



JACK SHREVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, Florida 32399-1400
904-488-9330

December 9, 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 - Repair and Rebate Investigation
and 900960-TL Non-contact Sales Investigation

Dear Mr. Tribble:

Enclosed please find three copies of Public Counsel's Notice of Deposition Upon Oral Examination with Citizens' Request for Production of Documents at Deposition, which we ask you to file in these dockets. The original and one copy have been served on Southern Bell Telephone and Telegraph Company by mail on this date.

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 yours,


Janis Sue Richardson
Associate Public Counsel

Enclosures

cc: All Parties of Record

DOCUMENT NUMBER-DATE
14296 DEC-9 1992
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on behalf of CITIZENS)
OF THE STATE OF FLORIDA to initiate)
investigation into integrity of SOUTHERN)
BELL TELEPHONE & TELEGRAPH COMPANY'S)
repair service activities and reports.)
_____)

Docket No. 910163-TL

In re: Show Cause Proceeding Against)
Southern Bell Telephone and Telegraph)
Company for Misbilling customers)
_____)

Docket No. 900960-TL

Filed: December 9, 1992

NOTICE OF DEPOSITION UPON ORAL EXAMINATION

TO: Harris R. Anthony, Esq.
c/o Marshall M. Criser III
150 S. Monroe Street
Tallahassee, FL 32301


NOTICE is hereby given that, pursuant to Florida Rule of Civil Procedure 1.310(b)(6), the Citizens of Florida, by and through Jack Shreve, Public Counsel, will take the sworn deposition of Ms. Cynthia White and Mr. David Mower.

The deposition, which is for the purpose of discovery and such other purposes as are permitted by the Florida Rules of Civil Procedure, will cover the matters related to the issues in these dockets. Mr. David Mower is requested to produce the names of those persons disciplined by him or in his presence at the deposition.

The deposition is scheduled at the following location and times indicated:

Thursday, December 17, 1992 at 10:00 a.m. and 11:30 a.m.
Southern Bell Telephone and Telegraph Co. Offices
301 W. Bay Street, 20th Floor
Jacksonville, Florida 32202

Dated this 9th day of December 1992.


JANIS SUE RICHARDSON
Associate Public Counsel

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, Florida 32399-1400

(904) 488-9330

Attorney for the Citizens
of the State of Florida

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: December 9, 1992

CITIZENS' REQUEST FOR PRODUCTION OF DOCUMENTS AT DEPOSITION OF
DAVID MOWER TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY

Pursuant to Section 350.0611(1), Fla. Stat. (1989), Rules 25-22.34 and 25.22.35, F.A.C., and Rule 1.350, F.R.C.P., Florida's Citizens' ("Citizens"), by and through Jack Shreve, Public Counsel, request Southern Bell Telephone and Telegraph Company ("Southern Bell") to produce the following documents for inspection and copying at the deposition of Mr. David Mower to take place at Southern Bell Telephone and Telegraph Company, 301 West Bay Street, 20th Floor, Jacksonville, Florida 32202, on Thursday, December 17, 1992.

INSTRUCTIONS

1. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

2. If Southern Bell has possession, custody, or control of the originals of the documents requested, please produce the originals or a complete copy of the originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp or notation. If Southern Bell does not have possession, custody, or control of the originals of the documents requested, please produce any copies in the possession, custody, or control, however made, of Southern Bell.

3. If you object to any discovery requests, in whole or part, on the basis of confidentiality, please strictly follow the provisions of Florida Public Service Commission Rule 25-22.006 requiring a motion for a protective order no later than the date the response is otherwise due and urging all parties to seek mutual agreement before bringing a controversy to the Commission.

DEFINITIONS

1. "Document" or "documents" means any written, recorded, filmed or graphic matter, whether produced, reproduced, or on paper, cards, tapes, film, electronic facsimile, computer storage device or any other media, including, but not limited to, memoranda, notes, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, agreements,

books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, and notes, any of which are in your possession, custody, or control.

2. As used herein "you" and "your" means Southern Bell together with their officers, employees, consultants, agents, representatives, attorneys (unless privileged), and any other person or entity acting on behalf of Southern Bell.

3. Words in the past tense include the present, and words in the present tense include the past. Use of the singular includes the plural, and use of the masculine includes the feminine where appropriate, and vice versa.

4. If there is any document or other tangible item described by this request which is no longer in your possession, custody, or control, or is no longer in existence or accessible to you, please indicate:

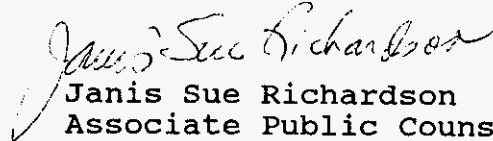
(a) the date and nature of the disposition of such document or other tangible item, including, but not limited to, whether such: (i) is missing or lost, (ii) has been destroyed or (iii) has been transferred to another person;

(b) the circumstances surrounding such disposition, including any authorization thereof; and

(c) where applicable, the person currently in possession, custody, or control of such document or item.

PRODUCTION OF DOCUMENTS

1. Please produce the names of the persons disciplined by Mr. David Mower, or disciplined in his presence, at the deposition upon oral examination to be held on December 17, 1992, at 11:30 a.m. at Southern Bell Telephone and Telegraph Company's offices, 301 West Bay Street, 20th Floor, Jacksonville, Florida 32202.


Janis Sue Richardson
Associate Public Counsel


CERTIFICATE OF SERVICE
Docket No. 910163-TL

I HEREBY CERTIFY that the attached NOTICE OF DEPOSITION UPON ORAL EXAMINATION and REQUEST FOR PRODUCTION OF DOCUMENTS AT DEPOSITION has been served by U.S. Mail or hand-delivery, this 9th day of December, 1992 to the following:

Harris R. Anthony, Esq.
BellSouth Telecommunications, Inc.
d/b/a/ Southern Bell Telephone
& Telegraph Company
c/o Marshall M. Criser, III
150 S. Monroe Street, Suite 400
Tallahassee, Florida 32301

Tracy Hatch, Esq.
Jean Wilson, Esq.
Division of Legal Services
Fla. Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301

John Hoag, Esq.
Department of Legal Affairs
Presidential Circle
4000 Hollywood Ave.
5th Fl., Rm. 10
Hollywood, FL 33021


JANIS SUE RICHARDSON
Associate Public Counsel

Office of the Public Counsel
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400

CERTIFICATE OF SERVICE
Docket No. 900960-TL

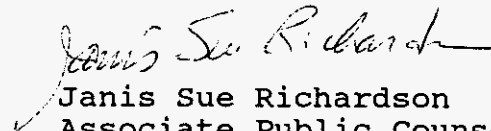
I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following persons this 9th day of December, 1992.

Hank Anthony
Southern Bell Telephone and
Telegraph Company
c/o Marshall Criser, III
150 S. Monroe St., Suite 400
Tallahassee, FL 32301

John Hoag
Department of Legal Affairs
RICO Section
4000 Hollywood Blvd., Suite 505-S
Hollywood, FL 33021

Tracy Hatch
Jean Wilson
Division of Legal Services
Fla. Public Service Commission
101 East Gaines Street
Tallahassee, FL 32301

Michael B. Twomey
Assistant Attorney General
Department of Legal Affairs
Room 1603, The Capitol
Tallahassee, FL 32399-1050


Janis Sue Richardson
Associate Public Counsel



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