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January 22, 1993

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

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Motion for Protective Order Regarding Certain Items Contained in Staff's Sixth Set of Interrogatories which we ask that you file in the above-captioned docket.

ACK 3
A 3
C 3
C 3
E 3
L 10/17/93
L 6
C 3
E 3
S 1
V 3
O 3

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.

6 Enclosures

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

DOCUMENT NUMBER-DATE
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CERTIFICATE OF SERVICE
Docket No. 910163-TL

I HEREBY CERTIFY that a copy of the foregoing has been furnished by United States Mail this 22nd day of January, 1993 to:

Charles J. Beck
Assistant Public Counsel
Office of the Public Counsel
812 - 111 W. Madison Street
Tallahassee, FL 32399-1400

Tracy Hatch
Division of Legal Services
Florida Public Svc. Commission
101 East Gaines Street
Tallahassee, FL 32399-0863

Sidney J. White, Jr.
(22)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on Behalf of)
Citizens of the State of Florida) Docket No. 910163-TL
to Initiate Investigation into)
Integrity of Southern Bell) Filed: January 22, 1993
Telephone and Telegraph Company's)
Repair Service Activities and)
Reports.)
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
MOTION FOR PROTECTIVE ORDER REGARDING CERTAIN ITEMS
CONTAINED IN STAFF'S SIXTH AND SEVENTH SETS OF INTERROGATORIES

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 1.280(c), Florida Rules of Civil Procedure, its Motion for Protective Order.

1. On December 18, 1992, the Staff of the Florida Public Service Commission ("Staff") served upon Southern Bell its Sixth and Seventh Sets of Interrogatories in the above-referenced docket. Within those sets of interrogatories are a number of requests for information comprising the substantive record of internal audits, investigations and analyses conducted at the direct request of, and under the direct supervision of, attorneys for Southern Bell. This information was created and used in anticipation of litigation and formed the basis on which legal opinions were rendered to the Company by its attorneys. Consequently, some of the information sought by Staff in its Sixth and Seventh Sets of Interrogatories is not subject to discovery. The communications between attorneys for Southern Bell and Company representatives relative to these investigations are subject to the Attorney-Client Privilege. In addition, the

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investigatory and analytical processes and the substantive information collected and derived as a result of those processes is subject to the Work Product Doctrine. Southern Bell hereby incorporates all pervious motions and pleadings to the extent such pleadings addressed the basis for establishing the privileged nature of the internal audits, investigations, and analyses at issue herein.

2. Southern Bell has this same day filed its formal responses to Staff's Sixth and Seventh Sets of Interrogatories, and the Company has stated with particularity the reasons for its objections to certain interrogatory items, or portions thereof, in those formal responses. Attachment I to this Motion contains a summary of the interrogatory items or portions thereof, to which Southern Bell has registered objections based on the Attorney-Client Privilege and Work Product Doctrine. Southern Bell hereby incorporates by reference and adopts all arguments contained in its interrogatory responses for purposes of this Motion.

3. Moreover, the facts surrounding these internal audits, investigations, and analyses, as evidenced by the substantial amount of explanatory information being provided in Southern Bell's other responses to Staff's Sixth Set of Interrogatories, provide a substantial basis on which to support the Company's arguments regarding the privileged nature of this information and to justify the granting of the Motion for Protective Order sought herein.

Based on the foregoing, Southern Bell moves the Prehearing Officer to issue a Protective Order directing that discovery not be had with respect to the specifically identified interrogatory items, or portions thereof, to which Southern Bell has registered an objection based on either the Attorney-Client Privilege or the Work Product Doctrine, or both.

Respectfully submitted this 22nd day of January, 1993.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY

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ATTACHMENT I

Following are the specific interrogatory items for which complete or partial objections on the basis of the Attorney-Client Privilege and the Work Product Doctrine have been raised by Southern Bell in its responses to Staff's Sixth and Seventh Sets of Interrogatories

INTERROGATORY ITEM NOS.

STAFF'S SIXTH SET OF INTERROGATORIES

50.I.(f)-(g)

50.I.(p)-(u)

50.I.(x)-(y)

50.I.(dd)-(gg)

50.I.(ll)-(mm)

50.I.(eee)-(lll)

50.I.(zzz)

50.II.(f)-(g)

50.II.(p)-(u)

50.II.(x)-(y)

50.II.(dd)-(gg)

50.II.(ll)-(mm)

50.II.(eee)-(lll)

50.II.(zzz)

50.III.(f)-(g)

50.III.(p)-(u)

50.III.(x)-(y)

50.III.(dd)-(gg)

50.III.(ll)-(mm)
50.III.(eee)-(lll)
50.III.(zzz)
50.IV.(f)-(g)
50.IV.(p)-(u)
50.IV.(x)-(y)
50.IV.(dd)-(gg)
50.IV.(ll)-(mm)
50.IV.(eee)-(lll)
50.IV.(zzz)
50.V.(f)-(g)
50.V.(p)-(u)
50.V.(x)-(y)
50.V.(dd)-(gg)
50.V.(ll)-(mm)
50.V.(eee)-(lll)
50.V.(zzz)
53.VII.(e)
53.VII.(m)-(o)
53.VII.(r)
53.VII.(aa)-bb)
53.VIII.(e)
53.VIII.(m)-(o)
53.VIII.(r)
53.VIII.(aa)-bb)
53.IX.(c)-(e)

53.IX.(m)-(o)

53.IX.(r)

53.IX.(z)-(bb)

53.X.(c)-(e)

53.X.(m)-(o)

53.X.(r)

53.X.(z)-bb)

54.

55.(h)-(j)

55.(m)

55.(o)-(q)

55.(t)

55.(y)

56.

58.

60.

62.

64.

STAFF'S SEVENTH SET OF INTERROGATORIES

74.