of Rhythms' First Request for Production of Documents on grounds that information concerning BellSouth's service offerings to its retail customers is not relevant to any issue in this

proceeding or reasonably calculated to lead to the discovery of admissible evidence.

41. BellSouth objects to Item No. 41 of Rhythms' First Request for Production of Documents to the extent that it requests BellSouth to produce every "source purchase order or other similar document" reflecting BellSouth's purchase of feeder electronics. This request is overly broad and unduly burdensome in that there are numerous documents containing the requested information, and it would be unreasonable to require BellSouth to produce all such documents.

44. BellSouth objects to Item No. 44 of Rhythms' First Request for Production of Documents to the extent that it seeks documents concerning cost of products and services that are not at issue in this proceeding and for which BellSouth has not filed a cost study on grounds that such documents are not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

50. BellSouth objects to Item No. 50 of Rhythms' First Request for Production of Documents on grounds that the documents requested are not relevant to any issue in this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. BellSouth also objects to this request to the extent it seeks to require BellSouth to create documents that do not currently exist.

Respectfully submitted this 30th day of May, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

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214427

**CERTIFICATE OF SERVICE
Docket No. 990649-TP**

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

(#) Facsimile and Federal Express this 30th day of May, 2000 to the following:

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