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FPSC-RECORDS/REPORTING

September 14, 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 Staff's Third Request for Production of Documents and Notice of Intent to Request Confidential Classification. 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.

Enclosures

cc: All Parties of Record
A. M. Lombardo
H. R. Anthony
R. D. Lackey

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DOCUMENT NUMBER-DATE

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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 14th day of September, 1992 to:

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The American Association of
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c/o Charlotte Brayer, Esquire
275 John Knox Road, EE 102
Tallahassee, FL 32303

Sidney J. White, Jr.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of)
the Revenue Requirements and Rate) Docket No. 920260-TL
Stabilization Plan of Southern)
Bell Telephone and Telegraph) Filed: September 14, 1992
Company (Formerly FPSC Docket)
Number 880069-TL))
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
RESPONSE AND OBJECTIONS TO STAFF'S
THIRD REQUEST FOR PRODUCTION OF DOCUMENTS
AND NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

COMES NOW BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files, pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 25-22.006(3)(a), 1) its Responses and Objections to the Staff's Third Request for Production of Documents dated August 10, 1992 and 2) its Notice of Intent to Request Confidential Classification.

NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION

Some of the documents that will be produced for the Staff in response to its Third Request for Production of Documents contain information which is exempted from public disclosure pursuant to §§ 119.07 and 364.183, Florida Statutes. Specifically, some of the documents contain, among other things, employee-specific information unrelated to compensation, forecasted intraLATA toll message and revenue information, other competitively-sensitive information, vendor-specific information, and other Company proprietary confidential business information. This information is included as proprietary confidential business information

under § 364.183, Florida Statutes and Rule 25-22.006, Florida Administrative Code. Because these documents contain exempt information, Southern Bell is filing this Notice of Intent to Request Confidential Classification, pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, in order to allow the Staff access to these documents without delay. 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.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to Staff's definition of "document" or "documents". Staff'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 Staff's "Note:" suggesting that the Company undertake a cross-referencing exercise regarding documents already produced in response to earlier Staff requests. This suggested procedure is unduly burdensome and oppressive and is neither provided for nor appropriate under applicable discovery rules.

3. Southern Bell does not believe it was Staff'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 Staff's requests on the basis that certain classes of documents requested are not relevant to the subject matter of this proceeding. Rule 1.280, Florida Rules of Civil Procedure, state that "parties may obtain discovery regarding any matter, not privileged, that is relevant to the subject matter of the pending action." At this point, the issues which may exist in this docket relate solely to Southern Bell's regulated earnings in Florida. Therefore, any and all data regarding Southern Bell's operations in other states as well as information concerning other companies (which, in addition to being irrelevant may also be proprietary) is not relevant to this proceeding and therefore is not the proper subject of discovery. Also, any and all data regarding Southern Bell's unregulated services, including inside wire, are not relevant to this proceeding and are not the proper subject of discovery.

5. The following Specific Responses are given subject to the above-stated General Response and Objectives.

SPECIFIC RESPONSES

6. In response to Request No. 80, Southern Bell objects to this request on the basis that it is unduly burdensome and oppressive. Documents responsive to this request are extremely voluminous and are maintained throughout at least twenty-two (22) locations in Florida, as well as in Birmingham, Alabama and Atlanta, Georgia. Also, these documents contain vendor-specific

contractual information which is proprietary confidential business information. Notwithstanding the above-stated objections, Southern Bell will make these documents available where they are maintained in the normal course of business subject to the Company's Notice of Intent to Request Specified Confidential Classification set forth above.

7. In response to Request No. 81, 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. 82, Southern Bell objects to this request on the basis that, if read literally, it calls for the production of "all internal audits" performed anywhere, on any subject, and in any state. This request is overly broad, burdensome, and oppressive and requests documents which are both proprietary and irrelevant to these proceedings. However, notwithstanding these objections, Southern Bell will produce a list of all Southern Bell, BellSouth Services, or Southern Bell Florida-specific audits for the Staff's review. If, after review of this list, Staff desires specific internal audits to be produced, Southern Bell will respond to those specific requests when they are served on the Company.

