



interrogatories, document requests or requests for admission being responded to here; and (b) object to the introduction into evidence of any answer or produced document on relevancy or any other grounds.

2. JEA objects to the definitions and instructions contained in the requests to the extent that the definitions and instructions attempt to impose on JEA a burden or obligation greater than that required by the *Tennessee Rules of Civil Procedure* and applicable statutes and regulations governing contested case hearings.

3. JEA objects to the definition of “identify” and “identifying” as being unduly burdensome.

4. JEA objects to the requests to the extent they call for information and the production of documents protected from disclosure by the attorney-client privilege, common interest privilege, work product doctrine, or any other applicable privilege or protection. JEA objects to the requests to the extent that TCTA is attempting to impose on JEA obligations with regard to identification of privileged documents beyond those required by the *Tennessee Rules of Civil Procedure* and applicable statutes and regulations governing contested case hearings.

5. JEA objects to TCTA’s requests to the extent that TCTA is attempting to require JEA to provide information and produce documents beyond those in its possession, custody, or control as that phrase is used in the *Tennessee Rules of Civil Procedure* and applicable statutes and regulations governing contested case hearings.

6. JEA's objections and responses to these requests are and will be based on information then known to it. JEA reserves the right to amend, modify or supplement its objections and responses if it learns of new information.

7. JEA objects to requests that seek "all" documents pertaining to a certain issue or falling into a certain category. Such requests by their nature are unduly burdensome, and unreasonably cumulative and duplicative. When served on a corporate or other institutional defendant, literal compliance with such a request is impossible to assure. Requiring a party to produce "all" documents showing a certain fact when one will do is, by its nature, unreasonably cumulative and duplicative, and such requests are often vague and indefinite. Where documents are produced in response to such a request, JEA has interpreted the request in light of reason and the matters at issue in this case, and has made a reasonable search for responsive documents. In so doing, JEA has complied with its discovery obligations.

8. For the sake of brevity, JEA expressly incorporates these General Objections in response to each of TCTA's discovery requests in this case.

## **DATA REQUESTS**

1. Provide a copy of the business plan submitted to the Office of the Comptroller of the Treasury of the State of Tennessee (the “Comptroller”) when JEA through EPlus Broadband initially sought to enter the cable television and broadband market as required by Tenn. Code Ann. § 7-52-602.

**RESPONSE:** Expanding upon the General Objections, JEA objects on the basis that the requested documents are not relevant to the statutory certification requirements for JEA and are not reasonably calculated to lead to the discovery of admissible evidence.

2. Provide a copy of the feasibility report issued by the Comptroller in response to JEA’s business plan referred to in Data Request No. 1 as required by Tenn. Code Ann. § 7-52-602.

**RESPONSE:** Expanding upon the General Objections, JEA objects on the basis that the requested documents are not relevant to the statutory certification requirements for JEA and are not reasonably calculated to lead to the discovery of admissible evidence.

3. Provide a copy of any revised business plan submitted to the Comptroller in light of JEA’s desire to provide Internet related services on a retail basis as contemplated in the Application.

**RESPONSE:** Expanding upon the General Objections, JEA objects on the basis that the requested documents are not relevant to the statutory certification requirements for JEA and are not reasonably calculated to lead to the discovery of admissible evidence.

4. Provide a copy of any feasibility report issued on behalf of the Comptroller in response to any and all of JEA's business plan(s) referred to in Data Request No. 3.

**RESPONSE:** Expanding upon the General Objections, JEA objects on the basis that the requested documents are not relevant to the statutory certification requirements for JEA and are not reasonably calculated to lead to the discovery of admissible evidence.

5. Provide copies of any and all past, present, and anticipated, future inter-divisional loans between the electric division and the telecom division, including, without limitation, the loan terms, payment schedule, payment due dates, dates of actual payments and the actual financial accounting relative to the inter-divisional loans.

**RESPONSE:** Subject to and without waiver of the General Objections, responsive documents, if any, relating to JEA's telephone business unit will be attached.

6. Any and all *pro forma* financial statements prepared by you or any third party relative to JEA's entry into the retail telecommunications market.

**RESPONSE:** Subject to and without waiver of the General Objections, responsive documents, if any, relating to JEA's telephone business unit will be attached.

7. Any and all documents reflecting term or loan commitments from third parties to JEA to include the identification of the lender and the terms.

**RESPONSE:** Subject to and without waiver of the General Objections, responsive documents, if any, relating to JEA's telephone business unit will be attached.

8. Any and all documents relative to the issuance of a bond or bonds necessary to enable you to finance JEA's entry into the retail telecommunications market, including, without limitation, any and all resolutions passed by JEA and the Jackson City Council.

**RESPONSE:** Subject to and without waiver of the General Objections, responsive documents, if any, relating to JEA's telephone business unit will be attached.

9. Any and all documents reflecting the current indebtedness and repayment of principal and/or interest on any and all obligations incurred by JEA since its entry into the telecommunications, cable television, and Internet markets.

**RESPONSE:** Subject to and without waiver of the General Objections, responsive documents, if any, relating to JEA's telephone business unit will be attached.

Respectfully submitted,

Teresa Cobb, by permission

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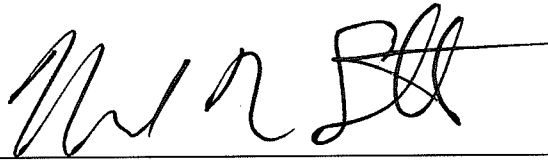
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# **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy has been forwarded via email and U.S. Mail  
to the following on this the 14th day of December 2007.

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