

BEFORE THE  
TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

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In re:

Petition for Arbitration of the  
Interconnection Agreement Between  
BellSouth Telecommunications, Inc. and  
Intermedia Communications Inc. Pursuant  
to Section 252(b) of the Telecommunications  
Act of 1996

OFFICE OF THE  
EXECUTIVE SECRETARY  
Docket No. 99-00948

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**INTERMEDIA COMMUNICATIONS INC.'S OBJECTIONS TO  
BELLSOUTH TELECOMMUNICATIONS, INC.'S  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

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INTERMEDIA COMMUNICATIONS INC. ("Intermedia"), through its undersigned counsel, hereby submits its objections to BellSouth Telecommunications, Inc.'s ("BellSouth") First Request for Production of Documents ("Document Requests").<sup>1</sup>

**GENERAL OBJECTIONS**

1. Intermedia objects to BellSouth's Document Requests to the extent they are overly broad, unduly burdensome, oppressive, and not permitted by the applicable discovery rules.

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<sup>1</sup> Intermedia is a large, multistate corporation with employees and records located in many different locations in Tennessee and other states. In the course of its business, Intermedia creates numerous documents that may not be subject to state or federal record retention policies. 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, although Intermedia has extensively searched its records in response to discovery requests in this proceeding, it is possible that not every document or information has been identified in response to these requests. In the event additional information and/or documents should come to light subsequent to the filing of Intermedia's responses to discovery requests, Intermedia will provide such additional information and/or documents, as appropriate.

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2. Intermedia objects to BellSouth's Document Requests to the extent they are intended to apply to matters other than Tennessee intrastate operations subject to the jurisdiction of the Authority.

3. Intermedia objects to BellSouth's Document Requests to the extent they seek information and/or documents that are irrelevant to the subject matter of this proceeding or are not reasonably calculated to lead to the discovery of admissible evidence.

4. Intermedia objects to BellSouth's Document Requests to the extent they require the production of documents that are exempt from discovery by virtue of the attorney-client, work product, or other privilege.

5. Intermedia objects to BellSouth's Document Requests insofar as they are vague, ambiguous, overly broad, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of the Document Requests.

6. Intermedia objects to BellSouth's Document Requests insofar as they require the production of documents which are already publicly available and to which BellSouth has easy access.

7. Intermedia objects to BellSouth's Document Requests to the extent they require the production of information or documents that are strictly proprietary, competitively sensitive, confidential, or constitute trade secret.

8. Intermedia objects to BellSouth's Document Requests, instructions, and definitions, insofar as they seek to impose obligations on Intermedia that exceed the requirements of applicable law.

9. Intermedia objects to BellSouth's Document Requests to the extent they seek the production of documents which are not generally maintained by Intermedia in the ordinary course of business.

10. Intermedia objects to BellSouth's Document Requests insofar as they impose unreasonable expense on Intermedia or are excessively time-consuming.

### **SPECIFIC OBJECTIONS**

5. Produce copies of all agreements between Intermedia and an Incumbent Local Exchange Carrier (other than BellSouth) under Section 252 of the Act, whether the agreement was reached through voluntary negotiation or compulsory arbitration.

**RESPONSE: OBJECTION.** Intermedia objects to this Document Request on the grounds that it seeks the production of documents that are not relevant to the subject matter of this proceeding and are not reasonably calculated to lead to the discovery of admissible evidence. Intermedia further objects to this Document Request on the grounds that it is overly broad, unreasonably burdensome, expensive, and time-consuming. In addition, Intermedia objects to this Document Request insofar as it seeks documents that are already in the public domain and to which BellSouth has equal access.

7. Produce any and all cost studies, evaluations, reports or analyses prepared by or for Intermedia concerning any issue raised by Intermedia in the Arbitration Petition.

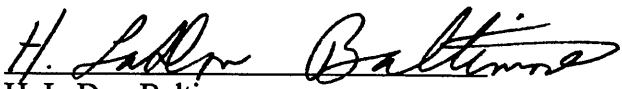
**RESPONSE: OBJECTION.** Intermedia objects to this Document Request on the grounds that it is overly broad.

8. Produce documents sufficient to reflect the location of Intermedia's end-users in relation to Intermedia's switch(es).

**RESPONSE: OBJECTION.** Intermedia objects to this Document Request on the grounds that it seeks the production of documents that are not relevant to the subject matter of this proceeding and are not reasonably calculated to lead to the discovery of admissible evidence. Intermedia further objects to this Document Request on the grounds that it is overly broad, unreasonably burdensome, expensive, and time-consuming. In addition, Intermedia objects to this Document Request insofar as it seeks the production of documents which may not be maintained by Intermedia in the ordinary course of business.

Respectfully submitted,

**INTERMEDIA COMMUNICATIONS INC.**

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**ITS ATTORNEYS**

Dated: June 29, 2000

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of June, 2000, a true and accurate copy of the foregoing was served by hand delivery, overnight delivery or U. S. Mail, first class postage prepaid, to Guy Hicks, Esq., BellSouth Telecommunications, Inc., 333 Commerce Street, Suite 2101, Nashville, TN 37201-3300.

  
H. LaDon Baltimore