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October 1, 1996

Mrs. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Docket No. 960658-TP and 930330-TP

Dear Mrs. Bayo:

Enclosed for filing in the above referenced docket are an original and fifteen (15) copies of AT&T's Motion to Quash Notice of Deposition.

Copies of the foregoing are being served on all parties of record in accordance with the attached Certificate of Service.

Yours truly,

Michael W. Tye
Michael W. Tye

- ACK
- AFA _____
- APP _____
- CAF _____
- CMU
- CTR _____
- EAG _____
- LEG 1
- LIN 5
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTI _____

Attachments

cc: Parties of Record

RECEIVED & FILED

[Signature]
EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10533 OCT-1 1996

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Florida)	
Interexchange Carriers Association,)	DOCKET NO. 960658-TP
MCI Telecommunications Corporation,)	
and AT&T Communications of the)	
Southern States Inc., against BellSouth)	
Telecommunications, Inc.)	
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In re: Investigation into)	DOCKET NO. 930330-TP
IntraLATA Presubscription)	
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)	SERVED: October 1, 1996

MOTION TO QUASH NOTICE OF DEPOSITION

AT&T Communications of the Southern States, Inc. (hereinafter "AT&T"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code, and Rule 1.280(c), Florida Rules of Civil Procedure, respectfully requests that the Florida Public Service Commission (hereinafter "Commission") quash the Notice of Deposition ("Notice") filed in the above-referenced docket on September 25, 1996 by BellSouth Telecommunications, Inc. ("BellSouth"). The grounds for this motion are:

1. That the Notice was served on AT&T on September 25, 1996 scheduling the deposition of AT&T's "Corporate Representative" on October 2, 1996, only 7 days from the date of the Notice. AT&T submits that due to lack of adequate notice and due to the fact that the Notice requires AT&T to locate a deponent who can answer questions on a myriad of questions (none of which are relevant to the subject matter of this case), BellSouth's Notice is not reasonable as contemplated by Rule 1.310(b)(1), FRCP;

2. That the Notice requires the presence of a "Corporate Representative of AT&T." AT&T has jointly sponsored the Direct and Rebuttal Testimony of Ms. Sandra Seay in this docket. To the extent BellSouth has any questions that are relevant to the subject matter of this docket, such questions should properly be posed to Ms. Seay. Ms. Seay will be deposed on October 2, 1996;

3. That the Notice seeks to inquire into matters that are irrelevant to this proceeding. In Attachment A to BellSouth's Notice, BellSouth has listed several areas of inquiry that it proposes to ask an AT&T representative. Generally, BellSouth seeks to obtain information about AT&T's marketing materials, who AT&T markets to, whether AT&T has received "slamming" complaints, and what residential and business intraLATA toll offerings AT&T has in Florida.¹ AT&T submits that its marketing plans, intraLATA toll offerings, and purported "slamming" complaints are irrelevant to a determination of whether BellSouth's business office practices for implementing intraLATA presubscription are unfair, unreasonable and discriminatory;

4. That the Notice seeks to inquire into matters that are proprietary confidential business information and which constitute "trade secrets" that are privileged pursuant to Section 90.506, Florida Statutes. It is obvious from the Notice that BellSouth's motives are not to obtain information that will assist the Commission in resolving the issues before it. If that were the case, AT&T has provided a witness, Ms. Seay, who is capable of addressing the relevant issues before the Commission. BellSouth's true intent is to use this docket to gain access to AT&T's proprietary, confidential business information for use in the competitive market. Through this discovery, BellSouth requests valuable AT&T confidential business information which relates to

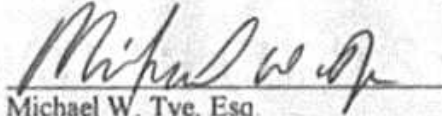
¹ BellSouth Notice, Attachment "A".

AT&T's plans to compete in the intraLATA market.² AT&T submits that much of the information requested by BellSouth is covered by the "trade secrets" privilege, and therefore not discoverable pursuant to Section 90.506, Florida Statutes. BellSouth's requests serve no other purpose than to improperly use this docket to gain access to AT&T's marketing plans and other "trade secrets" that are not at all relevant to the subject matter of this proceeding.

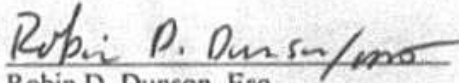
AT&T respectfully requests that this Commission quash the Notice of Deposition filed in this docket by BellSouth on September 25, 1996 and enter an order requiring that the requested discovery not be had.

² For instance, BellSouth seeks to inquire as to how AT&T marketing materials are developed (BellSouth Notice, Attachment "A", para. 2), to whom AT&T marketing materials are sent (BellSouth Notice, Attachment "A", para. 3), and the marketing efforts of AT&T in Florida regarding "local toll calls" (BellSouth Notice, Attachment "A", para. 5.)

Respectfully submitted this 1st day of October, 1996.



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**ATTORNEYS FOR AT&T
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SOUTHERN STATES, INC.**

CERTIFICATE OF SERVICE

DOCKET NO. 930330-TP and 960658-TP

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U. S. Mail or hand-delivery to the following parties of record this 1st day of October, 1996.

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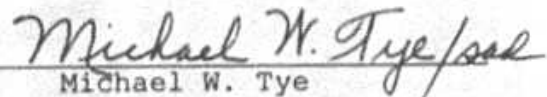
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