



JACK SHREVE  
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**STATE OF FLORIDA**  
**OFFICE OF THE PUBLIC COUNSEL**

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October 9, 1992

Steve Tribble, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, FL 32399-0850

Re: Docket No. 910163-TL

Dear Mr. Tribble:

Enclosed for filing in the above-captioned proceeding on behalf of the Citizens of the State of Florida are the original and 15 copies of Citizens' Response to Southern Bell's Motion for a Temporary Protective Order.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Janis Sue Richardson  
Associate Public Counsel

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LES
- LIN
- OPC
- RON
- SEC
- WAS
- OTH

Enclosure

DOCUMENT NUMBER-DATE

11885 OCT-9 1992

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the )  
Integrity of Southern Bell's )  
Repair Service Activities and )  
Reports )  
\_\_\_\_\_ )

Docket No. 910163-TL  
Filed: October 9, 1992

**CITIZENS' RESPONSE TO SOUTHERN BELL'S MOTION  
FOR A TEMPORARY PROTECTIVE ORDER**

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, pursuant to rule 25-22.037, Florida Administrative Code, file this response to the request for motion for temporary protective order filed by Southern Bell Telephone and Telegraph Company ("Southern Bell") on September 14, 1992.

1. Southern Bell filed its Motion for Temporary Protective Order on September 14, 1992. That motion was attached to Southern Bell's response to Citizens' Twenty-eighth Set of Interrogatories. Southern Bell seeks confidentiality for the names of employees and former employees who were disciplined, and their addresses and telephone numbers. The company's response to Citizens' interrogatories states:

Southern Bell objects to this interrogatory to the extent the information requested is proprietary. Southern Bell will provide the proprietary information to Public Counsel subject to its Motion for Temporary Protective Order being filed contemporaneously with the serving of its interrogatory response.

Southern Bell response, items 2, 3, 5, 6, 8, 9.

2. Southern Bell's certificate of service indicates that the motion and response were mailed to Public Counsel's office on September 14, 1992; however, it was not received. Southern Bell was contacted about the missing response, and the company faxed a copy to Public Counsel on September 30, 1992. However, the faxed copy did not contain the purportedly confidential information. More telephone calls were placed to the company counsel to obtain the purportedly confidential information. Company counsel stated that Public Counsel's information had actually been delivered to an inter-governmental mail box at the Public Service Commission. The confidential information was hand-delivered to Public Counsel's office on October 7, 1992. Hence, Public Counsel's response is timely.

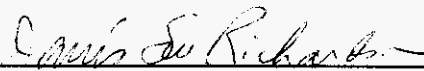
3. This issue has been fully addressed by both parties in prior motions filed in this docket. Citizens' Response to Southern Bell's Request for Confidential Classification and Motion for Permanent Protective Order filed Sept. 16, 1992; Citizens' Response to Southern Bell's Request for Confidential Classification and Motion for Permanent Protective Order filed Oct. 1, 1992. Public Counsel incorporates those arguments herein as support for its objection to treating the identities of disciplined employees as confidential under either section 364.183(f) or 119.07(1), Florida Statutes (1991). The identity of employees and former employees disciplined is not confidential information as the discipline administered is related to those employees duties, responsibilities, and jobs.

4. Citizens' do not object to granting temporary confidentiality to the home addresses and telephone numbers of company employees.

WHEREFORE, Citizens request this Commission to deny temporary confidential treatment to the identity of Southern Bell employees and former employees, who were disciplined in regard to matters at issue in this docket.

Respectfully submitted,

JACK SHREVE  
Public Counsel

  
CHARLES J. BECK  
Deputy Public Counsel  
JANIS SUE RICHARDSON  
Associate Public Counsel

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Attorneys for the Citizens  
of the State of Florida

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 9th day of October, 1992.

Marshall Criser, III  
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Inc. (Southern Bell Telephone  
& Telegraph Co.)  
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