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920260-TL

March 26, 1993

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

RE: Docket No. 900960-TL

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Staff's Third Request for Production of Documents and Notice of Intent to Request Confidential Classification. Please file these documents in the above-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. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

*Sidney J. White, Jr.*  
Sidney J. White, Jr.

- ACK \_\_\_\_\_
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- OTH \_\_\_\_\_

Enclosures

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

RECEIVED & FILED  
EPSC BUREAU OF RECORDS

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OTHER INFORMATION TO DATE

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**CERTIFICATE OF SERVICE**  
DOCKET NO. 900960-TL

I HEREBY CERTIFY that a correct copy of the foregoing has  
been furnished by U.S. Mail on this 26th day of March, 1993 to:

Charles J. Beck  
Assistant Public Counsel  
Office of the Public Counsel  
Room 812  
111 W. Madison Street  
Tallahassee, FL 32399-1400

Suzanne Summerlin, Esq.  
Division of Legal Services  
Florida Public Service  
Commission  
101 East Gaines Street  
Tallahassee, FL 32301

A handwritten signature in cursive script, appearing to read "Suzanne Summerlin", written over a horizontal line. The signature is fluid and stylized, with a prominent flourish at the end.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Show Cause proceeding ) Docket No. 900960-TL  
against Southern Bell Telephone )  
and Telegraph Company for ) Filed: March 26, 1993  
misbilling customers )  
\_\_\_\_\_)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S RESPONSE AND  
OBJECTIONS TO STAFF'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS  
AND NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

COMES NOW BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 25-22.006(3)(a), Florida Administrative Code, (1) its Response and Objections to Staff's Third Request for Production of Documents dated February 19, 1993 and (2) its Notice of Intent to Request Confidential Classification.

NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

Some of the documents that will be made available for the Staff to review in response to its Third Request for Production of Documents contain information which is exempted from public disclosure pursuant to §§ 119.07 and 364.183, Florida Statutes and Rule 25-22.006, Florida Administrative Code. Specifically, some of the documents contain, among other things, trade secrets, customer-specific information, internal audit related information, information on non-regulated and other competitive services, employee-specific information unrelated to compensation, duties, qualifications, or responsibilities, market research studies and analyses, advertising and special promotional campaigns, and other Company proprietary confidential

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business information. Because these documents contain exempt proprietary confidential business information, Southern Bell is filing this Notice of Intent to Request Confidential Classification, pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, in order to allow the Staff access to these documents without delay. The original of this Notice has been filed with the Division of Records and Reporting, and a copy has been served on the division requesting this information. Once the Staff has had an opportunity to review the responsive documents which may contain proprietary confidential business information, the Staff can request copies of those documents it desires. Southern Bell will then copy and deliver these documents to Staff, and if necessary will file a Request for Confidential Classification for any such documents containing proprietary confidential business information which Staff desires to take into its possession, custody, or control.

#### GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to this set of document requests on the basis that it is so excessive as to be unduly burdensome and oppressive. The requests closely track similar discovery propounded in federal court litigation in which Southern Bell is currently involved. Linda Davis et. al, Plaintiffs, v. Southern Bell Telephone and Telegraph Company, Case No. 89-2839-Nesbitt, U.S. District Court for the Southern District of Florida ("Davis"). Also, Staff has previously requested similar documents in its Second Request for Production of Documents

served on Southern Bell on October 26, 1992. Many of these documents were made available at that time but were not reviewed by Staff. Further, over one million (1,000,000) pages of documents have been produced in the Davis case, and Staff's current request for production of documents seeks a substantial portion of what has already been produced in that case. Over 541,800 pages of documents responsive to Staff's current document requests reside at the offices of Southern Bell's outside counsel in the Davis case. In addition, Staff's current request for production would require Southern Bell to recreate the substantial effort by the individuals who originally compiled the documents originally produced in the federal case to update these discovery requests for this particular production. Such an effort would be extremely labor intensive as well as costly. Such an excessive demand for production is unwarranted and inappropriate. While liberal construction is to be given to the rules of discovery, requests to produce must not be so excessive so as to be unduly burdensome to the party asked to produce documents. Argonaut v. Peralta, 358 So. 2d 232 (Fla. 3d DCA 1978). Notwithstanding the above-stated objections, since many of the documents responsive to Staff's current request have been previously produced in the Davis case, Southern Bell would be amenable to making these responsive documents available for review by Staff where they are maintained or at a mutually convenient time and place, subject to the Company's Notice of Intent to Request Confidential Classification set forth herein,

