

**ORIGINAL  
FILE COPY**

**Harris R. Anthony**  
General Attorney-Florida

**Southern Bell Telephone  
and Telegraph Company**  
Legal Department  
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150 South Monroe Street  
Tallahassee, Florida 32301  
Phone (305) 530-5555

April 9, 1991

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 - Repair Service Investigation

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response to Public Counsel's Second Request for Production of Documents and Motion for a Temporary Protective Order, which we ask that you file in the 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 to the parties shown on the attached Certificate of Service.

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1 cc/122
- LIN 6
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- JTH \_\_\_\_\_

Enclosures

All Parties of Record  
A. M. Lombardo  
R. Douglas Lackey

Sincerely yours,  
*Harris R. Anthony*  
Harris R. Anthony *ma*

RECEIVED & FILED

[Signature]  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

03433 APR -9 1991

SO-RECORDS/REPORTING

**CERTIFICATE OF SERVICE**  
**Docket No. 910163-TL**

I HEREBY CERTIFY that a copy of the foregoing has been  
furnished by United States Mail this 9<sup>th</sup> day of April, 1991,  
to:

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

Robert Vandiver  
Division of Legal Services  
Florida Public Svc. Commission  
101 East Gaines Street  
Tallahassee, FL 32399-0863

Tracy Hatch  
Division of Legal Services  
Florida Public Svc. Commission  
101 East Gaines Street  
Tallahassee, FL 32399-0863

Harris R. Anthony  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on behalf of Citizens )  
of the State of Florida to initiate )  
investigation into integrity of ) Docket No. 910163-TL  
Southern Bell Telephone and Telegraph )  
Company's repair service activities ) Filed: April 9, 1991  
and reports. )  
\_\_\_\_\_ )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S  
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS AND  
MOTION FOR A TEMPORARY PROTECTIVE ORDER

COMES NOW Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company") and files: (1) pursuant to Rule 25-22.034, Florida Administrative Code, and Rules 1.280(c) and 1.350 of the Florida Rules of Civil Procedure, its Response and Objections to the Office of Public Counsel's ("Public Counsel") March 1, 1991 Request for Production of Documents; and (2) pursuant to Rule 25-22.006(5)(c), its Motion for a Temporary Protective Order. To the extent that any response might otherwise be the subject of a motion for a protective order, this response may be considered as serving that purpose. See, Slatnick v. Leadership Housing System of Florida, Inc. 368 So.2d 78 (Fla. 4th DCA 1979).

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell does not believe it was Public Counsel's intent to require Southern Bell to produce again the same documents previously produced in this or another docket, but to the extent it does, Southern Bell objects on the basis that such a request would be unduly burdensome, oppressive and unnecessary, and for these reasons is prohibited.

DOCUMENT NUMBER DATE  
03433 APR -9 1991  
FSC-RECORDS/REPORTING

2. Some of the documents that will be delivered to and reviewed by Public Counsel contain proprietary confidential business information which should not be publicly disclosed. Thus, pursuant to the Commission's new rule on confidentiality, Rule 25-22.006(5)(c), Florida Administrative Code, Southern Bell moves the Prehearing Officer to issue a Temporary Protective Order exempting these documents from Section 119.07(1), Florida Statutes. The proprietary documents in question contain customer specific information. Once Public Counsel notifies Southern Bell that any of the proprietary documents are to be used in a proceeding before the Commission, Southern Bell will file a detailed Motion for Protective Order specifically addressing each of the documents identified in accordance with Rule 25-22.006, Florida Administrative Code.

#### SPECIFIC RESPONSES

3. At a meeting at which counsel for the Florida Public Service Commission Staff ("Staff"), Southern Bell and Public Counsel were in attendance, it was agreed that Staff would modify its Request No. 1 and that until such time Southern Bell would not be required to respond to the unmodified version of Request No. 1. Public Counsel agreed to receive the same documents as those received by Staff pursuant to any modification of Request No. 1. Southern Bell will respond to a modified request appropriately. To the extent that any modified version of Request No. 1 seeks confidential proprietary business

information, Southern Bell reserves the right to make a request for confidentiality regarding such information.

4. Southern Bell will produce for inspection and copying, at a mutually agreeable time and place, all documents currently available that are responsive to Public Counsel's Request No. 2. Certain other documents that may be responsive to Request No. 2 are not yet completed. Upon their completion, Southern Bell will supplement appropriately its response to Request No. 2.

5. To the extent not already provided, Southern Bell will, at a mutually agreeable time and place, produce the documents responsive to Request No. 3.

6. Pursuant to agreement among counsel for the parties to this Docket, Southern Bell will produce for inspection and copying, at a mutually agreeable time and place, all higher level management complaints responsive to Request No. 4. Southern Bell will further produce any backup records relating to such responsive written complaints to the extent such records are available to Southern Bell.

7. At a meeting at which the Staff, Southern Bell and Public Counsel were in attendance, it was agreed that Staff would modify its Request No. 5 and that until such time Southern Bell would not be required to respond to the unmodified version of Request No. 5. Public Counsel agreed to receive the same documents as those received by Staff pursuant to any modification of Request No. 5. Southern Bell will respond to a modified request appropriately. To the extent that any modified version

of Request No. 5 seeks confidential proprietary business information, Southern Bell reserves the right to make a request for confidentiality regarding such information.

8. Southern Bell will produce for inspection and copying at a mutually agreeable time and place, the documents, to the extent available, responsive to Request No. 6.

Respectfully submitted,

SOUTHERN BELL TELEPHONE AND  
TELEGRAPH COMPANY



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