

ORIGINAL  
FILE COPY



J. Phillip Carver  
General Attorney

Southern Bell Telephone  
and Telegraph Company  
c/o Marshall M. Criser III  
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150 So. Monroe Street  
Tallahassee, Florida 32301  
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January 27, 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 - Repair Service Investigation

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Notice of Withdrawal of Objection, which we ask that you file 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 to the parties shown on the attached Certificate of Service.

Sincerely yours,  
*J. Phillip Carver* mm  
J. Phillip Carver

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1 \_\_\_\_\_
- LIN 6 \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1 \_\_\_\_\_
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Enclosures

cc: All Parties of Record  
A. M. Lombardo  
Harris R. Anthony  
R. Douglas Lackey

RECEIVED & FILED  
*[Signature]*  
FPSC-BUREAU OF RECORDS

A BELL SOUTH Company

DOCUMENT NUMBER-DATE  
01062 JAN 27 83  
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 and Telegraph Company's )  
repair service activities and )  
reports. )  
\_\_\_\_\_ )

Docket No. 910163-TL  
Filed: January 27, 1993

**SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
NOTICE OF WITHDRAWAL OF OBJECTION**

COMES NOW BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), pursuant to Rule 25-22.006, Florida Administrative Code, and hereby files its Notice of Withdrawal of Objection and states as grounds in support thereof the following:

1. On December 1, 1992, the Office of Public Counsel ("Public Counsel") propounded upon Southern Bell its Thirty-Fourth Request for Production of Documents. This request included Request No. 3, which stated:

3. Please provide the May 31, 1991, MTAS Daily Recirculation file used in the KSRI audit.

On January 4, 1993, Southern Bell objected to producing this document on the basis of the attorney-client privilege and work product privilege doctrine.

2. Public Counsel subsequently moved to compel production of the document in its Thirteenth Motion to Compel filed January 15, 1993.

3. Southern Bell has recently reviewed Public Counsel's request, as well as the specific facts that relate to this

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PPSC-RECORDS/REPORTING

document and the circumstances under which it was created. On the basis of this review, Southern Bell has determined that this document is not and was not, in fact, protected by the attorney-client privilege or work product doctrine. Accordingly, Southern Bell hereby gives notice that it withdraws its previous objection to producing this document.

4. This withdrawal of the objection is not a waiver of any privilege that may otherwise apply to any other document for which Southern Bell has asserted a privilege.

5. Southern Bell will produce the requested document to Public Counsel within ten days of the filing of this notice.

Respectfully submitted,

ATTORNEYS FOR SOUTHERN BELL  
TELEPHONE AND TELEGRAPH COMPANY

*Harris R. Anthony*  
*J. Phillip Carver*

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*R. Douglas Lackey*  
*Sidney J. White, Jr.*

R. DOUGLAS LACKEY  
SIDNEY J. WHITE, JR.  
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675 W. Peachtree St., NE  
Atlanta, Georgia 30375  
(404) 529-3862

**CERTIFICATE OF SERVICE**  
**Docket No. 910163-TL**

I HEREBY CERTIFY that a copy of the foregoing has been  
furnished by United States Mail this 27<sup>th</sup> day of January, 1993,  
to:

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

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

J Phillip Carver