and subject to the provisions of Southern Bell's General Objections, where applicable. As already stated, many of these documents are currently in the possession of outside counsel representing the Company in the Davis case and could be made available where they currently reside. Specifically, Southern Bell will make arrangements to have the documents in the possession of outside counsel which are responsive to Request Nos. 42-45, 48, 50-65, 67-90, 93-96 available for Staff's review where these documents are currently being maintained. If applicable, other responsive documents not in the possession of Southern Bell's outside counsel will be referenced herein and produced by Southern Bell at other mutually convenient times and places, subject to all appropriate provisions, objections and other protective arrangements cited herein.

2. Southern Bell objects to Staff's overly broad definition of documents "relating to" a given subject. An application of such a broad definition of responsive documents would have the effect of causing the production of unnecessary, irrelevant, and unrelated documents. Read literally, documents "relating to" a particular subject could be any piece of paper mentioning the subject matter in any manner whatsoever. Consequently, such a qualification for responsive documents is overly broad and therefore objectionable.

3. Southern Bell objects to Staff's definition of "you" and "your." It appears that Staff, 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 Staff 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 objects to Staff's definition of "documents." Staff's definition of these terms is overly broad and is objectionable pursuant to standards adopted in Caribbean Security Systems v. Security Control Systems, Inc., 46 So.2d 654 (Fla. App. 3rd Dist. 1986).

5. Southern Bell objects to Staff's request that this discovery be "continuing" in nature. Pursuant to Rule 1.280(e), Florida Rules of Civil Procedure, a party who responds to a discovery request with a response that is complete when provided is under no obligation to thereafter supplement such response with information later acquired. Consequently, Staff's suggestion that this discovery be continuing is improper and objectionable.

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

#### SPECIFIC RESPONSES

7. In response to Request No. 38, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

8. In response to Request No. 39, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of trade secret information, including but not limited to computer logic information, programs and algorithms. This information is expressly included as proprietary confidential business information in §§ 364.183(3)(a) and (e), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to Southern Bell's General Objections, at ¶ 1, where applicable.

9. In response to Request No. 40, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

10. In response to Request No. 41, Southern Bell has no documents responsive to this request.

11. In response to Request No. 42, Southern Bell objects to this request on the basis that, if read literally, it would require Southern Bell to search for records dating back to 1986 that could reside in twenty-one (21) different Company Service Centers throughout Florida and which could conceivably be located in the files of over two hundred twenty (220) Managers and Assistant Managers as well as in the files of over two thousand (2,000) Service Representatives. Such a search for documents



would be unduly burdensome and oppressive, extremely time consuming and costly, and would unnecessarily impede Southern Bell's normal business operations. (See: General Objections at ¶ 1). Notwithstanding these objections, and in an effort to be responsive, Southern Bell will produce all locally developed job aids<sup>1</sup> which were previously compiled for discovery in April 1992 and which are currently at the offices of Southern Bell's outside counsel in the Davis case. Further, if Staff is desirous of viewing other more recent job aids, Southern Bell would be willing to cooperate with Staff in making available such information based on a more select and specific request.

12. In response to Request No. 43, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of Southern Bell's customers' names and addresses. This information is expressly exempt from compelled public disclosure pursuant to § 119.07(3)(w), Florida Statutes. However, Southern Bell will produce all responsive documents with the customers' names and addresses deleted and subject to the provisions of the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to Southern Bell's General Objections, at ¶ 1, where applicable.

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<sup>1</sup> Southern Bell does not mandate specific scripts for its Service Representatives. Rather, through training materials, handbooks, and operating standards, the Company provides instructive guidelines regarding interactions with Southern Bell customers. Service Representative Training materials are being produced in response to Staff's Request Nos. 42, 44, 45, 53, 63, 91, and 92, infra.

13. In response to Request No. 44, see Southern Bell's responses to Request Nos. 42 and 43 and documents produced in response thereto.

