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December 17, 2003

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

Re: Docket No.: 030852-TP

Dear Ms. Bayo:

On behalf of Network Telephone Corporation (Network Telephone), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Network Telephone Corporation's Objections to Staff's First Set of Interrogatories and Staff's First Request for Production of Documents.

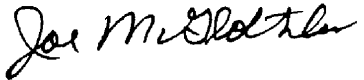
Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

RECEIVED & FILED



FPSC-BUREAU OF RECORDS

Sincerely,


Joseph A. McGlothlin

AUS _____
CAF _____
CMP JAM/bae
COM Enclosures
CTR _____
ECR _____
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SEC I
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McWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN & ARNOLD, P.A. 13149 DEC 17 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising
From Federal Communications Commission's
Triennial UNE review; Location-Specific
Review for DS1, DS3 and Dark Fiber Loops,
And Route-Specific Review for DS1, DS3 and
Dark Fiber Transport.

Docket No. 030852-TP

Filed: December 17, 2003

**OBJECTIONS OF NETWORK TELEPHONE CORPORATION TO
STAFF'S FIRST SET OF INTERROGATORIES
AND
STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Network Telephone Corporation ("Network Telephone"), through its undersigned counsel, submits its preliminary objections to the Florida Public Service Commission Staff's ("Staff") First Set of Interrogatories and First Request for Production of Documents to Network Telephone.

These objections are preliminary in nature. Should additional grounds for objection be discovered as Network Telephone prepares its responses to any discovery, Network Telephone reserves the right to supplement these objections.

GENERAL OBJECTIONS

Network Telephone makes the following general objections to Staff's First Set of Interrogatories and First Request for Production of Documents (together, "Staff's First Discovery Requests"):

1. Network Telephone objects to the "Definitions" section and the individual items of Staff's First Discovery Requests to Network Telephone to the extent that they are overly broad, unduly burdensome and oppressive, and/or excessively time consuming and expensive.

2. Network Telephone objects to the "Definitions" and the individual items of the

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FPSC-COMMISSION CLERK

First Discovery Requests to the extent they seek irrelevant information and are not reasonably calculated to lead to the discovery of admissible evidence. In that regard, Network Telephone objects, among other things, to any discovery request that seeks information that is unrelated to or inconsistent with the methodology and parameters of the analysis of impairment prescribed by the FCC in its Triennial Review Order.

3. Network Telephone objects to the “Definitions” and the individual items of Staff’s First Discovery Requests to the extent they are vague, ambiguous, imprecise, and utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these items.

4. Network Telephone objects to Staff’s First Discovery Requests to Network Telephone to the extent that they purport to impose discovery obligations on Network Telephone that exceed the scope of discovery allowed by the applicable Florida Rules of Civil Procedure. By way of illustration and not limitation, Network Telephone objects to interrogatories and requests for documents that would require Network Telephone to create information or a document that does not exist or prepare information in a manner in which Network Telephone does not maintain it.

5. Network Telephone objects to Staff’s First Discovery Requests to the extent that the interrogatories and the request for production of documents seek discovery of materials and/or information protected by the attorney/client privilege, the work product doctrine, the accountant/client privilege, and any other applicable privilege.

6. Network Telephone objects to Staff’s First Discovery Requests to the extent that the items would require disclosure of information that constitutes trade secrets and/or confidential, proprietary business information, which either should not be disclosed at all or

should be disclosed (provided the information is otherwise discoverable) only pursuant to the terms of a mutually acceptable confidentiality agreement and use of the Commission's rules and procedures relating to confidential and proprietary information.

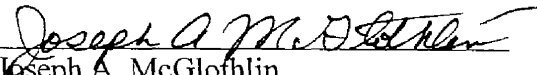
7. Network Telephone objects to Staff's First Discovery Requests to the extent that the items would require Network Telephone to provide information which is already in Staff's possession or is in the public record before the Commission. To require Network Telephone to duplicate information that Staff already has or is readily available to Staff would be unduly burdensome and oppressive.

8. Network Telephone will interpret each interrogatory and the request for documents as relating to intrastate Florida operations. To the extent any interrogatories are not intended to relate to Florida intrastate operations, Network Telephone objects to such interrogatories as overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence.

9. Network Telephone objects to interrogatories and/or requests for documents that require the identification or production of "all," "every," or "any" information or documents as overbroad and unduly burdensome.

11. Network Telephone objects to any discovery request that is not limited in time or is not limited to a period of time that is relevant to the issues before the Commission and/or reasonably related to Staff's legitimate discovery needs.

The undersigned has provided the above objections.


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Attorneys for Network Telephone Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Objections of Network Telephone Corporation to Staff's First Set of Interrogatories and Staff's First Request for Production of Documents has been provided by (*) hand delivery, (**) email and U.S. Mail this 17th day of December 2003, to the following:

(*) (**) Adam Teitzman, Staff Counsel
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