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ORIGINAL
FILE COPY

August 24, 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. 920260-TL

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Fifteenth Request for Production of Documents and Motion for a Temporary Protective Order. Please file these documents 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,

Sidney J. White, Jr.
Sidney J. White, Jr. (02)

- ACK
- AFA 3
- APP _____
- CAF _____
- Enclosures
- CMU cc: All Parties of Record
- A. M. Lombardo
- CTR _____ H. R. Anthony
- EAG _____ R. D. Lackey
- LEG 1 w/m
- LIN 16 RECEIVED & FILED
- CPC _____
- ROH _____
- SEC 1 FPSC-BUREAU OF RECORDS
- WAS _____
- ORH _____

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FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 920260-TL

I HEREBY CERTIFY that a copy of the foregoing has been furnished
by United States Mail this 24th day of August, 1992 to:

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275 John Knox Road, EE 102
Tallahassee, FL 32303

Sidney J White, Jr.
(421)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Comprehensive Review of)
the Revenue Requirements and Rate)
Stabilization Plan of Southern)
Bell Telephone and Telegraph)
Company (Formerly FPSC Docket)
Number 880069-TL))
_____)

Docket No. 920260-TL
Filed: August 24, 1992

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

COMES NOW BellSouth Telecommunications, Inc. d/b/a 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 Responses and Objections to the Office of Public Counsel's ("Public Counsel") Fifteenth Request for Production of Documents dated July 24, 1992, and (2) pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, its Motion for Temporary Protective Order.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to Public Counsel's definition of "document" or "documents". Public Counsel's definition of these terms is overly broad and is objectionable pursuant to standards adopted in Caribbean Security Systems v. Security Control Systems, Inc., 486 So.2d 654 (Fla. App. 3rd District 1986).

2. Southern Bell objects to Public Counsel's definition of "you" and "your" as well as the definition of "Southern Bell". It appears that Public Counsel, through its definition of these words, is attempting to obtain discovery of information in the

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FPSC-RECORDS/REPORTS

possession, custody, or control of entities that are not parties to this docket. Requests for Production may only be directed to parties, and any attempt by Public Counsel to obtain discovery from non-parties should be prohibited. See Rule 1.340, Florida Rules of Civil Procedure; Broward v. Kerr, 454 So.2d 1068 (4th D.C.A. 1984).

3. Southern Bell does not believe it was Public Counsel's intent to require Southern Bell to produce again the same documents previously 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.

4. Southern Bell objects to the specific time and place designated by Public Counsel for the production of documents for the reasons that the designation is not reasonable, but has no objection to producing the documents that are responsive and to which no other objection is made, at a mutually agreed upon time and place.

5. Some of the documents that will be delivered to and reviewed by Public Counsel contain proprietary, confidential business information that 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 § 119.07(1), Florida Statutes. If Public Counsel subsequently notifies Southern Bell that any of

the proprietary documents are to be used in a proceeding before the Commission, Southern Bell will, in accordance with Rule 25-22.006, Florida Administrative Code, file a detailed motion for protective order specifically addressing each of the documents identified.

SPECIFIC RESPONSES

6. In response to Request No. 215, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order set forth above. These documents contain, among other things, information on unregulated affiliates, forecasted information, and information related to contingent liabilities.

7. In response to Request No. 216, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

8. In response to Request No. 217, Southern Bell has already provided documents responsive to this request in response to Public Counsel's Third Request for Production of Documents, Request No. 41(c).

9. In response to Request No. 218, the responsive documents are voluminous. Therefore, Southern Bell will produce the responsive documents that are in its possession, custody, or control at a mutually agreeable time and place. In addition, these documents also contain proprietary and copyrighted material. Consequently, the Company's production pursuant to

this request will be subject to its Motion for Temporary Protective Order set forth above.

10. In response to Request No. 219, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

11. In response to Request No. 220, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

12. In response to Request No. 221, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

13. In response to Request No. 222, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

14. In response to Request No. 223, Southern Bell has no documents responsive to this request. The interrogatory referenced by Public Counsel does not exist. Therefore, Southern Bell cannot determine what "specific documents" are being requested.

15. In response to Request No. 224, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually agreeable time and place subject to its Motion for Temporary Protective Order set forth above. These documents depict details of vendor-specific expenses for maintenance, insurance, security, cleaning, and other services

provided in conjunction with the operation of a competitive commercial office building.

Respectfully submitted this 24th day of August, 1992.

SOUTHERN BELL TELEPHONE
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