

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RECEIVED- FPSC

11 JAN 11 AM 11:55

In re: Petition for arbitration of interconnection agreement between BellSouth Telecommunications, Inc. d/b/a Commission Staff Florida and Sprint Communications Company L.P.

DOCKET NO. 100176-TP

COMMISSION CLERK

In re: Petition for arbitration of interconnection agreement between BellSouth Telecommunications, Inc. d/b/a Commission Staff Florida and Sprint Spectrum L.P., Nextel South Corp. and NPCR, Inc. d/b/a Nextel Partners.

DOCKET NO. 100177-TP

DATED: January 11, 2011

**SPRINT'S OBJECTIONS TO COMMISSION STAFF'S THIRD INTERROGATORIES AND THIRD REQUEST FOR PRODUCTION OF DOCUMENTS**

Sprint Spectrum L.P. d/b/a Sprint PCS ("Sprint PCS"), Nextel South Corp. ("Nextel"), NPCR, Inc. d/b/a Nextel Partners ("Nextel Partners"), and Sprint Communications Company Limited Partnership (collectively "Sprint") hereby files its objections to Commission Staff's Third Set of Interrogatories (Nos. 114-212) and Third Set of Document Requests (No. 7) (collectively, the "Requests"). Subject to and without waiving its Objections, Sprint intends to provide substantive responses to Commission Staff's requests by the due date for such responses.

**GENERAL OBJECTIONS**

1. Sprint objects to each and every one of these Requests to the extent that

- COM \_\_\_\_\_
- APA \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL 1
- RAD** 14
- SSC \_\_\_\_\_
- ADM \_\_\_\_\_
- OPC \_\_\_\_\_
- CLK \_\_\_\_\_

they request information which is exempt from discovery by virtue of the work product doctrine, attorney-client privilege, or other applicable privilege. Any disclosure of such

DOCUMENT NUMBER DATE  
00252 JAN 11 =  
FPSC-COMMISSION CLERK

information or materials as a result of Sprint's responses or otherwise is inadvertent and is not intended to waive any applicable privileges or protections.

2. Sprint objects to each and every one of the Requests to the extent that they seek information that is not relevant nor material to any issue in this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

3. To the extent that Commission Staff's Requests seek to impose an obligation on Sprint to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this docket, Sprint objects on the grounds that such requests are irrelevant, overly burdensome, oppressive and not permitted by the applicable discovery rules.

4. Sprint objects to each and every one of Commission Staff's Requests to the extent that they seek to impose obligations on Sprint that exceed the requirements of the Florida Rules of Civil Procedure or other Florida law or rules.

5. Sprint objects to each and every one of these Requests to the extent they call for "trade secret," Sprint proprietary business information, and confidential information relating to other carriers that is subject to third-party non-disclosure agreements. Subject to any other applicable objections, Sprint will provide Sprint proprietary information under confidential cover pursuant to Rule 25-22.006, Florida Administrative Code.

6. Sprint objects to each and every one of Commission Staff's Requests to the extent that they are vague, ambiguous, overly broad, and imprecise, or to the extent that they utilize undefined or insufficiently defined terms or phrases.

7. Sprint is a large corporation with employees located in many different locations across the United States. In the course of conducting business on a nationwide basis, Sprint creates numerous documents that are not subject to either Florida Public Service Commission or Federal Communications Commission record retention requirements. These documents are kept in numerous locations and frequently are moved from location to location as Sprint employees change jobs, or as Sprint's business objectives change. Accordingly, it is possible that not every document has been identified in response to these Requests. Sprint will conduct a reasonable and diligent search of those files that are reasonably expected to contain the requested documents or information. To the extent that Commission Staff's Interrogatories and Requests seek to require more, Sprint objects on the grounds that compliance would be unduly burdensome, expensive and extremely time consuming.

8. Sprint objects to each and every one of Commission Staff's Requests to the extent that they require the production of documents or information that is in the public domain, or on record with the Florida Public Service Commission or the Federal Communications Commission, or which is already in Commission Staff's possession, custody or control.

9. Sprint objects to each and every one of these Requests to the extent that they seek to have Sprint create documents or information not in existence at the time of the discovery request.

10. The objections and any subsequently provided written response or documents produced in response hereto are not intended nor should be construed to waive Sprint's right to object to these requests in response hereto, or the subject matter of

the these requests, as to their competency, relevancy, materiality, privilege and admissibility as evidence for any purpose, in this or any other proceeding.

Respectfully submitted this 11<sup>th</sup> day of January, 2011.



Marsha E. Rule  
Rutledge, Ecenia & Purnell, P.A.  
P.O. Box 551  
Tallahassee, FL 32302-0551  
(850) 681-6788  
Fax: (850) 681-6515  
[marsha@reuphlaw.com](mailto:marsha@reuphlaw.com)

William R. Atkinson  
Susan J. Berlin  
Sprint Nextel  
3065 Akers Mill Rd., SE  
7<sup>th</sup> Floor  
Mailstop GAATLD0704  
Atlanta, GA 30339  
(404) 649-8981  
Fax: (404) 649-8980  
[bill.atkinson@sprint.com](mailto:bill.atkinson@sprint.com)  
[susan.berlin@sprint.com](mailto:susan.berlin@sprint.com)

-and-

Joseph M. Chiarelli  
6450 Sprint Parkway  
Mailstop: KSOPHN0214-2A671  
Overland Park, KS 66251  
(913) 315-9223  
Fax: (913) 523-9623  
[joe.m.chiarelli@sprint.com](mailto:joe.m.chiarelli@sprint.com)

*Attorneys for Sprint*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been served on the following by electronic and First Class Mail this 11<sup>th</sup> day of January, 2010:

*Florida Public Service Commission:*  
Charles Murphy, Esq.  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Email: cmurphy@psc.state.fl.us

*AT&T Florida:*  
E. Edenfield/T. Hatch/M. Gurdian  
c/o Mr. Gregory Follensbee  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1561  
Email: greg.follensbee@att.com

*Florida Public Service Commission:*  
Brenda Merritt  
Room 270G  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Email: bmerritt@psc.state.fl.us

*Florida Public Service Commission:*  
Frank Trueblood,  
Room 270E  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
Email: ftrueblo@psc.state.fl.us

  
Marsha E. Rule