14. In response to Request No. 45, see Southern Bell's response to Request No. 43.

15. In response to Request No. 46, Southern Bell has no documents responsive to this request, inasmuch as Staff's Fourth Set of Interrogatories contains no Item No. 38. Southern Bell will address this request if and when it obtains clarification from Staff.

16. In response to Request No. 47, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

17. In response to Request No. 48, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. This information is expressly included as proprietary confidential business information in § 364.183(3)(f), Florida Statutes. Notwithstanding this objection, Southern Bell will produce summary documents that are in its possession, custody, or control at a mutually convenient time and place. Other back-up documents relating to the activity of Florida's centralized observing team are located in Room 20EE1, 301 West Bay Street, Jacksonville, Florida. These documents are extremely voluminous, residing in

four (4) four-drawer file cabinets. Southern Bell will make these documents available to Staff for its review where such documents are maintained in the normal course of business, subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to Southern Bell's General Objections, at ¶ 1, where applicable. In addition, other back-up documentation could exist in the twenty-one (21) different Company Service Centers throughout Florida as well as in the Customer Services staff offices at Room 815, 6451 North Federal Highway, Fort Lauderdale, Florida. Southern Bell will make these documents available for Staff's review where such documents are maintained in the normal course of business, subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to Southern Bell's General Objections, at ¶ 1, where applicable.

18. In response to Request No. 49, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. This information is expressly included as proprietary confidential business information in § 364.183(3)(f), Florida Statutes. Notwithstanding this objection, Southern Bell will produce the documents responsive to this request at a mutually agreeable time and place, subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to

Southern Bell's General Objections, at ¶ 1, where applicable. Also, see Southern Bell's response to Request No. 48 as it relates to back-up documentation.

19. In response to Request No. 50, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of advertising and special promotional campaigns targeted to specific geographic locations, services, and future dates. This information is expressly included as proprietary confidential business information in § 364.183(3)(e), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

20. In response to Request No. 51, Southern Bell will make responsive documents available to Staff subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

21. In response to Request No. 52, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. This information is expressly included as proprietary confidential business information in § 364.183(3)(f), Florida Statutes. Notwithstanding

this objection, Southern Bell will produce the documents responsive to this request at a mutually agreeable time and place, subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to Southern Bell's General Objections, at ¶ 1, where applicable. In addition, these documents were also previously produced in response to Staff's Sixteenth Request for Production of Documents, Request No. 1 in Docket No. 910163-TL.

22. In response to Request No. 53, see Southern Bell's response to Request No. 42.

23. In response to Request No. 54, Southern Bell objects to this request on the basis that it is overly broad and ambiguous. Southern Bell cannot determine with any reasonable certainty which documents would be responsive to this request. Staff has requested documents "related in any way" to sale, marketing, subscription, purchase, or cancellation of "optional services". Read literally, this request could encompass practically every operational document in the Company's residence and business service centers in Florida and elsewhere. Consequently, Southern Bell also objects to this request on the basis that it is overly burdensome and oppressive and contains customer-specific information which is expressly considered proprietary confidential business information. Notwithstanding these objections, and in an attempt to be responsive, Southern Bell will produce any additional documents in its possession, custody, or control which have not already been produced and which it

believes to be responsive to this request at a mutually convenient time where such documents are maintained in the normal course of business or at other mutually convenient places subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

24. In response to Request No. 55, see Southern Bell's response to Request No. 54.

25. In response to Request No. 56, see Southern Bell's response to Request No. 54.

26. In response to Request No. 57, see Southern Bell's response to Request No. 54. Also, see Southern Bell's response to Request No. 74 and documents produced in response thereto.

27. In response to Request No. 58, Southern Bell has already produced documents responsive to this request in response to Staff's Second Request for Production of Documents, Request Nos. 4, 6, 23-25, and 31-32. However, Southern Bell will make these documents available again for Staff's review, subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

28. In response to Request No. 59, see Southern Bell's response to Request No. 54.

29. In response to Request No. 60, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of

Southern Bell's market research and analysis. This information is expressly included as proprietary confidential business information in §§ 364.183(3)(a) and (e), Florida Statutes. Notwithstanding these objections, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

30. In response to Request No. 61, see Southern Bell's response to Request No. 60 and the documents produced in response thereto.

