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c/o The Florida Legislature  
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December 20, 1990

Steve Tribble, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, FL 32399-0850

Re: ~~XXXXXXXXXXXXXX~~

Dear Mr. Tribble:

Enclosed for filing in the above-captioned proceeding on behalf of the Citizens of the State of Florida are the original and 12 copies of Citizens' Motion for Additional Limited Hearing and for Othr Relief to be filed in this docket.

ACK  Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- DMH \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG Enclosure
- LEG 1/2/91
- LIN 6
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Sincerely,

*Darlene Driscoll*

Darlene Driscoll

RECEIVED & FILED

*[Signature]*  
OFFICE OF RECORDS

DOCUMENT NUMBER-DATE  
11261 DEC 20 1990  
PSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Proposed tariff filings by )  
SOUTHERN BELL TELEPHONE AND TELEGRAPH )  
COMPANY clarifying when a nonpublished )  
number can be disclosed and introducing )  
Caller ID to TouchStar Service )

Docket No. 891194-TI  
Filed: December 20, 1990

NOTION FOR ADDITIONAL LIMITED HEARING AND FOR OTHER RELIEF

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, move the Commission to hold an additional limited hearing on matters raised in 180 documents produced by BellSouth Corporation ("BellSouth") and Southern Bell Telephone and Telegraph Company ("Southern Bell") after the conclusion of the evidentiary hearings held on November 28-29, 1990. The Citizens also request other relief related to the additional limited hearing.

1. The Citizens served our first and second requests for production of documents to Southern Bell, BellSouth Services, and BellSouth Corporation on June 19, 1990 and June 21, 1990, respectively. Southern Bell filed its responses and objections on July 24, 1990, and July 26, 1990. Those objections led the Citizens to file a motion to compel and request for in camera inspection of documents on August 7, 1990. Southern Bell filed its response on August 14, 1990.

2. Among other things, the motion to compel asked the Commission to order Southern Bell to produce all documents it withheld based on its refusal to produce any documents which Southern Bell, for unstated reasons, determined to be "irrelevant." In addition, the motion asked the Commission to order BellSouth Corporation to produce all documents in its possession, custody, or control responsive to the Citizens' first and second set of requests for production of documents.

3. The Prehearing Officer first heard the motion to compel on November 15, 1990. At that time the Prehearing Officer ordered Southern Bell to prepare an index of those documents from which either information had been purged by Southern Bell or which had not been produced by Southern Bell at all. Southern Bell provided that index on November 21, 1990, and produced one of the two previously unidentified documents it had withheld based on its relevancy objection.

4. The Citizens again raised the motion to compel at the beginning of evidentiary hearings on November 28, 1990. The Citizens requested the Commission to delay the evidentiary hearings until we had obtained a complete ruling on our motion to compel and had received the documents requested from Southern Bell and BellSouth. The Commission refused to delay the evidentiary hearings, but at a noontime hearing on the motion to compel the Prehearing Officer ordered BellSouth Corporation to conduct a

search for documents in its possession responsive to portions of the requests for production of documents identified by the Prehearing Officer. The Prehearing Officer ordered Southern Bell to produce the list of responsive documents by November 30, 1990.

5. Evidentiary hearings concluded on November 29, 1990.

6. On November 30, 1990 Southern Bell produced the list ordered by the Prehearing Officer and identified 180 documents in the possession of BellSouth Corporation responsive to those portions of the requests for production of documents identified by the Prehearing Officer. Southern Bell provided the documents to us the next week. Some of the documents were copies of documents previously provided by Southern Bell, but most were documents never before provided. We then copied the documents and returned them to Southern Bell.

7. The newly produced documents, provided after the conclusion of evidentiary hearings, contain a host of new information concerning issues in this docket. Those include:

- (a) A document discussing the possibility of charging 50¢, 75¢, or \$1.00 per call for Call Trace service.
- (b) Documents considering plans to provide the calling party's telephone number to subscribers of Call Trace service -- a service which may have important implications for law enforcement if the Commission should approve per call blocking, since Call Trace will produce the calling party's telephone number even if the calling party utilizes per call blocking.

- (c) Documents considering plans to provide name and address information to subscribers throughout the BellSouth region. Combined with Caller ID, this service would allow subscribers to obtain the name and address of calling parties.
- (d) A document discussing the possibility of providing "block unidentified calls" -- a service allowing a Caller ID customer to block the receipt of calls when the calling party blocks the transmission of their number.

8. The Citizens request the Commission to hold an additional limited hearing to consider the evidence raised in the 180 documents. Due process provisions of the Florida Administrative Procedures Act, as well as the due process guarantees contained in the Florida and United States Constitutions, call for a procedure such as this.

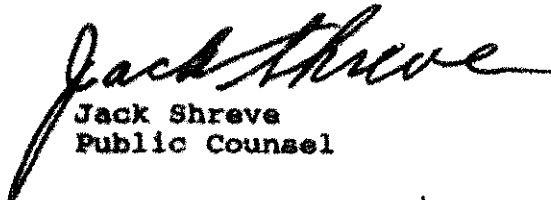
9. The Citizens request the Prehearing Officer to hold an additional preliminary prehearing conference to identify procedures governing the further handling of this case. One possible procedure would be to require Southern Bell and BellSouth Corporation employees to appear at the hearing and allow affected parties to cross examine such witnesses as hostile witnesses. Such witnesses might include (a) P. H. Casey, Vice President and Comptroller of BellSouth Corporation, (b) J. R. Monk, General Security Manager of BellSouth Corporation, (c) William J. Schultz, Staff Manager-Security of BellSouth Corporation, (d) Gary Dennis, BellSouth Federal Regulatory, Washington, DC, (e) L. L. Schoolar, Vice President and Comptroller of Southern Bell Telephone, and (f)

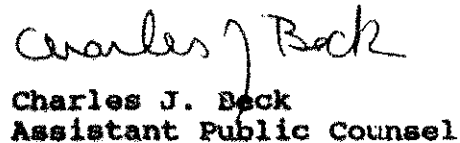
D. A. Wallace, Manager-Annoyance Call Center for Southern Bell in Florida.

10. Further, the Citizens request the Commission to reschedule the filing of briefs and the agenda conference until a reasonable time after conclusion of the additional limited hearing.

WHEREFORE, the Citizens respectively request the Commission to hold an additional limited hearing based on matters raised in the documents provided after conclusion of the evidentiary hearing and to provide other relief described in this motion.

Respectfully submitted,

  
Jack Shreve  
Public Counsel

  
Charles J. Beck  
Assistant Public Counsel

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Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**  
**Docket No. 891194-TI**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties this 20th day of December, 1990.

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