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BellSouth Telecommunications, Inc.  
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August 16, 1996

Mrs. Blanca S. Bayó  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Rm. 110  
Tallahassee, FL 32399-0850

RE: Docket 960786-TP  
Section 271

Dear Mrs. Bayó:

ACK \_\_\_\_\_ Today, BellSouth Telecommunications, Inc. served its  
AFA \_\_\_\_\_ Response and Objections to Amendment to FIXCA's Request For  
APP \_\_\_\_\_ Production Of Documents, (Item No. 3) served on August 13, 1996 in  
the above-captioned docket.

CAF \_\_\_\_\_  
CML Carver A copy of this letter is enclosed. Please mark it to  
CTR \_\_\_\_\_ indicate that the original was filed and return the copy to me.  
EAG \_\_\_\_\_ Copies have been served to the parties shown on the attached  
LEG \_\_\_\_\_ Certificate of Service.

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OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1

Enclosures

Sincerely,

*J. Phillip Carver*  
J. Phillip Carver (ps)

WAS \_\_\_\_\_ cc: All Parties of Record  
OTH \_\_\_\_\_ A. M. Lombardo  
R. G. Beatty  
William J. Ellenberg II

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**CERTIFICATE OF SERVICE  
DOCKET NO. 960786-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express this 16<sup>th</sup> day of August, 1996 to the following:

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*J. Phillip Carver*  
J. Phillip Carver (BW)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Consideration of )  
BellSouth Telecommunications, )  
Inc.'s entry into interLATA )  
services pursuant to Section 271 )  
of the Federal )  
Telecommunications Act of 1996. )

Docket No. 960786-TL

Filed: August 16, 1996

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
RESPONSE AND OBJECTIONS TO AMENDMENT TO FIXCA'S  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO  
BELL SOUTH TELECOMMUNICATIONS, INC., (ITEM NO. 3)**

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), pursuant to Rule 25-22.034, Florida Administrative Code, and Rules 1.280 and 1.350, Florida Rules of Civil Procedure, hereby files its response and objections to Amendment to FIXCA's First Request for Production of Documents (Item No. 3), dated August 13, 1996, and states the following:

To the extent BellSouth agrees to produce documents herein, they will be available for inspection and copying at BellSouth's office at 150 South Monroe Street, Suite 400, in Tallahassee, Florida. Any documents that are confidential may be reviewed only by those attorneys and/or representatives of FIXCA who have signed a non-disclosure agreement.

**SPECIFIC RESPONSES**

1. In response to Request No. 3a, BellSouth agrees to produce the current cost studies that support the unbundled network elements that BellSouth will offer to meet the unbundling requirement in section 251. There are no responsive cost studies of unbundled network elements other than these current studies. BellSouth objects to producing the underlying work papers and

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analyses to the extent that such a production would require gathering and copying these documents and sending them to a location at other than the locations which they were currently stored. If FIXCA wishes to review these voluminous documents then it may do so by traveling to the locations at which they are stored in both Birmingham and Atlanta and inspecting them on BellSouth premises. Finally, the documents that BellSouth has agreed to produce are confidential. Prior to inspection or review by FIXCA, a confidentiality agreement must be signed by each person affiliated with FIXCA who will have access to review them.

2. In response to the amended and clarified requests 3(b) through (f), BellSouth objects because the identified subparts of this request are for the production of documents that are irrelevant and are not calculated to lead to the discovery of admissible evidence. These subparts are also overbroad and burdensome.

3. The overbreadth of this request to produce is fairly obvious on its face. Taking the five categories of services together (local service, all vertical services, toll services, switched access service and private line and special access services), one can see that FIXCA has requested cost studies for virtually every service that BellSouth offers, both retail and wholesale. A response to this request would require an incredibly broad production of cost information regarding almost all of BellSouth services, and the volume of this production is such that it would unquestionably be burdensome.

4. At the same time, these cost studies are in no way relevant to the instant proceedings. The unbundled network elements that BellSouth will be offering to satisfy the section 251 requirements are provisioned and designed in ways that are different than the provisioning and design of the wide variety of services for which FIXCA has requested of cost studies. Moreover, to the extent that any given unbundled network element has components that in some cases might be utilized for some other service, any cost studies that supported that other service would not be broken out in any manner that is comparable to the unbundled network elements. Put simply, there is nothing in this wide range of requested studies that would shed light in any way upon the costs to the unbundled network elements that BellSouth intends to offer.

5. At the same time, the costs of these BellSouth services are clearly competitive information that is highly sensitive, and which could result in damage to BellSouth if it were disclosed to BellSouth's competitors. Thus, FIXCA, which represents many of those competitors, is requesting an incredibly broad range of cost information regarding BellSouth services, despite the fact that this information has no relevance to the unbundled network elements at issue. For all of these reasons BellSouth objects to this

request.

Respectfully submitted this 16th day of August, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

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