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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
WASHINGTON, D.C. 20554

In the Matter of	)	
C.F. Communications Corp., et al.	)	EB Docket No. 01-99
Complainants,	)	
v.	)	File No. E-93-73
Century Telephone of Wisconsin, Inc., et al.	)	
Defendants.	)	

To: Arthur I. Steinberg
Administrative Law Judge

ANSWERS AND OBJECTIONS OF
BEST PAYPHONES INC. TO DEFENDANT'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO COMPLAINANT

Best Payphones, Inc.("Best"), complainant in File No. E-93-73 hereby responds to Defendant's First Request for Production of Documents to Complainant.

GENERAL RESPONSES/OBJECTIONS

For the purposes of these responses and objections, the term "defendant" is used to refer to Verizon-New York, Inc., and all of its corporate predecessors and successors, including, but not limited to, New York Telephone Company.

Best objects to defendant's document requests to the extent that they may encompass documents that are subject to the attorney-client privilege and/or the attorney work product or other immunities from discovery. Best states, however, that it presently knows of no responsive documents in its possession, custody or control that are within the scope of this objection.

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Best's responses state that it will make certain types of documents available for inspection and copying by defendant. The availability of such documents is subject to defendant's agreement to a reasonable confidentiality agreement.

RESPONSES AND OBJECTIONS

1. All documents, including, but not limited to, service orders, invoices, bills or receipts, that identify or reflect the dates of installation, suspension and disconnection during the relevant time period of each telephone line you used to provide public payphone service as to which you claim Defendant wrongfully assessed EUCL charges.

Response: See attached document bearing Bates stamp numbers 100019 to 100037. Copies of defendant's bills to Best in Best's files may also be responsive to this request. Best objects to producing copies of those bills that it has retained as unduly burdensome because they are already in defendant's possession and control and defendant can derive the information regarding Best's payphones from those bills as easily as complainant. Subject to and without waiving this specific objection, Best will make those documents available to defendant for inspection and copying at a mutually agreeable time at Best's place of business.

2. All documents, including, but not limited to, service orders, invoices, bills or receipts, that identify or reflect the location of each public payphone for which you claim you were wrongfully assessed EUCL charges during the relevant time period.

Response: See the documents provided in response to Request No. 1. The locations of some or all of Best's payphones that were in service during the relevant time period as defined by defendant could also be derived from Best's location contracts and records of commission payments to phone location owners. Best objects to providing those records as unduly burdensome because the location information that defendant seeks is otherwise available to defendant through the documents Best is producing and reproduction of all

such records would be unnecessary and unduly costly. Subject to and without waiving this specific objection, Best will make its location contracts and commission payment records available to defendant for inspection and copying at a mutually agreeable time at Best's place of business.

3. All documents, including, but not limited to, service orders, invoices, bills or receipts, that identify or reflect whether the payphone was used to provide public telephone service where a public need existed.

Response: See the documents provided in response to Request No. 1. Some of Best's location contracts and records of commission payments to phone location owners may be responsive to this request. Best objects to providing those records as unduly burdensome because the location information that defendant seeks is otherwise available to defendant through the documents Best is producing and reproduction of all such records would be unnecessary and unduly costly. Subject to and without waiving this specific objection, Best will make its location contracts and commission payment records available to defendant for inspection and copying at a mutually agreeable time at Best's place of business.

4. All documents, including, but not limited to, bills, invoices, cancelled checks, pay stubs or receipts, that evidence your payment of EUCL charges you claim were wrongfully assessed for each month during the relevant time period.

Response: Best objects to this request as unduly burdensome because defendant has, or should have, its own records of Best's payments to defendant for defendant's charges, including EUCL charges, during the relevant time period. Subject to and without waiving this specific objection, Best will make documents within the scope of this

request available to defendant for inspection and copying at a mutually agreeable time at Best's place of business.

5. All documents, including any communications, relating to your payment or non-payment of any EUCL charges you claim were wrongfully assessed during the relevant time period.

Response: Best objects to this request as unduly burdensome because defendant has, or should have, its own records of Best's payments to defendant for defendant's charges, including EUCL charges during the relevant time period and of and of Best's non-payment of EUCL charges during a portion of such period (e.g., defendant's 1993 complaint against Best in the New York Supreme Court). Subject to and without waiving this specific objection, Best will make documents within the scope of this request available to defendant for inspection and copying at a mutually agreeable time at Best's place of business.

6. All documents you rely upon to support your claim for damages in this proceeding.

Response: In a general sense, Best relies upon the records identified in response to Request Nos. 1 through 5, as well as on records in defendant's possession, custody and control. All such documents either already are, or will be, available to defendant. Best has not yet determined what particular documents it will rely on to support its position on damages at the hearing in this matter.

7. All documents or other evidentiary material relating to your computation of damages for the relevant time period.

Response: Best has not yet computed its damages for the relevant time period.

8. All documents provided to any expert you plan to call as a witness at the hearing on this matter.

Response: Best has not yet determined whether it will call an expert witness at the hearing in this matter.

9. All documents prepared by, or under the direction or supervision of, any expert you expect to call as a witness at the hearing in this matter, including reports that contain preliminary conclusions.

Response: Best has no such documents. See Response to Request No. 8.

WRIGHT & TALISMAN, P.C.

By _____
Michael J. Thompson

1200 G Street, N.W., Suite 600
Washington, D.C. 20005
202-393-1200

June 15, 2001

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of June, 2001, copies of the foregoing "Answers and Objections of Best Payphones Inc. to Defendant's First Request for Production of Documents to Complainant" was served by hand-delivery on the following parties:

John M. Goodman, Esq.
Verizon
1300 I Street, NW 400W
Washington, DC 20005
Fax: 202-336-7921

Sherry A. Ingram, Esq.
Verizon
1320 North Courthouse Rd.
Arlington, VA 22201

Honorable Arthur I. Steinberg
Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Magalie Roman Salas, Secretary
Office of the Commission Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

And by U.S. Mail on the following parties:

Tejal Mehta, Esq.
Federal Communications Commission
Market Disputes Resolution Division
Enforcement Bureau
445 12TH STREET, S.W.
Washington, D.C. 20554

David H. Solomon, Chief
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Albert H. Kramer, Esq.
Dickstein, Shapiro, Morin & Oshinsky, LLP
2101 L Street, N.W.
Washington, D.C. 20037

Rikke Davis, Esq.
Sprint Corporation
401 9th Street, N.W., Suite 400
Washington, D.C. 20004

Mary Sisak, Esq.
Robert Jackson, Esq.
Blooston, Mordkowfsky, Dickens, Duffy & Prendergast
2120 L Street, N.W., Suite 300
Washington, D.C. 20037

William A. Brown, Esq.
Davida M. Grant, Esq.
Southwestern Bell Telephone Company
1401 I Street, N.W., Suite 1100
Washington, D.C. 20005

Angela M. Brown, Esq.
Theodore Kingsley, Esq.
Bell South Telecommunications, Inc.
675 West Peachtree Street, Suite 4300
Atlanta, Georgia 30375

Michael J. Thompson