

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

IN THE MATTER OF

VERIZON VIRGINIA, INC.

CASE NO. PUC-2002-00046

To verify compliance with the
conditions set forth in 47 U.S.C. § 271(c)

HEARING EXAMINER'S RULING

April 30, 2002

On April 29, 2002, the Virginia Cable Telecommunications Association (“VCTA”) filed a Motion to Compel (“Motion”) responses by Verizon Virginia, Inc. (“Verizon”) to data requests the VCTA propounded on April 24, 2002. Verizon filed its objections to the VCTA’s data requests on April 25, 2002.

The Commission’s Rules of Practice and Procedure establish an extremely broad standard for discovery.

Interrogatories or requests for production of documents may relate to any matter not privileged, which is relevant to the subject matter involved. . . . It is not grounds for objection that the information sought will be inadmissible at the hearing if the information appears reasonably calculated to lead to the discovery of admissible evidence.¹

On April 30, 2002, Verizon filed a response to WorldCom’s Motion. Verizon’s response will be taken into consideration as to the specific data requests discussed below.

In its Motion the VCTA makes several general accusations concerning Verizon’s objections to data requests. In its response, Verizon accuses the VCTA of “overheated rhetoric,” but then offers more of its own. I find such diatribes to be of no use in determining whether to compel a response to a specific data request. Though Verizon originally objected to all but one of the VCTA’s data requests, overall, to this point, I find that Verizon has been responsive and has not abused the discovery process.

As to the specific data requests to which Verizon has not agreed to provide responses, I find as follows:

VCTA Requests 2-4 – The VCTA’s Motion is granted. I agree with the VCTA’s argument that its questions related to interconnection agreements with affiliates and other parties may be relevant to consideration of the first checklist item. In its response, Verizon offers the VCTA the opportunity to view the interconnection agreements in Lexington, Kentucky. This response is

¹ 5 VAC 5-20-260.

appropriate only for the second part of VCTA Requests 3 and 4. Verizon is directed to provide written responses to VCTA Request 2, the first part of 3, and the first part of 4.

VCTA Request 6 – The VCTA’s Motion is granted, but only as to the information Verizon agreed to provide in its response to the VCTA’s Motion.

Accordingly, Verizon is directed to provide responses as indicated above in a timely manner. Responses to the original requests were due within seven calendar days. For purposes of calculating the due date for the responses directed by this Ruling, Verizon may subtract the days beginning with the filing of its objection and ending with the filing of this Ruling.

Alexander F. Skirpan, Jr.
Hearing Examiner