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November 23, 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 "Thirty-First" Request for Production of Documents and Motion for a 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.

ACK ✓  
AFA 3  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CFD \_\_\_\_\_

Sincerely,

*Sidney J. White, Jr.*

Sidney J. White, Jr.

Enclosures

cc: All Parties of Record

LEO 1 *W.A.M.* M. Lombardo

LEO 6 H. R. Anthony

LEO 6 R. D. Lackey

CTD \_\_\_\_\_

RCH \_\_\_\_\_

SEC 1 \_\_\_\_\_

WAS \_\_\_\_\_

OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

13777 NOV 23 1992

FPSC-RECORDS/REPORTING

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: November 23, 1992  
Company (Formerly FPSC Docket )  
Number 880069-TL) )  
\_\_\_\_\_ )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S  
THIRTY-FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
AND MOTION FOR A 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 Rule 1.350, Florida Rules of Civil Procedure, its Response and Objections to the Office of Public Counsel's ("Public Counsel") Thirty-First Request for Production of Documents dated October 22, 1992 and (2) pursuant to Rule 1.280(c), Florida Rules of Civil Procedure, its Motion for Protective Order.

MOTION FOR PROTECTIVE ORDER

Through its October 22, 1992 document requests, Public Counsel has purported to serve Southern Bell discovery in three dockets simultaneously. Although such a procedure could conceivably be appropriate under circumstances in which identical factual issues are being litigated in multiple cases, such is clearly not the case with respect to Docket Nos. 910163-TL, 900960-TL, and 920260-TL. Docket No. 910163-TL addresses issues relating to the Commission's repair and rebate investigation.

DOCUMENT NUMBER-DATA

13777 NOV 23 1992

FPSC-RECORDS/REPORTS

Docket No. 900960-TL addresses issues relating to the Commission's non-contract sales investigation. Finally, Docket No. 920260-TL addresses Southern Bell's regulated earnings in the State of Florida.

Public Counsel's numbering and content of its October 22, 1992 discovery request belies its purported application to all three of these dockets. Although the "Thirty-First" Request for Production of Documents is correct in the numerical sequence of discovery in Docket No. 910163-TL, and most of the documents appear to be pertinent to the repair and rebate investigation, these requests are inappropriately propounded in the other two dockets.

The Commission has decided to address the issues raised in Docket Nos. 910163-TL, 900960-TL, and 920260-TL in separate dockets in the first instance. Consequently, discovery should likewise proceed at this time independently in each docket. Public Counsel is attempting to inappropriately interject irrelevant issues to all three dockets through its triad labelling approach.

The Prehearing Officer has determined that evidence relating to Docket No. 910163-TL will not be incorporated in the main hearings to be held in Docket No. 920260-TL. Rather, evidence relating to Docket No. 910163-TL will be heard by the Commission during hearings for that docket in April 1993 and any impact of

that docket on Docket No. 920260-TL is to be determined at a later date. Order No. PSC-92-1320-PCO-TL, issued November 13, 1992 in Docket No. 920260-TL. Consequently, Public Counsel's current attempt to interject repair and rebate issues into this docket at this time is inappropriate and objectionable.

Southern Bell respectfully urges the Prehearing Officer to reject the approach to discovery being attempted by Public Counsel and to direct that Public Counsel refrain from such procedure for the duration of the discovery periods in these dockets. Also, for the reasons set forth above, Southern Bell moves the Prehearing Officer to issue an order directing that discovery not be had in this docket with respect to Public Counsel's "Thirty-First" Request for Production of Documents served on Southern Bell October 22, 1992, inasmuch as the documents sought are not properly requested in this docket at this time.

#### GENERAL RESPONSE AND OBJECTIONS

For the reasons included in Southern Bell's Motion for Protective Order set forth above, the Company objects to Document Request Nos. 1 through 17 on the basis that they call for the production of documents not relevant to Docket No. 920260-TL.

Respectfully submitted this 23rd day of November 1992.

SOUTHERN BELL TELEPHONE  
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**CERTIFICATE OF SERVICE**  
**Docket No. 920260-TL**

I HEREBY CERTIFY that a copy of the foregoing has been furnished  
by United States Mail this 23rd day of November, 1992 to:

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