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R. Douglas Lackey
General Attorney
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**ORIGINAL
FILE COPY**

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October 14, 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

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Eleventh Request for Production of Documents 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 on the parties shown on the attached Certificate of Service.

Sincerely yours,

R. Douglas Lackey (of)
R. Douglas Lackey

ACK _____

AFA _____

APP _____

CAF _____

CMU _____ Enclosures

CTR _____ cc: All Parties of Record

EAG _____ A. M. Lombardo

LEG _____ H. R. Anthony

LIN _____

GPC _____

RCH _____

SEC 1 _____

WAS _____

OTH _____

RECEIVED & FILED

[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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CERTIFICATE OF SERVICE
DOCKET NO. 910163-TL

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following persons on this 14th day of October, 1991.

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

Robert Vandiver
Division of Legal Services
Florida Public Service
101 East Gaines Street
Tallahassee, Florida 32399-0863

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

R. Douglas Lackey (PJ)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the)
Integrity of Southern Bell's) Docket No. 910163-TL
Repair Service Activities)
and Reports) Filed: October 14, 1991
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S
ELEVENTH REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company") and files, 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") Eleventh Request for Production of Documents dated September 9, 1991. To the extent that any individual request might otherwise be the subject of a motion for a protective order other than pursuant to Rule 25-22.006(5)(c), 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 the same documents previously or contemporaneously produced in other dockets, 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.

2. Some of the documents that will be delivered to and reviewed by Public Counsel contain proprietary confidential

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business information which should not be publicly disclosed. Thus, pursuant to the Commission's 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. 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. The proprietary information in question is furnished in response to Request Nos. 1, 2, 3, 14 and 15, and consists of customer specific information (name, address, telephone number, etc.) and employee social security numbers and therefore constitutes confidential, proprietary business information pursuant to Section 384.183(3), Florida Statutes.

3. Southern Bell objects to the time and place designated by Public Counsel on the basis that they are unreasonable, but will produce the responsive documents it has identified at a mutually agreeable time and place.

SPECIFIC RESPONSES

4. Subject to the general objections, each of which is incorporated by reference into the specific responses made herein, Southern Bell responds to the individual numbered requests contained in Public Counsel's Eleventh Request for Production of Documents as follows:

A. In response to Request Nos. 1 through 3, Southern Bell will produce all documents in its possession, custody or control responsive to Request Nos. 1 through 3.

B. In response to Request No. 4, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 4.

C. In response to Request Nos. 5 and 6, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request Nos. 5 and 6. By way of further explanation, Southern Bell states that the "source data" and the specific "DLETHs and customer billing records" requested in Request Nos. 5 and 6 are not retained in paper or electronic format in the ordinary course of Southern Bell's business. Rather, this information is collected for purposes of the relevant operational review and is disposed of contemporaneously with the completion of the relevant operational review and the issuance of the relevant operational summary report.

D. In response to Request No. 7, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 7. By way of further explanation, Southern Bell states that the "MA STADD TED FILE" referred to in the Request exists dynamically in Southern Bell's computer records and is updated on a daily basis. Therefore, no copies of prior iterations are retained and the "MA STADD TED FILE" as referred to in the South Dade Operational Review, August

1990, no longer exists.

E. In response to Request Nos. 8 through 10, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request Nos. 8 through 10. By way of further explanation, see response set forth in paragraph C above.

F. In response to Request No. 11, Southern Bell states that, to the best of Southern Bell's knowledge, there is no such document as "MTAS report 94" as requested in Request No. 11.

G. In response to Request No. 12, Southern Bell will produce all documents in its possession, custody or control responsive to Request No. 12.

H. In response to Request Nos. 13 through 18, Southern Bell states that, except as specifically set forth below with regard to Request Nos. 14 and 15, Southern Bell does not have in its possession, custody or control any documents responsive to Request Nos. 13 through 18. By way of further explanation, see response set forth in paragraph C above. Notwithstanding the foregoing, in Response to Request Nos. 14 and 15, Southern Bell states further as follows:

- (i) In response to Request No. 14, Southern Bell states that, based upon the partial "source data" located from the one employee who had retained copies thereof as discussed in response to Request No. 15, Southern Bell pulled DLETHs and the customer billing

records for the period requested in Request No. 14. Southern Bell will produce these documents in response to Request No. 14.

- (ii) In response to Request No. 15, Southern Bell did locate one employee who had retained a portion of the "source data" requested in Request No. 15 in said employee's personal file. Southern Bell will produce said partial "source data" in response to Request No. 15.

Respectfully submitted this 14th day of October, 1991.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY

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