



Michael W. Tye
Senior Attorney

Suite 1400
106 East College Avenue
Tallahassee, Florida 32301
904 425-6360

March 17, 1993

Mr. Steven C. Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

920260

Re: Docket Nos. 910163-TL and 910727-TL

Dear Mr. Tribble:

Enclosed for filing in the above referenced docket are one original and fifteen copies of AT&T's Responses, Objections, and Motion For Protective Order With Respect to Staff's First Request for Production of Documents. Copies of the foregoing are being served on all parties of record in accordance with the attached Certificate of Service.

Yours truly,

ACK Michael W. Tye

AFA _____

APP _____

CAF _____

CMU _____

CTR _____

EAG _____

LEG ju/m

LIN 6

OPC _____

ROB 1

SEC 1

WAS _____

OTH 1 ea set

MWT:sdh

Attachments

cc: J. P. Spooner, Jr.
Parties of Record

29

DOCUMENT NUMBER-DATE

02956 MAR 17 83

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the) DOCKET NO. 910163-TL
integrity of SOUTHERN BELL)
TELEPHONE AND TELEGRAPH)
COMPANY'S repair service)
activities and reports)
_____)

In re: Investigation into) DOCKET NO. 910727-TL
SOUTHERN BELL TELEPHONE AND) SUBMITTED FOR FILING:
TELEGRAPH COMPANY'S compliance) MARCH 17, 1993
with Rule 25-4.110(2), F.A.C.,)
Rebates)
_____)

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.'S
RESPONSES, OBJECTIONS, AND MOTION FOR PROTECTIVE ORDER WITH
RESPECT TO STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

AT&T Communications of the Southern States, Inc.
(hereinafter "AT&T"), pursuant to Rules 25-22.034 and 25-22.035,
F.A.C., as well as Rules 1.350 and 1.280(b), Florida Rules of
Civil Procedure, hereby propounds the following Responses,
Objections, and Motion for Protective Order with respect to
Staff's First Request for Production of Documents to AT&T
Communications of the Southern States, Inc. in the above-
referenced dockets.

GENERAL OBJECTIONS

AT&T makes the following General Objections to Staff's First
Request for Production of Documents which are hereby incorporated
by reference into AT&T's specific responses. AT&T expressly
reserves the right to amend, supplement or correct the responses
and objections contained herein.

DOCUMENT NUMBER-DATE

02956 MAR 17 83

FPSC-RECORDS/REPORTING

1. AT&T objects to the provisions of paragraph 1 of the Staff's "Definitions and Instructions" inasmuch as Staff's definitions and instructions seek to expand the scope of its Request for Production of Documents to entities other than AT&T Communications of the Southern States, Inc., which is the only subsidiary of American Telephone and Telegraph Company which is, even arguably, a party to the above-referenced dockets. To the extent that AT&T Communications of the Southern States, Inc. is a party to the above-referenced dockets at all, such party status is solely a result of the consolidation of the above-referenced dockets with Docket No. 920260-TL. Neither the parent nor any of the affiliates or subsidiaries of AT&T Communications of the Southern States Inc. have intervened or sought party status in any of the consolidated Southern Bell dockets, and AT&T Communications of the Southern States, Inc., objects to any attempt, by way of definition or otherwise, to expand the scope of Staff's First Request for Production of Documents to such parent, subsidiaries, or affiliates. Without waiver of its general objection, and subject to other general and specific objections, responses will be provided on behalf of AT&T Communications of the Southern States, Inc. which is the interexchange carrier certificated to provide regulated telecommunications services in Florida and which is a party to Docket No. 920260-TL. All references to "AT&T" in responding to Staff's requests should be taken to mean AT&T Communications of the Southern States, Inc.

2. AT&T objects to each request to the extent that it calls for information exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege. Moreover, AT&T objects to Staff's instruction regarding privileged documents (page 3, paragraph 4), which would require AT&T to furnish a list of such documents with various information. AT&T submits that such instruction is overly broad, unduly burdensome, not permitted by the applicable discovery rules, and violates attorney-client privilege.

