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# Southern Bell

Mary Jo Peed  
Attorney

**ORIGINAL  
FILE COPY**

Legal Department  
4300 Southern Bell Center  
Atlanta, Georgia 30375  
404 529-7208

February 18, 1992

Mr. Steve C. Tribble  
Director, Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32301

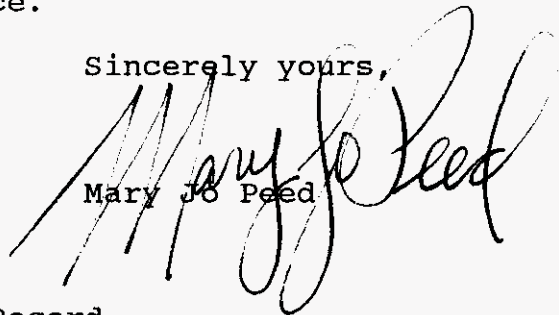
RE: Docket No. 910163-TL

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Combined Responses and Objections to Staff's Seventh through Fourteenth Requests for Production of Documents and Its Notice of Intent to Request Specified Confidential Classification and Request for Ruling or, in the Alternative, for a Protective Order which we ask that you file in the captioned docket.

- ACK  ask
- AFA \_\_\_\_\_ A copy of this letter is enclosed. Please mark it to
- APP \_\_\_\_\_ indicate that the original was filed and return the copy to me.
- CAF \_\_\_\_\_ Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely yours,



Mary Jo Peed

- CMU
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 14/102
- LIN 6
- OFC Enclosures
- RCH \_\_\_\_\_
- SEC 1 cc: All Parties of Record
- WAS \_\_\_\_\_ A. M. Lombardo
- OTH Key H. R. Anthony
- \_\_\_\_\_ R. D. Lackey

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

A BELL SOUTH Company

RECORDED - DATE

FEB 18 1992

FPSC-REC/ISS/421357

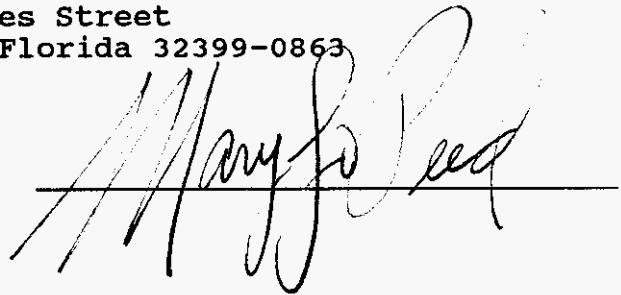
CERTIFICATE OF SERVICE  
DOCKET NO. 910163-TL

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 18th day of February, 1992.

Charles J. Beck  
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111 W. Madison Street  
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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



A handwritten signature in cursive script, appearing to read "Mary Jo Beck", is written over a horizontal line.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL  
FILE COPY

In re: Petition on behalf of )  
Citizens of the State of Florida )  
to initiate investigation into )  
integrity of Southern Bell )  
Telephone and Telegraph Company's )  
repair service activities and )  
reports. )

Docket No. 910163-TL  
Filed: February 18, 1992

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S COMBINED  
RESPONSES AND OBJECTIONS TO STAFF'S SEVENTH THROUGH FOURTEENTH  
REQUESTS FOR PRODUCTION OF DOCUMENTS AND ITS NOTICE OF  
INTENT TO REQUEST SPECIFIED CONFIDENTIAL CLASSIFICATION AND  
REQUEST FOR RULING OR, IN THE ALTERNATIVE, FOR A PROTECTIVE ORDER

COMES NOW, BellSouth Telecommunications, Inc., doing  
business as Southern Bell Telephone and Telegraph Company  
("Southern Bell" or "Company") and files: (1) its Combined  
Responses and Objections to the Staff's Seventh through  
Fourteenth Requests for Production of Documents; and (2) its  
Notice of Intent to Request Confidential Classification and  
Request for Ruling or, in the Alternative, for a Protective  
Order.

