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March 8, 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. 920260-TL, 900960-TL, 910163-TL, 910727-TL

Dear Mr. Tribble:

Enclosed is an original and fifteen copies of a Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Twenty-Ninth Request for Production of Documents and Motion for Temporary Protective Order. Please file this document in the above-captioned dockets.

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
- APP
- ATT
- C.F.
- CMU
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- EAG
- LEG
- LIN
- OPC
- RCH
- SEC
- WAS
- OTH

Sincerely,

Nancy B. White
Nancy B. White

Enclosures

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

RECEIVED & FILED
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

02579 MAR-83

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE

Docket No. 920260-TL

Docket No. 900960-TL

Docket No. 910163-TL

Docket No. 910727-TL

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by United States Mail this 8th day of March, 1993 to:

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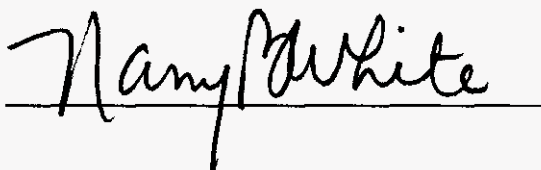
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Nancy White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of) Docket No. 920260-TL
the Revenue Requirements and Rate)
Stabilization Plan of Southern)
Bell Telephone and Telegraph)
Company)

In re: Show cause proceeding) Docket No. 900960-TL
against Southern Bell Telephone)
and Telegraph Company for)
misbilling customers)

In re: Petition on behalf of) Docket No. 910163-TL
Citizens of the State of Florida)
to initiate investigation into)
integrity of Southern Bell)
Telephone and Telegraph Company's)
repair service activities and)
reports)

In re: Investigation into) Docket No. 910727-TL
Southern Bell Telephone and)
Telegraph Company's compliance) Filed: March 8, 1993
with Rule 25-4.110(2), F.A.C.,)
Rebates)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S
TWENTY-NINTH REQUEST FOR PRODUCTION OF
DOCUMENTS AND MOTION FOR TEMPORARY 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 of the Florida Rules of Civil Procedure, its Responses and Objections to the Office of Public Counsel's ("Public Counsel"), Twenty-Ninth Request for Production of Documents dated February 5, 1993; and (2) pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, its Motion for Temporary Protective Order.

MOTION FOR TEMPORARY PROTECTIVE ORDER

Some of the documents that will be delivered to or made

available for review by Public Counsel contain proprietary, confidential business information that should not be publicly disclosed. Thus, pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, Southern Bell moves the Prehearing Officer to issue a Temporary Protective Order exempting these documents from § 119.07(1), Florida Statutes. These documents contain, among other things, financial information, non-regulated competitive information, and other proprietary confidential business information. Such information is specifically included as proprietary confidential business information pursuant to § 364.183, Florida Statutes. If Public Counsel subsequently notifies Southern Bell that any of the proprietary documents are to be used in a proceeding before the Commission, Southern Bell will, in accordance with Rule 25-22.006, Florida Administrative Code, file a detailed motion for protective order specifically addressing each of the documents identified.

GENERAL RESPONSES AND OBJECTIONS

1. Southern Bell objects to Public Counsel's proposed "Instruction" relating to details of privileged documents. To the extent a document responsive to any of the requests is subject to an applicable privilege, some of the information requested by Public Counsel would be similarly privileged and therefore not subject to discovery.

2. Southern Bell objects to Public Counsel's definition of "document" or "documents." Public Counsel's definition of these terms is overly broad and is objectionable pursuant to standards

adopted in Caribbean Security Systems v. Security Control Systems, Inc., 486 So.2d 654 (Fla. App. 3rd District 1986).

3. Southern Bell does not believe it was Public Counsel's intent to require Southern Bell to produce again the same documents previously produced in other dockets, but to the extent it does, Southern Bell objects on the basis that such a request would be unduly burdensome, oppressive and unnecessary, and for these reasons is prohibited.

4. Southern Bell objects to the specific time and place designated by Public Counsel for the production of documents for the reasons that the designation is not reasonable, but has no objection to producing the documents that are responsive and to which no other objection is made, at a mutually agreed upon time and place.

5. Southern Bell objects to Public Counsel's definition of "you" and "your" as well as the definition of "Southern Bell". It appears that Public Counsel, through his definition of these words is attempting to obtain discovery of information in the possession, custody or control of entities which are not parties to this docket. Production of Documents may only be directed to parties, and any attempt by Public Counsel to obtain discovery from non-parties should be prohibited. See Rule 1.340 Florida Rules of Civil Procedure; Broward v. Kerr, 454 So.2d 1068 (4th DCA 1984).

6. The following Specific Responses are given subject to the above-stated General Responses and Objections.

SPECIFIC RESPONSES

7. With respect to Request No. 368, Southern Bell has no responsive documents in its possession, custody, or control.

8. With respect to Request No. 369, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

9. With respect to Request No. 370, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

10. With respect to Request No. 371, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

11. With respect to Request No. 372, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

12. With respect to Request No. 373, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

13. With respect to Request No. 374, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to

the Motion for Temporary Protective Order filed herein.

14. With respect to Request No. 375, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

15. With respect to Request No. 376, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

16. With respect to Request No. 377, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

17. With respect to Request No. 378, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

18. With respect to Request No. 379, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

19. With respect to Request No. 380, Southern Bell refers Public Counsel to the documents provided in response to Request No. 383 of Public Counsel's Twenty-Ninth Production of Documents.

20. With respect to Request No. 381, Southern Bell will produce responsive documents it has in its possession, custody,

or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

21. With respect to Request No. 382, Southern Bell has no responsive documents in its possession, custody, or control.

22. With respect to Request No. 383, Southern Bell will produce responsive documents it has in its possession, custody, or control at a mutually convenient time and place, subject to the Motion for Temporary Protective Order filed herein.

Respectfully submitted this 8th day of March, 1993.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY

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