

SIDNEY J. WHITE, JR.  
General Attorney

Southern Bell Telephone  
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150 South Monroe Street  
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(404) 529-5094

April 16, 1993

Mr. Steve C. Tribble  
Director, Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32301

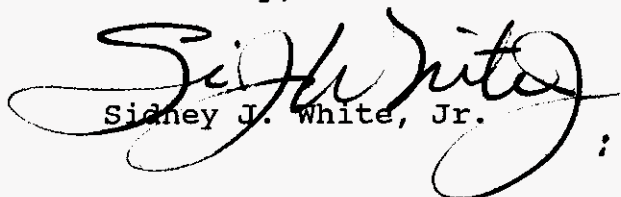
RE: Docket No. 910163-TL & 910727-TL 920260

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Staff's Thirty-First Request for Production of Documents dated March 12, 1993, which we ask that you file 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.

Sincerely,

  
Sidney J. White, Jr.

ACK  \_\_\_\_\_  
AFA  \_\_\_\_\_  
APP \_\_\_\_\_

CAF Enclosures

CMU cc: All Parties of Record

CTR \_\_\_\_\_ A. M. Lombardo

EAG \_\_\_\_\_ H. R. Anthony

LEG \_\_\_\_\_ R. D. Lackey

LIN \_\_\_\_\_

LIN 6 \_\_\_\_\_

OFC \_\_\_\_\_

RCH  \_\_\_\_\_

SEC  \_\_\_\_\_

WAS \_\_\_\_\_

OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

04163 APR 16 93

FPSC-RECORDS/REPORTING

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

I HEREBY CERTIFY that a copy of the foregoing has been furnished by United States Mail this 16th day of April, 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

A handwritten signature in black ink, appearing to read "J. J. White". The signature is written in a cursive style with a horizontal line through the middle of the letters.

DOCUMENT NUMBER-DATE

04163 APR 16 83

FPSC-RECORDS/REPORTING

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 )  
Telephone and Telegraph Company's )  
Repair Service Activities and )  
Reports. )

In re: Investigation into )  
Southern Bell Telephone and ) Docket No. 910727-TL  
Telegraph Company's compliance )  
with Rule 25-4.110(2), F.A.C., ) Filed April 16, 1993  
Rebates. )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO STAFF'S THIRTY-FIRST  
REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW BellSouth Telecommunications, Inc., d/b/a  
Southern Bell Telephone and Telegraph Company ("Southern Bell"  
or "Company"), and pursuant to Rule 25-22.034 Florida  
Administrative Code, and Rule 1.350, Florida Rules of Civil  
Procedure, files its Response and Objections to Staff's  
Thirty-First Request for Production of Documents dated  
March 12, 1993.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to Staff's definition of "you"  
and "your" as well as the definition of "BellSouth." It  
appears that Staff, through its definition of these words, is  
attempting to obtain discovery of information in the  
possession, custody, or control of entities that are not  
parties to this docket. Requests for Production may be  
directed only to parties, and any attempt by Staff 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 D.C.A. 1984).

2. Southern Bell objects to Staff's definition of "document" or "documents." Staff'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 objects to Staff's definition of "relating to." Staff's definition of this term is overly broad and objectionable in that under Staff's definition, a document "relating to" a given subject could literally mean any document mentioning the subject in any way, shape, or form. Clearly, such an overly broad and unduly burdensome qualification for testing the responsiveness of documents in the context of discovery is improper and would cause the production of unnecessary, unrelated and irrelevant documents.

4. Southern Bell objects to Staff's suggestion that this request for production of documents is continuing in nature. A party who responds to a request for discovery with a response that is complete when made is under no duty to supplement such response thereafter to include information later acquired. Rule 1.280(e), Florida Rules of Civil Procedure. Consequently, Staff's request that this discovery be continuing in nature is improper and therefore objectionable.

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

SPECIFIC RESPONSES

6. With respect to Request No. 1, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place. Pursuant to an agreement with Staff, the documents will be produced with the customer's name, address, and other personally identifiable information redacted.

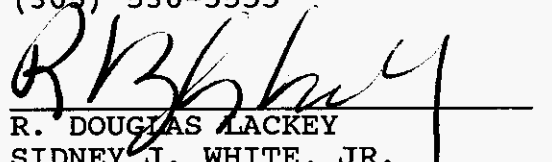
7. With respect to Request No. 2, see Southern Bell's response to Request No. 1.

Respectfully submitted this 16th day of April, 1993.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY

  
HARRIS R. ANTHONY (22)

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(305) 530-5555

  
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