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ORIGINAL
FILE COPY

October 26, 1992

Mr. Steve C. Tribble
Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

RE: Docket No. 920260-TL

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Twenty-First Request for Production of Documents and Motion for a Temporary Protective Order. Please file these documents in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me.

ACK → Copies have been served on the parties shown on the attached
AFA → 3 Certificate of Service.

Sincerely,


Sidney J. White, Jr.

APP _____

CAF _____

CMU _____

CTR _____

EAG _____ Enclosures

LEG sw/m _____

LIN 6 _____

OPC _____

RCH _____

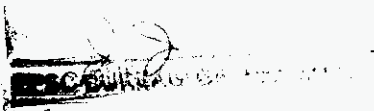
SEC 1 _____

WAS _____

OTH _____

cc: All Parties of Record
A. M. Lombardo
H. R. Anthony
R. D. Lackey

RECEIVED



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12575 OCT 26 1992
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CERTIFICATE OF SERVICE
Docket No. 920260-TL

I HEREBY CERTIFY that a copy of the foregoing has been furnished
by United States Mail this 26th day of October, 1992 to:

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A handwritten signature in black ink, appearing to read "Joe White". The signature is written in a cursive style with a horizontal line through the middle. There is a small mark at the end of the signature.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
FILE COPY

In re: Comprehensive Review of)
the Revenue Requirements and Rate) Docket No. 920260-TL
Stabilization Plan of Southern)
Bell Telephone and Telegraph) Filed: October 26, 1992
Company (Formerly FPSC Docket)
Number 880069-TL))
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S
TWENTY-FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
AND MOTION FOR A TEMPORARY PROTECTIVE ORDER

COMES NOW BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files (1) pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, its Response and Objections to the Office of Public Counsel's ("Public Counsel") Twenty-First Request for Production of Documents dated October 8, 1992 and (2) pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, its Motion for Temporary Protective Order.

MOTION FOR TEMPORARY PROTECTIVE ORDER

Some of the documents that will be delivered to or made available for review by Public Counsel contain proprietary, confidential business information that should not be publicly disclosed. Thus, pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, Southern Bell moves the Prehearing Officer to issue a Temporary Protective Order exempting these documents from § 119.07(1), Florida Statutes. These documents contain, among other things, vendor-specific information, employee personnel information unrelated to compensation, duties, qualifications, or responsibilities, and other proprietary

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confidential business information. Such information is specifically included as proprietary confidential business information pursuant to § 364.183, Florida Statutes. If Public Counsel subsequently notifies Southern Bell that any of the proprietary documents are to be used in a proceeding before the Commission, Southern Bell will, in accordance with Rule 25-22.006, Florida Administrative Code, file a detailed motion for protective order specifically addressing each of the documents identified.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to Public Counsel's proposed "Instruction" relating to details of privileged documents. To the extent a document responsive to any of the requests is subject to an applicable privilege, some of the information requested by Public Counsel would be similarly privileged and therefore not subject to discovery.

2. Southern Bell objects to Public Counsel's definition of "document" or "documents". Public Counsel's definition of these terms is overly broad and is objectionable pursuant to standards adopted in Caribbean Security Systems v. Security Control Systems, Inc., 486 So. 2d 654 (Fla. App. 3rd District 1986).

3. Southern Bell objects to Public Counsel's definition of "you" and "your" as well as the definition of "BellSouth". It appears that Public Counsel, through its definition of these words, is attempting to obtain discovery of information in the possession, custody, or control of entities that are not parties

to this docket. Requests for Production may only be directed to parties, and any attempt by Public Counsel to obtain discovery from non-parties should be prohibited. See Rule 1.340, Florida Rules of Civil Procedure; Broward v. Kerr, 454 So. 2d 1068 (4th D.C.A. 1984).

4. Southern Bell does not believe it was Public Counsel's intent to require Southern Bell to produce again the same documents previously produced in other dockets, but to the extent it does, Southern Bell objects on the basis that such a request would be unduly burdensome, oppressive, and unnecessary, and for these reasons, is prohibited.

5. Southern Bell objects to the specific time and place designated by Public Counsel for the production of documents for the reasons that the designation is not reasonable, but has no objection to producing the documents that are responsive and to which no other objection is made, at a mutually agreed upon time and place.

6. Southern Bell objects to Public Counsel's requests on the basis that certain classes of documents requested are not relevant to the subject matter of this proceeding. Rule 1.280, Florida Rules of Civil Procedure, state that "parties may obtain discovery regarding any matter, not privileged, that is relevant to the subject matter of the pending action." This proceeding concerns Southern Bell's regulated earnings in the State of Florida. Therefore, any and all data regarding Southern Bell's operations in other states, some information concerning other

affiliated companies (which, in addition to being irrelevant may also be proprietary) and some information concerning Southern Bell's unregulated services are not relevant to this proceeding and therefore are not the proper subject of discovery.