NOTICE OF INTENT TO REQUEST SPECIFIED CONFIDENTIAL  
CLASSIFICATION AND REQUEST FOR RULING OR, IN THE  
ALTERNATIVE, FOR A PROTECTIVE ORDER

Many of the documents that will be delivered to and reviewed  
by Florida Public Service Commission Staff ("Staff") in response  
to its Seventh through Fourteenth Requests for Production of  
Documents, each dated January 14, 1992, (collectively, the  
"Document Requests") contain information which is exempted from  
disclosure pursuant to Section 119.07, Florida Statutes.  
Specifically, for example, a number of the documents reflect  
customer information, including the customer's name, address,

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FPSC-RECORDS/REPORTING

telephone number and, occasionally, other identifying information which is exempt from the Open Records Act as a matter of law under § 119.07(3)(w), Florida Statutes. The remaining information has already been produced for the Office of Public Counsel and, as such, is already the subject of existing temporary protective orders which, pursuant to Rule 25-22.006(5)(b), Florida Administrative Code, exempt the proprietary confidential business information contained in said documents from § 119.07(1), Florida Statutes, whether the information is in the possession of the Florida Public Service Commission, as a state agency, or the Office of Public Counsel.

Due to the magnitude of the documents requested in the Document Requests, and notwithstanding the fact that in Southern Bell's view, as stated above, these documents contain information which is already exempt from the Open Records Act, in an abundance of caution Southern Bell is filing as part of this pleading its Notice of Intent to Request Confidential Classification pursuant to Rule 25-22.006(3)(a), Florida Administrative Code. This will allow the Staff to take possession of the documents without delay while assuring the continued confidential treatment of documents produced in response to the Document Requests pending a ruling by the Prehearing Officer on Southern Bell's request for a ruling and/or protective order as more fully described below. The original of this Notice has been filed with the Division of Records and Reporting, and a copy has been served on the division requesting

the information. Each of the written Staff Document Requests has already been filed with the Division of Records and Reporting.

Based upon the foregoing, and in order to assure the continued confidential treatment of documents produced in response to the Document Requests, Southern Bell hereby respectfully requests a ruling by the Prehearing Officer either:

- (i) confirming that the documents delivered to the Staff pursuant to the Document Requests are exempt from § 119.07(1), Florida Statutes, without the necessity of line numbering and redacting under Rule 25-22.006, Florida Administrative Code, because they are covered by the existing temporary protective orders pertaining to said documents and because all information consisting of customer name, address and telephone number is exempt from the Open Records Act as a matter of law under § 119.07(3)(w), Florida Statutes; or
- (ii) granting Southern Bell a protective order waiving the line numbering and redacting requirements of Rule 25-22.006 for documents containing customer name, address and telephone number on the grounds that the extensive line numbering and redacting required by Rule 25-22.006 is not necessary in view of the provisions of § 119.07(3)(w), Florida Statutes and further waiving said requirements for other documents produced in response to the Document Requests because, given the volume of documents being produced by Southern Bell, such a

requirement would be unduly burdensome and oppressive in this instance.

Southern Bell further respectfully requests that the Prehearing Officer rule on the foregoing matters on or before 21 days from the date Staff obtains any documents under the Document Requests and further requests that, if the Prehearing Officer denies Southern Bell's requests for ruling herein, in whole or in part, the Prehearing Officer grant to Southern Bell an additional 21 days from the date of the Prehearing Officer's order denying Southern Bell's requests herein to file a Request for Confidential Classification in accordance with Rule 25-22.006 with respect to the documents produced in response to the Staff's Document Requests.

SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S SEVENTH REQUEST FOR PRODUCTION OF DOCUMENTS

1. In response to Request Nos. 1 through 4 of Staff's Seventh Request for Production of Documents ("Staff's Seventh Request"), Southern Bell will produce all documents in its possession, custody or control responsive to Request Nos. 1 through 4 of Staff's Seventh Request.

2. In response to Request No. 5 of Staff's Seventh Request, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 5 of Staff's Seventh Request.

3. In response to Request Nos. 6 and 7 of Staff's Seventh Request, Southern Bell will produce all documents in its possession, custody or control responsive to Request Nos. 6 and 7

of Staff's Seventh Request.