9. In response to Request No. 83, Southern Bell objects to this request on the basis that it seeks documents which are not in the Company's possession, custody, or control. Also, these documents owned by, and within the possession, custody, or control of a non-party (Coopers and Lybrand), have information

included therein specific to Southern Bell or its affiliates which the Company would consider proprietary confidential business information. However, in an effort to be responsive, Southern Bell will endeavor to make arrangements to have the documents responsive to this request made available for Staff's review in Atlanta, Georgia where those documents are maintained by Coopers and Lybrand in the normal course of business subject to any protective assurances or other conditions deemed necessary by the owner of such documents. Southern Bell is advised that the documents consist of over 150 binders of documents too burdensome to produce at a distant location.

10. In response to Request No. 84, Southern Bell objects to this request on the basis that it calls for the production of proprietary confidential business information. Some of the documents responsive to this request contain personally identifiable information unrelated to compensation, duties, or responsibilities, including employees' social security numbers. However, in an effort to be responsive, the Company will produce the responsive documents with these proprietary social security numbers redacted.

11. In response to Request No. 85, Southern Bell objects to this request on the basis that it is unduly burdensome, oppressive and calls for the production of proprietary confidential business information. Responsive documents could reside in the files of over 15,000 present and past employees who received VEER information packages due to their qualifying status

under the program. Moreover, files exist on over 4,500 people who chose to participate in the VEER program. Notwithstanding the above-stated objections, Southern Bell will produce these documents for Staff's review where they are maintained in the normal course of business, subject to the Company's Notice of Intent to Request Specified Confidential Classification for any documents containing proprietary confidential business information. These documents contain employee-specific information unrelated to compensation, duties, qualifications or responsibilities. Finally, some of the documents responsive to this request have previously been provided in response to Staff's Second Request for Production of Documents, Request No. 21.

12. In response to Request No. 86, Southern Bell objects to this request on the basis that it calls for the production of proprietary confidential business information. Some of the responsive documents contain personally identifiable information unrelated to compensation, duties, qualifications or responsibilities, including employees' social security numbers. However, in an effort to be responsive, the Company will produce the pertinent documents with the social security numbers redacted.

13. In response to Request No. 87(a), 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. 87(b), Southern Bell has no documents responsive to this request.

15. In response to Request No. 88, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

16. In response to Request No. 89, Southern Bell objects on the basis that the requested documents are voluminous and providing them would be unduly burdensome. However, subject to these objections, Southern Bell will produce a summary of the forecast views for access lines, subject to its Notice of Intent to Request Confidential Classification contained herein. In addition, Southern Bell will produce for inspection at a mutually convenient time, the backup documentation used in the preparation of the referenced access forecasts at their location in Jacksonville, Florida, also subject to its Notice of Intent to Request Confidential Classification contained herein.

17. In response to Request No. 90(a), Southern Bell has no documents responsive to this request.

18. In response to Request No. 90(b), Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

19. In response to Request No. 91, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to its Notice of Intent to Request Specified Confidential Classification for any documents containing proprietary confidential business information. These documents contain market share and demand analyses relating to competitive services.

20. In response to Request No. 92, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

21. In response to Request No. 93, Southern Bell has no documents responsive to this request.

22. In response to Request No. 94(a), Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to its Notice of Intent to Request Specified Confidential Classification for any documents containing proprietary confidential business information. These documents contain market share and demand analyses.

23. In response to Request No. 94(b), Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

24. In response to Request No. 95, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

25. In response to Request No. 96, Southern Bell objects to this request on the basis that it is framed in a way to suggest that Southern Bell respond to the request on a continuing basis. Such continuing requests for production are not proper under Florida discovery rules. Also, Southern Bell cannot determine, with any reasonable certainty, which specific documents are being requested based on the language and the referenced items in the

request. If Staff could clarify or restate the request, Southern Bell will respond accordingly.

26. In response to Request No. 97, Southern Bell has no documents responsive to this request.

Respectfully submitted this 14th day of September, 1992.

SOUTHERN BELL TELEPHONE
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