

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN
COMMISSIONER-CHAIRMAN
TONY WEST
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER

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Arizona Corporation Commission
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Docket No. T-00000B-97-238

IN THE MATTER OF US WEST
COMMUNICATIONS, INC.'S
COMPLIANCE WITH § 271 OF THE
TELECOMMUNICATIONS ACT OF 1996

OBJECTIONS OF COX ARIZONA TELCOM, INC.
TO US WEST'S FIRST SET OF DATA REQUESTS

Cox Arizona Telcom, Inc. ("Cox") objects to US West's First Set of Data Requests as follows.

A. General Objections

On February 19, 1999, US WEST served its First Set of Data Requests, which set forth forty-one requests seeking voluminous and burdensome information about, among other things, Cox's business operations and plans in Arizona and the 13 other US WEST states. In response to several objections to this discovery, the Hearing Division issued a Procedural Order on March 2, 1999, that found US WEST's § 271 filing to be insufficient and limited discovery by US WEST "to the extent necessary to demonstrate that it has met § 271 requirements."

First, despite this limitation, US WEST apparently believes that it was prescient enough to anticipate the Hearing Division's ruling and that its First Set of Data Requests comports with the March 2, 1999 Procedural Order. Even a brief review of those data requests indicates that they seek information beyond that permitted by the Procedural Order. For example, US WEST still seeks information on such things as Cox's internal operations, Cox's operations in states other than

1 Arizona and Cox's future business plans. US WEST should be required to go back and make a good
2 faith effort to modify its data requests to focus only on information it needs to affirmatively prove
3 that it has met the § 271 requirements.

4 Second, Cox objects to all data requests to the extent they seek publicly available
5 information, information within the possession of US WEST or others, privileged information,
6 proprietary or confidential information or speculation on the part of Cox.

7 Third, Cox reserves the right to supplement these objections upon any subsequent
8 clarification or interpretation of the data requests by US WEST.

9 **B. Specific Objections**

10 **Request No. 1**

11 Premature, beyond the scope of the US WEST Arizona 271 investigation, beyond the scope
12 of discovery permitted by the March 2, 1999 procedural order, irrelevant, overbroad, unreasonably
13 burdensome, vague and ambiguous, seeks proprietary or confidential information. Cox will provide
14 response to an appropriately narrowed request at the appropriate time.

15 **Request No. 2**

16 Premature, beyond the scope of the US WEST Arizona 271 investigation, beyond the scope
17 of discovery permitted by the March 2, 1999 procedural order, irrelevant, overbroad, unreasonably
18 burdensome, vague and ambiguous, seeks proprietary or confidential information.

19 **Request No. 3**

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24 **Request No. 4**

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8 **Request No. 6**

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13 **Request No. 7**

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18 **Request No. 8**

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23 **Request No. 9**

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7 **Request No. 11**

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12 **Request No. 12**

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17 **Request No. 13**

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22 **Request No. 14**

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Dated: March 11, 1999.

Respectfully submitted,
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