4. In response to Request No. 8 of Staff's Seventh Request, Southern Bell will produce all documents in its possession, custody or control responsive to Request No. 8 of Staff's Seventh Request. Notwithstanding the foregoing, Southern Bell states that, after diligent search, it cannot locate any documents responsive to Request No. 8 of Staff's Seventh Request for the listed numbers 857-6314, 857-2068, 857-4611, 857-2217 (for the month of December, 1990), 857-5709 and 857-6345.

5. In response to Request No. 9 of Staff's Seventh Request, Southern Bell will produce all documents in its possession, custody or control responsive to Request No. 9 of Staff's Seventh Request.

**SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S  
EIGHTH REQUEST FOR PRODUCTION OF DOCUMENTS**

6. In response to Request No. 1 of Staff's Eighth Request for Production of Documents ("Staff's Eighth Request"), Southern Bell states that it does not have in its possession custody or control "all" wet and dry Auto-Screener rules that were effective "at any time" during the period requested and for the Districts requested in Request No. 1 of Staff's Eighth Request. As previously explained in response to Item 1 of Public Counsel's First Set of Interrogatories in Docket No. 910505-TL, the Auto-Screener rules exist dynamically in the computer and are constantly changing. Furthermore, as explained in Item 3 of those same Interrogatories, with the exception of 14 rules referred to therein, the Auto-Screener rules vary among IMC's

based on geographic, network and other conditions of each IMC. Notwithstanding the foregoing, Southern Bell has located some hard copies of prior iterations of these rules which have from time to time been retained by various offices and/or employees; however, said documents are produced subject to the understanding that they are not the current wet and dry Auto-Screener rules, nor do they constitute "all" wet and dry Auto-Screener rules that have been effective "at any time" during the periods requested or for the Districts requested in Request No. 1 of Staff's Eighth Request.

7. In response to Request Nos. 2 through 5 of Staff's Eighth Request, Southern Bell will produce all documents in its possession, custody or control responsive to Request Nos. 2 through 5 of Staff's Eighth Request.

SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S  
NINTH REQUEST FOR PRODUCTION OF DOCUMENTS

8. In response to Request Nos. 1 and 2 of Staff's Ninth Requests for Production of Documents ("Staff's Ninth Request"), Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request Nos. 1 and 2 of Staff's Ninth Request. By way of further explanation, Southern Bell states that the "jeopardy reports" are utilized for monitoring current trouble conditions and exist only for a limited time in electronic format within the computer. No copies of such "jeopardy reports" are maintained or retained in the ordinary course of Southern Bell's business.

9. In response to Request No. 3 of Staff's Ninth Request,



Southern Bell objects to Request No. 3 of Staff's Ninth Request to the extent that it requests documents discussing, describing or evaluating Southern Bell's record retention procedures regarding trouble reports other than those generated by the loop Maintenance Operating System (LMOS) on the grounds that such documents would not be relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence relevant to the subject matter of this proceeding. Subject to the foregoing objection, Southern Bell will produce all documents in its possession, custody or control responsive to Request No. 3 of Staff's Ninth Request.

10. In response to Request No. 4 of Staff's Ninth Request, Southern Bell will produce all documents in its possession, custody or control responsive to Request No. 4 of Staff's Ninth Request.

11. Staff's Request No. 5 requests copies of "all customer trouble reports for all exchanges, districts and areas" for a period of over eleven and one-half years. Southern Bell estimates that in order to comply with this request as written, Southern Bell would be required to collect approximately 4 linear feet of documents from each IMC and ship them to Tallahassee. Based on the foregoing, Southern Bell objects to Request No. 5 of Staff's Ninth Request as improper to the extent it requests documents pertaining to exchanges, districts and areas other than Florida. In addition, Southern Bell further objects to Request No. 5 of Staff's Ninth Request on the grounds that Request No. 5

of Staff's Ninth Request is overly broad and unduly burdensome, oppressive and unreasonable. Accordingly, in lieu of compliance with Request No. 5 of Staff's Ninth Request as written, Southern Bell states that it will produce year-end summary E-2700's for all districts and areas in Florida for the years 1988 through 1991. Year-end summary E-2700's were not generated, and therefore do not exist, for any years prior to 1988. In further response to Request No. 5 of Staff's Ninth Request, Southern Bell states that in lieu of physically producing other documents responsive to Request No. 5 of Staff's Ninth Request, Southern Bell will make available for inspection and copying by Staff at a mutually agreeable time at the place where such records are normally kept (at each IMC in the State of Florida) other documents in Southern Bell's possession, custody or control responsive to Request No. 5 of Staff's Ninth Request.

SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S  
TENTH REQUEST FOR PRODUCTION OF DOCUMENTS

12. In response to Request No. 1 of Staff's Tenth Request for Production of Documents ("Staff's Tenth Request"), Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request No. 1 of Staff's Tenth Request.

13. In response to Request No. 2 of Staff's Tenth Request, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 2 of Staff's Tenth Request. By way of further explanation, see Southern Bell's response to Request No. 1 of Staff's Eighth

Request.

14. In response to Request No. 3 of Staff's Tenth Request, Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request No. 3 of Staff's Tenth Request.

SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S  
ELEVENTH REQUEST FOR PRODUCTION OF DOCUMENTS

15. In response to Requests Nos. 1, 2 and 3 of Staff's Eleventh Request for Production of Documents ("Staff's Eleventh Request"), Southern Bell objects to such Requests asking for the production of "all" documents "relating to" certain referenced interrogatories for a period of eleven and one-half years on the grounds that such Requests are unduly vague and lack sufficient specificity to allow Southern Bell to reasonably identify the documents to be produced and further on the grounds that such Requests are unduly burdensome, oppressive and unreasonable. Subject to the foregoing, Southern Bell will produce documents which it previously produced to Public Counsel in response to interrogatories 1, 2 and 3 of Public Counsel's nineteenth set of interrogatories in this docket.

SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S  
TWELFTH REQUEST FOR PRODUCTION OF DOCUMENTS

16. In response to Request No. 1 of Staff's Twelfth Request for Production of Documents ("Staff's Twelfth Request"), Southern Bell states that it will produce all documents in its possession, custody or control responsive to Staff's Twelfth Request.

SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S  
THIRTEENTH REQUEST FOR PRODUCTION OF DOCUMENTS

17. In response to Request Nos. 1 and 3 of Staff's Thirteenth Request for Production of Documents ("Staff's Thirteenth Request"), Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request Nos. 1 and 3 of Staff's Thirteenth Request. Explanatory material in the form of the MTAS User Guide and other material has previously been produced in response to Staff's Third Request for Production of Documents in this docket.

18. In response to Request No. 2 of Staff's Thirteenth Request, Southern Bell states that it has no documents in its possession, custody or control responsive to Request No. 2 of Staff's Thirteenth Request which have not been previously produced in this docket.

19. In response to Request No. 4 of Staff's Thirteenth Request, Southern Bell states that, to the best of its knowledge and belief, there were no pages missing from the Auto Screener Rules provided in response to Public Counsel's Fourteenth Request for Production of Documents at the time said documents were delivered to Public Counsel. Notwithstanding the foregoing, in response to Request No. 4 of Staff's Thirteenth Request, Southern Bell will produce a duplicate of the Auto Screener Rules previously produced to Public Counsel.

20. In response to Request No. 5 of Staff's Thirteenth Request, Southern Bell objects to such Requests asking for the production of "all" documents "responsive" to certain referenced

interrogatories for a period of eleven and one-half years on the grounds that such Request is unduly vague and lacks sufficient specificity to allow Southern Bell to reasonably identify the documents to be produced and further on the grounds that such Request is unduly burdensome, oppressive and unreasonable.

21. In response to Request No. 6 of Staff's Thirteenth Request, Southern Bell objects to Request No. 6 of Staff's Thirteenth Request on the grounds that such Request is overly broad and unduly burdensome, oppressive and unreasonable. Subject to the foregoing objection, Southern Bell will produce documents which it can identify as responsive to Request No. 6 of Staff's Thirteenth Request.

SPECIFIC RESPONSES AND OBJECTIONS TO STAFF'S  
FOURTEENTH REQUEST FOR PRODUCTION OF DOCUMENTS

22. In response to Request Nos. 1 and 2 of Staff's Fourteenth Request for Production of Documents ("Staff's Fourteenth Request"), Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request Nos. 1 and 2 of Staff's Fourteenth Request for the North Dade IMC. Southern Bell states that it does not have any documents in its possession, custody or control responsive to Request Nos. 1 and 2 of Staff's Fourteenth Request for other IMC's in Florida.