31. In response to Request No. 62, Southern Bell objects to this request on the basis that it is overly burdensome and oppressive, and the documents contain customer-specific information which is considered proprietary confidential business information pursuant to past Commission rulings and § 119.07(3)(w), Florida Statutes. Much of the documentation sought in this request would likely be located in approximately twenty-one (21) business offices throughout Florida and in the files of over two hundred (200) managers in these offices. Additionally, much of the complaint-related "information" is now located in files of the Customer Services staff who are responsible for such matters as well as at the offices of Southern Bell's outside counsel in the Davis case. All these documents can be made available for Staff where such documents

are currently being maintained subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

32. In response to Request No. 63, see Southern Bell's response to Request No. 42.

33. In response to Request No. 64, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of strategic plans and market analyses. This information is expressly included as proprietary confidential business information in §§ 364.183(3)(a) and (e), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable. Finally, Southern Bell has previously produced many of these documents in response to Staff's Second Request for Production of Documents, Request Nos. 24(k) and (l) in Docket No. 920260-TL.

34. In response to Request No. 65, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of employee personnel information unrelated to compensation, duties, qualifications, and responsibilities. This information is



included as proprietary confidential business information in § 364.183(3)(f), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable. In addition, see Southern Bell's responses to Request Nos. 48, 49, and 52 and documents produced in response thereto. Finally, responsive documents are located at the offices of Southern Bell's outside counsel in the Davis case and will be made available where they are currently maintained subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

35. In response to Request No. 66, Southern Bell has no documents responsive to this request.

36. In response to Request No. 67, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

37. In response to Request No. 68, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of

market surveys conducted by Southern Bell or on its behalf and other market research regarding non-regulated services and other discretionary services. This information is expressly included as proprietary confidential business information in §§ 364.183(3)(a) and (e), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

38. In response to Request No. 69, see discussion in Footnote 1 in Southern Bell's response to Request No. 42. Responsive documents in Southern Bell's possession, custody, or control will be made available subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

39. In response to Request No. 70, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

40. In response to Request No. 71, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of market analyses and other market research. This information is expressly included as proprietary confidential business

information in §§ 364.183(3)(a) and (e), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

41. In response to Request No. 72, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of marketing and strategic plans relating to, among other things, Southern Bell's unregulated inside wire services. This information is expressly included as proprietary confidential business information in §§ 364.183(3)(a) and (e), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

42. In response to Request No. 73, see Southern Bell's response to Request No. 72.

43. In response to Request No. 74, 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 Notice of Intent to Request Confidential Classification

set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

44. In response to Request No. 75, Southern Bell objects to this request on the basis that it is unduly burdensome and oppressive. As an example, regarding Item No. 75(a) i, Southern Bell has thirty (30) different units in Florida Customer Services located in eleven (11) different buildings in the state who, at some time or another, may perform "marketing functions." Even though the likelihood of discovery of relevant documents is remote, the human effort required to conduct such a search would clearly be oppressive, and burdensome. Notwithstanding these objections, Southern Bell will produce documents for Staff's review where these documents are maintained in the normal course of business, subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

45. In response to Request No. 76, Southern Bell objects to this request on the basis that it is overly burdensome and oppressive. As an example, there are approximately 80 boxes of documents relating to the "Goldline" plan alone that were produced in the Davis case. Also, any one of the 30 geographic units and the 200 management personnel working in those units could conceivably have documents responsive to this request. Notwithstanding this objection, Southern Bell would be willing to produce these documents for Staff's review where they are

currently maintained subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

46. In response to Request No. 77, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

47. In response to Request No. 78, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

48. In response to Request No. 79, Southern Bell objects to this request on the basis that it is overly burdensome and oppressive. Responsive documents regarding over 2000 sales agents reside in the files of approximately 200 assistant managers and managers located in at least 11 different buildings located throughout Florida. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the

provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

49. In response to Request No. 80, Southern Bell objects to this request on the basis that it calls for the production of irrelevant information. No issue in this docket relates to the duration of customer contacts or other similar generic statistics.

