

**ORIGINAL
FILE COPY**

Harris R. Anthony
General Attorney-Florida

Southern Bell Telephone
and Telegraph Company
Legal Department
c/o Marshall Criser
Suite 400
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 First 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 w/11/11 _____
- LIN 6 _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS _____
- OTH _____

Enclosures

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

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

RECEIVED & FILED
BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
03434 APR-9 1991
FSC-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 *9th* 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
HR

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
FIRST 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") February 18, 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

DOCUMENT NUMBER-DATE
03434 APR-9 1991
100-RECORDS/REPORTING

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.

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. Subject to the foregoing general responses and objections, Southern Bell offers the following specific responses to Public Counsel's Request for Production of Documents filed on February 18, 1991 in Docket No. 910163-TL.

4. Southern Bell will produce for inspection and copying at a mutually agreeable time and place the documents responsive to Public Counsel's Item No. 1.

5. Pursuant to agreement between counsel, Southern Bell will produce for inspection and copying at a mutually agreeable time and place, all statements, reports and investigative documents responsive to Public Counsel's Item No. 2.

6. Southern Bell will produce for inspection and copying at a mutually agreeable time and place the documents responsive to Public Counsel's Item No. 3.

Respectfully submitted,

SOUTHERN BELL TELEPHONE AND
TELEGRAPH COMPANY



HARRIS R. ANTHONY
E. BARLOW KEENER
c/o Marshall Criser
Suite 400
150 South Monroe Street
Tallahassee, FL 32301
(305) 530-5555



R. DOUGLAS LACKEY
Suite 4300
675 W. Peachtree Street, NE
Atlanta, GA 30375
(404) 529-3862