3. AT&T objects to each and every request insofar as the request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not defined or explained for purposes of these requests. Any documents provided by AT&T in response to Staff's requests will be provided subject to, and without waiver of, the foregoing objection.

4. AT&T objects to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. AT&T will attempt to note each instance where this objection applies.

5. AT&T objects to Staff's general instructions, definitions or specific discovery requests insofar as they seek to impose obligations on AT&T which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

6. AT&T objects to each of Staff's requests and general instructions insofar as they are unduly burdensome, expensive, oppressive, and time consuming as written.

7. AT&T objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that Staff's requests seek proprietary confidential business information which is not subject to the "trade secrets" privilege, AT&T will make such information available to counsel for Staff pursuant to an appropriate Request for Confidentiality, subject to any other general or specific objections contained herein.

8. AT&T is a corporation with numerous employees located in Florida and at various locations throughout the United States. In the course of AT&T's business it creates vast quantities of documents which are not subject to Florida Public Service Commission or Federal Communications Commission retention of records requirements. These records are kept at numerous locations and are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every conceivable document will be provided in response to these discovery requests. Rather, AT&T's responses will provide all of the information obtained by AT&T after a reasonable and diligent search conducted in connection with this discovery request. To the extent that the discovery request

purports to require more, AT&T objects on the grounds that compliance would impose an undue burden or expense.

MOTION FOR PROTECTIVE ORDER

AT&T submits its objections to Staff's First Request for Production of Documents pursuant to the authority contained in Slatnick v. Leadership Housing Systems of Florida, Inc., 368 So.2d 79 (Fla. 3d DCA 1979). To the extent that a Motion for Protective order is required, the objections set forth herein are to be construed as a request for a protective order.

RESPONSES AND SPECIFIC OBJECTIONS

Without waiver of its general and specific objections, AT&T responds to Staff's First Request for Production of Documents as follows:

1. Request No. 1: Subject to the foregoing General Objections and Motion for Protective Order, AT&T has no documents in its possession, custody or control which are responsive to Request No. 1.

2. Request No. 2: Subject to the foregoing General Objections and Motion for Protective Order, AT&T has no documents in its possession, custody or control which are responsive to Request No. 2.

3. Request No. 3: Subject to the foregoing General Objections and Motion for Protective order, AT&T has no documents


in its possession, custody or control which are responsive to Request No. 3.

4. Request No. 4: Subject to the foregoing General Objections and Motion for Protective order, AT&T has no documents in its possession, custody or control which are responsive to Request No. 4.

5. Request No. 5: Subject to the foregoing General Objections and Motion for Protective Order, AT&T has no documents in its possession, custody or control which are responsive to Request No. 5.

DATED this 17th day of March, 1993.

Respectfully submitted,



Michael W. Tye
106 East College Avenue
Suite 1410
Tallahassee, Florida 32301

ATTORNEY FOR AT&T COMMUNICATIONS
OF THE SOUTHERN STATES, INC.

CERTIFICATE OF SERVICE

Docket Nos. 920260-TL, 910163-TL, 910727-TL and 900960-TL

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U. S. Mail or hand-delivery to the following parties on this 17th day of March, 1993.

Jean R. Wilson, Esq.
Florida Public Service
Commission
101 East Gaines Street
Tallahassee, FL 32399

Angela Green, Esq.
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399

Peter M. Dunbar, Esq.
Habin, Culpepper, et. al.
P. O. Box 10095
Tallahassee, FL 32302

Patrick K. Wiggins, Esq.
Wiggins & Villacorta, PA
P. O. Box 1657
Tallahassee, FL 32302

Richard D. Melson, Esq.
Hopping, Boyd, Green & Sams
P. O. Box 6526
Tallahassee, FL 32314

Michael J. Henry, Esq.
MCI Telecommunications Corp.
MCI Center
Three Ravinia Drive
Atlanta, GA 30346-2102

C. Everett Boyd, Jr., Esq.
Ervin, Varn, Jacobs,
Odom & Ervin
P. O. Drawer 1170
Tallahassee, FL 32302

Chanthina R. Bryant, Esq.
US Sprint Communications Co.
3065 Cumberland Circle
Atlanta, GA 30339