50. In response to Request No. 81, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of market analyses on unregulated inside wire services. This information is expressly included as proprietary confidential business information in §§ 364.183(3)(a) and (e), Florida Statutes. Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

51. In response to Request No. 82, Southern Bell objects to this request on the basis that it calls for the production of irrelevant information. No issue in this docket relates to whether or what to expect Southern Bell's diagnostic and repair activities were or are appropriate. Moreover, no issue has been raised concerning the actual physical steps or functions to be performed by repair personnel conducting field work.

52. In response to Request No. 83, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

53. In response to Request No. 84, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

54. In response to Request No. 85, Southern Bell objects to this request on the basis that it appears to call for the production of generic cost allocation documents that are irrelevant to this particular docket which are also extremely voluminous in nature. The Florida Public Service Commission recently undertook a massive investigation into the cost accounting rules, methods, and practices applied to and by Southern Bell, including the Company's practices and procedures for employee recordkeeping of time for regulated and unregulated products and services. See: FPSC Docket No. 890190-TL. The current docket is not designed to re-litigate such cost allocation issues, and to the extent Staff seeks to have Southern Bell produce all such cost allocation documents in this docket, the Company stringently objects. Further, Southern Bell objects

to this request on the basis that it seeks the production of cost information relating to the Company's unregulated inside wire services which is expressly included as proprietary confidential business information in § 364.183(3)(e), Florida Statutes.

55. In response to Request No. 86, Southern Bell objects to this request on the basis that it is overly burdensome and oppressive. Responsive documents could literally be spread throughout Company offices in Florida, and would certainly reside in a minimum of 30 quality assurance units in 11 different cities in the State of Florida alone. Moreover, these offices deal with much correspondence and all matters are not always filed centrally by subject matter. A minimum of 200 linear feet of correspondence would need to be reviewed to locate responsive documents. Notwithstanding this objection, Southern Bell will make responsive documents that are in its possession, custody, or control available for Staff's review at a mutually convenient time and place subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

56. In response to Request No. 87, Southern Bell objects to this request on the basis that the request calls for the production of proprietary confidential business information in the form of internal audits. Also, to the extent some of the documents responsive to this request are privileged, Southern Bell would object to the production of such documents on the



basis of the attorney-client privilege and work product doctrine. Notwithstanding these objections, with the exception of the privileged documents and documents already being produced in response to other requests seeking the same information, Southern Bell will produce all additional responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Company's Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

57. In response to Request No. 88, Southern Bell objects to this request on the basis that the request is overbroad ambiguous, and the Company cannot determine with reasonable certainty which documents could be responsive to this request. Nevertheless, Southern Bell did search for documents thought to be responsive and have found no such documents.

58. In response to Request No. 89, Southern Bell objects to this request on the basis that it seeks the production of privileged documents; however, with the exception of the privileged documents, including but not limited to Attorney/Client communications and fact and opinion work product, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the

provisions of Southern Bell's General Objections, at ¶ 1, where applicable.

59. In response to Request No. 90, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

60. In response to Request No. 91, Southern Bell has no documents responsive to this request. Also, see discussion in Footnote 1 of Southern Bell's response to Request No. 42.

61. In response to Request No. 92, see Southern Bell's response to Request No. 91.

62. In response to Request No. 93, Southern Bell objects to this request on the basis that it seeks the production of proprietary confidential business information in the form of employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. This information is expressly included as proprietary confidential business information in § 364.183(3)(f), Florida Statutes.

Notwithstanding this objection, 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 Notice of Intent to Request Confidential Classification set forth herein, and subject to the provisions of Southern Bell's General Objections, at ¶ 1, where applicable.


63. In response to Request No. 94, see Southern Bell's response to Request No. 93.

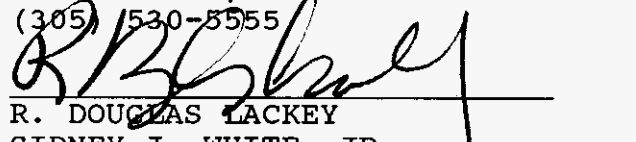
64. In response to Request No. 95, see Southern Bell's response to Request No. 93.

65. In response to Request No. 96, see Southern Bell's response to Request No. 93.

Respectfully submitted this 26th day of March, 1993.

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