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July 6, 1993

920260 TL

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

RE: Docket No. (910163-TL)

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response to Public Counsel's Motion to Compel. 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. (02)

Enclosures

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

DOCUMENT NUMBER-DATE

07170 JUL-68

1700 RECORDS/REPORTING

CERTIFICATE OF SERVICE

Docket No. 920260-TL

Docket No. 900960-TL

Docket No. 910163-TL

Docket No. 910727-TL

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by United States Mail this 6th day of July, 1993 to:

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Sidney J. White, Jr.
(PA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Behalf of)
Citizens of the State of Florida)
to Initiate Investigation into) Docket No. 910163-TL
Integrity of Southern Bell)
Telephone and Telegraph Company's) Filed: July 6, 1993
Repair Service Activities and)
Reports)
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
RESPONSE TO PUBLIC COUNSEL'S MOTION TO COMPEL

COMES NOW, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), pursuant to Rule 25-22.037, Florida Administrative Code, and files its Response to Public Counsel's Motion to Compel, filed on June 22, 1993.

1. On June 2, 1993, Public Counsel served a notice of deposition for Annie Bush, an employee of Southern Bell, on Southern Bell. Even though such a notice is clearly legally insufficient, Southern Bell has cooperated with Public Counsel in making its employees available to Public Counsel at the employees' workplace. The deposition was requested to be held on June 8, 1993, at Southern Bell's offices located at 7900 Mandarin Blvd., Orlando, Florida. By mutual consent, the deposition was moved to Wednesday, June 9, 1993 at the same location. Southern Bell produced Annie Bush for deposition at the agreed upon time and place.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

2. Ms. Bush retained outside counsel to represent her at this deposition. At the deposition held on June 9, 1993, Ms. Bush refused to answer certain questions on advice from her retained counsel.

3. Public Counsel's Motion seeks to have Ms. Bush produced again for deposition, and requests that the deposition be held in Tallahassee, Florida.

4. Southern Bell has voluntarily produced Ms. Bush once already, at the agreed upon time and place. Therefore, the Company fulfilled its obligation, voluntarily entered into, to produce the deponent. Company attorneys did not represent Ms. Bush at this deposition, nor did she receive any legal advice from the Company pertaining to her decision not to answer questions posed by Public Counsel.

5. Ms. Bush's decision not to answer questions at the deposition was made after consultation with her attorney. Consequently, Public Counsel's Motion to Compel Ms. Bush to answer deposition questions should be directed solely to Ms. Bush, and not to Southern Bell as requested in paragraph 5 of Public Counsel's motion. Southern Bell had no control over Ms. Bush's decision and cannot compel her to respond to questions posed by Public Counsel.

Respectfully submitted this 6th day of July, 1993.

SOUTHERN BELL TELEPHONE
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