Harris R. Anthony, Esq.
R. Douglas Lackey, Esq.
J. Phillip Carver, Esq.
c/o Marshall M. Criser, III
150 S. Monroe Street
Suite 400
Tallahassee, FL 32301

Joseph A. McGlothlin, Esq.
Vicki Gordon Kaufman, Esq.
McWhirter, Grandoff & Reeves
315 S. Calhoun St., Suite 716
Tallahassee, FL 32301

Charles J. Beck, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

Monte Belote
Florida Consumer Action Network
4100 W. Kennedy Blvd., #128
Tampa, FL 33609

Dan B. Hendrickson
P. O. Box 1201
Tallahassee, FL 32302

Bill L. Bryant, Jr., Esq.
Foley & Lardner
P. O. Box 508
Tallahassee, FL 32302-0508

Michael B. Twomey, Esq.
Assistant Attorney General
Department of Legal Affairs
Room 1603, The Capitol
Tallahassee, FL 32399-1050

Douglas S. Metcalf (Ad Hoc)
Communications Consultants, Inc.
P. O. Box 1148
Winter Park, FL 32790-1148

Benjamin H. Dickens, Jr., Esq.
Blooston, Mordkofsky,
Jackson & Dickens
2120 L Street, N.W.
Washington, D.C. 20037

Laura L. Wilson, Esq.
Messer, Vickers, Caparello,
Lewis, Goldman & Metz, P.A.
P. O. Box 1876
Tallahassee, FL 32302-1876

Mr. Cecil O. Simpson, Jr.
Mr. Peter Q. Nyce, Jr.
Regulatory Law Office
Office of the Judge Advocate General
Department of the Army
901 North Stuart Street
Arlington, VA 22203-1837

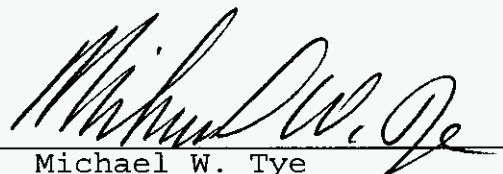
Lance C. Norris
Florida Pay Telephone
Association, Inc.
8130 Baymeadows Circle, West
Suite 202
Jacksonville, FL 32256

Floyd R. Self, Esq.
Messer, Vickers, Caparello,
Lewis, Goldman & Metz, P.A.
P. O. Box 1876
Tallahassee, FL 32302-1876

Michael Fannon
Cellular One
2735 Capital Circle, NE
Tallahassee, FL 32308

David M. Wells, Esq.
Robert J. Winicki, Esq.
William S. Graessle, Esq.
Mahoney, Adams & Criser
P. O. Box 4099
Jacksonville, FL 32201

Joseph Gillan
FIXCA
P. O. Box 547276
Orlando, FL 32854-7276


Michael W. Tye

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

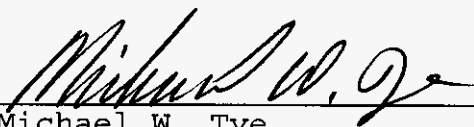
In re: Investigation into the) DOCKET NO. 910163-TL
integrity of SOUTHERN BELL)
TELEPHONE AND TELEGRAPH)
COMPANY'S repair service)
activities and reports)
_____)

In re: Investigation into) DOCKET NO. 910727-TL
SOUTHERN BELL TELEPHONE AND) SUBMITTED FOR FILING:
TELEGRAPH COMPANY'S compliance) MARCH 17, 1993
with Rule 25-4.110(2), F.A.C.,)
Rebates)
_____)

NOTICE OF SERVICE

AT&T Communications of the Southern States, Inc. ("AT&T"),
by and through its undersigned attorney, hereby serves this
notice that AT&T has served its Responses, Objections and Motion
For Protective Order with respect to Staff's First Request for
Production of Documents.

Respectfully submitted,



Michael W. Tye
106 East College Avenue
Suite 1410
Tallahassee, Florida 32301
(904) 425-6360