23. In response to Request No. 3 of Staff's Fourteenth Request, Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request No. 3 of Staff's Fourteenth Request.

24. In response to Request No. 4 of Staff's Fourteenth Request, Southern Bell states that it does not maintain the information requested in the format requested and is unable to separate and retrieve the multi-line data from other data contained on the MOOSA tapes. Notwithstanding the foregoing, in response to Request No. 4 of Staff's Fourteenth Request, Southern Bell states that it has produced information pertaining to the most recent 12 months of multi-line manually processed MOOSA rebates in paper format in response to Request No. 5 of Staff's Fourteenth Request below.

25. In response to Request No. 5 of Staff's Fourteenth Request, Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request No. 5 of Staff's Fourteenth Request.

26. In response to Request Nos. 6 and 7 of Staff's Fourteenth Request, Southern Bell states that Southern Bell will produce all documents in its possession, custody or control responsive to Request Nos. 6 and 7 of Staff's Fourteenth Request.

27. In response to Request No. 8 of Staff's Fourteenth Request, Southern Bell states that it has no documents in its possession, custody or control responsive to Request No. 8 of Staff's Fourteenth Request.

28. In response to Request No. 9 of Staff's Fourteenth Request, Southern Bell states that it has no documents in its possession, custody or control responsive to Request No. 9 of Staff's Fourteenth Request. Notwithstanding the foregoing,

Southern Bell has created a document responsive to Request No. 9 of Staff's Fourteenth Request for the years 1990 and 1991. However, Southern Bell is unable to create a document responsive to Request No. 9 of Staff's Fourteenth Request for the years 1988 and 1989 on the grounds that such Request is unduly burdensome, oppressive and unreasonable. By way of further explanation, Southern Bell states that while it is able to mechanically create the information requested for 1990 and 1991, the billing information for 1989 and 1988 is on microfiche which is kept at each accounting office (Jacksonville & Miami). The microfiche is categorized by revenue accounting classifications in each NNX. Southern Bell would have to manually summarize up to 50 accounting classifications, separating residence and business for each of approximately 850 NNX's. It is estimated that this would require 500 to 600 hours to complete. For the rebates in 1988 and 1989, Southern Bell has already produced a printout that lists every customer that received a rebate in 1988 and 1989.

29. In response to Request No. 10 of Staff's Fourteenth Request, Southern Bell objects to such Request asking for the production of "all" documents "concerning" certain items for a period of 4 years on the grounds that such Request is unduly vague and lacks sufficient specificity to allow Southern Bell to reasonably identify the documents to be produced and further on the grounds that such Request is unduly burdensome, oppressive and unreasonable. Subject to the foregoing objection, Southern Bell will produce documents which it can identify as responsive

to Request No. 10 of Staff's Fourteenth Request.

30. In response to Request Nos. 11 through 14 of Staff's Fourteenth Request, Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request Nos. 11 through 14 of Staff's Fourteenth Request.

31. In response to Request No. 15 of Staff's Fourteenth Request, Southern Bell states that it has no documents in its possession, custody or control responsive to Request No. 15 of Staff's Fourteenth Request.

32. In response to Request No. 16 of Staff's Fourteenth Request, Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request No. 16 of Staff's Fourteenth Request.

33. In response to Request No. 17 of Staff's Fourteenth Request, Southern Bell states that the Form/Report U339 requested is a blank stock form which Southern Bell has no copies of in its possession, custody or control. By way of further explanation, see response to Interrogatory No. 5 in Public Counsel's 22nd Set of Interrogatories.

34. In response to Request No. 18 of Staff's Fourteenth Request, Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request No. 18 of Staff's Fourteenth Request.

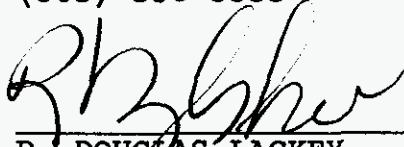


Respectfully submitted this 18th day of February, 1992.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY



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