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June 21, 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

Dear Mr. Tribble:

Enclosed is an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Thirty-Sixth Request for Production of Documents and its Motion for Temporary Protective Order. Please file this document in the above-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 on the parties shown on the attached Certificate of Service.

Sincerely,

Sidney J. White, Jr.
Sidney J. White, Jr.

ACK _____
AFA 1
APP _____
CAF 1

CML Enclosures

CTR cc: All Parties of Record
EAG _____ A. M. Lombardo
LEG 1 H. R. Anthony
R. D. Lackey

LIN 6

OPC _____

RCH 1

SEC 1

WAS _____

OTH _____

JD

DOCUMENT NUMBER-DATE

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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 21st day of June, 1993 to:

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of)
the Revenue Requirements and Rate)
Stabilization Plan of Southern) Docket No. 920260-TL
Bell Telephone and Telegraph)
Company) Filed: June 21, 1993
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S RESPONSE
AND OBJECTIONS TO PUBLIC COUNSEL'S THIRTY-SIXTH 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, pursuant to Rules 25-22.034 and 25-22.006, Florida Administrative Code, Rule 1.350, Florida Rules of Civil Procedure, 1) its Responses and Objections to the Office of Public Counsel's ("Public Counsel") Thirty-Sixth Request for Production of Documents dated May 17, 1993 and 2) 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, customer specific information and information on non-regulated affiliate companies, and other proprietary

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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 RESPONSE 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. With regard to Public Counsel's definition of "document" or "documents", Southern Bell has made a diligent, good faith attempt to locate documents responsive to the scope of Public Counsel's individual requests for documents.

3. Southern Bell objects to Public Counsel's definition of "you" and "your" as well as the definition of "BellSouth." It appears that Public Counsel, 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 of documents may be directed only 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 D.C.A. 1984).

4. 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.

SPECIFIC RESPONSES

5. With respect to Request No. 505, Southern Bell objects to this request on the basis that it calls for the production of proprietary confidential business information in the form of customer specific information. This information has historically been afforded confidential treatment by the Commission in recognition of Southern Bell's customers' legitimate privacy interests. Notwithstanding this objection, Southern Bell will produce the documents for inspection by Public Counsel, at a mutually convenient time and place subject to the Company's Motion for Temporary Protective Order set forth above.

6. Request No. 506, Southern Bell has been unable to find any responsive documents in its possession, custody or control relating to charitable contributions not excluded from corporate expenses. Southern Bell objects to the portion of this request

that seeks the information for Schedule C-7 of the Company's Minimum Filing Requirements to be filed on July 2, 1993. Southern Bell has requested a waiver of the information requirement sought in this request in a waiver letter filed with the Commission on April 23, 1993, and subsequently revised on May 28, 1993. This waiver request is still pending.

7. With respect to Request No. 507, Southern Bell objects to the timing of this request, inasmuch as Schedule C-11a will be filed with the Company's MFRs on July 2, 1993. This filing schedule was established by the Commission and Southern Bell will provide the information requested in Schedule C-11a at that time. The schedule will include data on all twelve (12) months of 1992.

8. With respect to Request No. 508, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

9. With respect to Request No. 509, Southern Bell objects to this request on the basis that it calls for the production of information relating to non-regulated affiliate companies. Notwithstanding this objection, Southern Bell will produce the documents for inspection by Public Counsel, at a mutually convenient time and place subject to the Company's Motion for Temporary Protective Order set forth above.

10. With respect to Request No. 510, Southern Bell objects to this request on the basis that it is overly burdensome and oppressive and calls for the production of proprietary confidential information in the form of contracts with outside

vendors. The requested documents reside in at least four locations in three states. Literally, hundreds of "master contracts" exist pertaining to electrical, painting, janitorial, general services, construction and consulting matters. These contracts are maintained in the normal course of business in Atlanta, Georgia; Birmingham, Alabama; and Ft. Lauderdale and Jacksonville, Florida. As an example, there are between 300 and 400 regional consulting services master contracts in Atlanta, Georgia. The labor and time involved in gathering, copying and transmitting such voluminous documents would unnecessarily disrupt Southern Bell's normal business operations.

Notwithstanding these objections, the Company will make such documents available for review and copying by Public Counsel at mutually agreeable times where the documents are maintained in the normal course of business, subject to the Company's Motion for Temporary Protective Order set forth above.

11. With respect to Request No. 511, Southern Bell objects to this request on the basis that it is overly broad, burdensome and oppressive. Due to the overbreadth of the request, documents that might be responsive to this request could conceivably be located in approximately 60 different locations in the State of Florida and elsewhere where such documents might be routinely generated. Further, Southern Bell cannot determine with any level of confidence what documents are being sought relating to "other measures of performance" other than the switch dialing performance specifically referenced by Public Counsel in its

requests. Notwithstanding these objections, Southern Bell has endeavored to compile representative documents readily available that address the dialing performance of the Company's switches in Florida and will produce these documents for inspection by Public Counsel, at a mutually convenient time and place.

12. With respect to Request No. 512, Southern Bell has no documents responsive to this request. The periodic checks made by Southern Bell are done by Company employees during routine purging of intercept messages due to be discontinued. Any corrections to intercept messages sampled during this routine work are made as soon as they are encountered, but no records are retained of this activity.

13. With respect to Request No. 513, Southern Bell objects to this request on the basis that it is unduly burdensome and oppressive and calls for the production of customer specific information. Responsive documents reside in more than five (5) filing cabinets in Ft. Lauderdale, Florida. The labor and expense involved in gathering, copying and transmitting these documents would unnecessarily disrupt Southern Bell's normal business operations. Notwithstanding these objections, Southern Bell will produce the documents for inspection by Public Counsel, at a mutually convenient time and place subject to the Company's Motion for Temporary Protective Order set forth above.

14. With respect to Request No. 514, Southern Bell has no documents responsive to this request. See Southern Bell's

responses to Item Nos. 598, 599, and 601 of Public Counsel's Twenty-Seventh Set of Interrogatories.


15. With respect to Request No. 515, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.


16. With respect to Request No. 516, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

17. With respect to Request No. 517, Southern Bell has no documents responsive to this request.

Respectfully submitted this 21st day of June, 1993.

SOUTHERN BELL TELEPHONE
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