7. Southern Bell objects to producing certain documentation sought by Public Counsel in Request Nos. 310 and 311 on the basis that some of the information relates to amounts that were neither charged nor allocated to Southern Bell and also that the compilation of all such documentation would be unduly burdensome and oppressive. Based on discussions with Public Counsel, it was agreed that Southern Bell would respond to these requests initially as set forth more specifically below.

8. The following Specific Responses are given subject to the above-stated General Responses and Objections.

SPECIFIC RESPONSES

9. In response to Request No. 304, Southern Bell objects to this request on the basis that the request is unduly burdensome and oppressive. Notwithstanding this objection, Southern Bell will provide a representative sample of the 1991 written work products that were among the previous list of work products provided in response to Public Counsel's Seventh Set of Interrogatories, Item No. 99. If, after initial review of this sample, Public Counsel still wishes to review additional written work products, Southern Bell will endeavor to make arrangements to have such documents available for review where they are maintained in the normal course of business or at other mutually

agreeable times and places, subject to the Company's Motion for Temporary Protective Order set forth above.

10. In response to Request No. 305, Southern Bell has no documents containing any more detailed descriptions of the responsibility codes than the documents being produced in response to Request No. 306.

11. In response to Request No. 306, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

12. In response to Request No. 307, Southern Bell has no responsive documents created on or after January 1, 1990. However, in the Company's response to Item No. 377 of Public Counsel's Fifteenth Set of Interrogatories, reference is made to the existence of a cost benefit analysis of corporate aircraft versus commercial air travel. Although this study was conducted outside of the pertinent time period covered by Public Counsel's request, Southern Bell will produce the study in order to avoid any possible confusion regarding this issue.

13. In response to Request No. 308, Southern Bell will produce the formal position descriptions that are in its possession, custody, or control at a mutually convenient time and place, which have not already been produced in response to Public Counsel's Second Set of Interrogatories, Item No. 34. Finally, some of the positions listed by Public Counsel do not have formal written descriptions. For these positions, a description of the functions performed has already been produced in response to

Public Counsel's Third Request for Production of Documents, Request No. 41.

14. In response to Request No. 309, see documents produced by Southern Bell in response to Request No. 306. Also, see documents already produced in response to Public Counsel's Eleventh Set of Interrogatories, Item No. 275.

15. In response to Request No. 310, Southern Bell objects to this request on the basis that it calls for the production of proprietary confidential business information as well as irrelevant information. The supporting documentation sought by Public Counsel contains, among other things, vendor-specific information. Public Counsel's request also seeks documentation of certain BellSouth Corporation - Headquarters (BSC-HQ) charges applied to various responsibility codes and accounts. However, some of these amounts were retained at BSC-HQ and were not charged or allocated to Southern Bell. Documentation for such retained amounts is not relevant to this proceeding inasmuch as these costs did not impact Southern Bell's or Southern Bell-Florida's regulated accounts in any way. Consequently, Southern Bell objects to producing supporting documentation for amounts not relevant for purposes of this case. Notwithstanding this objection, Southern Bell will produce documentation for the top five relevant individual voucher or invoice amounts in each respective responsibility code and account category referenced by Public Counsel in its request, subject to the Company's Motion for Temporary Protective Order set forth above. If, after this

initial production, Public Counsel desires to review additional relevant documentation, Southern Bell will make such documentation available for review where such documentation is maintained in the normal course of business, subject to the Company's Motion for Temporary Protective Order set forth above.

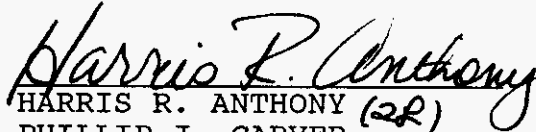
16. In response to Request No. 311, Southern Bell objects to this request on the basis that it calls for the production of proprietary confidential business information. The supporting documentation sought by Public Counsel contains vendor-specific information and employee-specific information unrelated to compensation, duties, qualifications or responsibilities. Notwithstanding this objection, Southern Bell will produce documentation for the top five individual voucher or invoice amounts in each respective responsibility code and account category referenced by Public Counsel in its request subject to the Company's Motion for Temporary Protective Order set forth above. If, after this initial production, Public Counsel desires to review additional documentation, Southern Bell will make such documentation available for review where such documentation is maintained in the normal course of business, subject to the Company's Motion for Temporary Protective Order set forth above.

17. In response to Request No. 312, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Company's Motion for Temporary Protective Order set forth above.

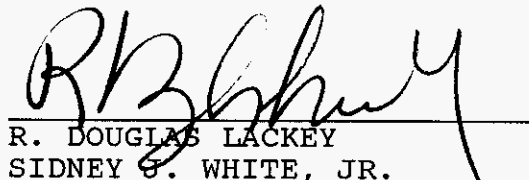
18. In response to Request No. 313, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

Respectfully submitted this 26th day of October, 1992.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY


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