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ORIGINAL
SEE COPY

February 24, 1994

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 are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objection to McCaw Cellular Communications of Florida, Inc. First Request for Production of Documents and Motion for 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.

- ACK
- AFA
- APP
- CAF
- CMU
- CTR

Sincerely,

Nancy B. White
Nancy B. White (y)

EAG Enclosures

LEG cc: All Parties of Record
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SEC [unclear]

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DOCUMENT NUMBER - DATE

01860 FEB 24 94

FPSC-RECORDS/REPORTING

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Nancy B. White (27)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of)
the Revenue Requirements and Rate) Docket No. 920260-TL
Stabilization Plan of Southern)
Bell Telephone and Telegraph) Filed: February 24, 1994
Company)
_____)

SOUTHERN BELL'S RESPONSE AND OBJECTIONS TO
MCCAW CELLULAR COMMUNICATIONS OF FLORIDA, INC.'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
AND MOTION FOR 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 Rules 1.280(c) and 1.350 of the Florida Rules of Civil Procedure, its Responses and Objections to the McCaw Cellular Communications of Florida, Inc.'s ("McCaw") First Request for Production of Documents dated January 24, 1994, and (2) Motion for Protective Order.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to McCaw's definition of "document" or "documents". McCaw'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).

2. Southern Bell objects to McCaw's instruction relating to the details of privileged documents. To the extent production is objected to due to the privileged nature of documents, the information suggested by McCaw would similarly be privileged and is therefore prohibited.

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3. Southern Bell objects to producing some of the documents requested by McCaw on the basis that the documents sought contain proprietary and confidential business information regarding, among other things, Southern Bell's relationship with its vendors, market and competitive analyses, other competitively sensitive information, and information regarding competitive services provided by Southern Bell. Consequently, Southern Bell moves the Prehearing Officer to issue a Protective Order directing that discovery not be had with respect to the proprietary and confidential business documents referenced more specifically herein, or that discovery only be had under certain conditions. Southern Bell would be willing to entertain negotiations regarding producing certain of these documents to the attorneys representing McCaw upon the execution of an appropriate protective agreement.

SPECIFIC RESPONSES

4. With respect to Request No. 1, Southern Bell objects to producing the documents requested on the basis that the documents contain the details of proprietary and confidential business activity between the Company and its vendors, including specific prices, and further that certain of the information contained in those documents has been shared with Southern Bell pursuant to non-disclosure agreements with such vendors.

5. With respect to Request No. 2, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

6. With respect to Request No. 3, Southern Bell objects to this request as overbroad, unduly burdensome and framed in a manner that calls for the discovery of other states' information. In addition, some of the documents responsive to this request contain proprietary and confidential business information regarding Southern Bell's cost studies by rate element, time of day, and length of haul. Consequently, Southern Bell moves for a Protective Order as set forth herein. In the alternative, the production of such documents occur only after the execution of an acceptable protective agreement.

7. With respect to Request No. 4, Southern Bell has no documents in its possession, custody, or control responsive to this request.

8. With respect to Request No. 5, Southern Bell has no documents in its possession, custody, or control responsive to this request.

9. With respect to Request No. 6, Southern Bell has no documents in its possession, custody, or control responsive to this request.

10. With respect to Request No. 7, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

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

12. With respect to Request No. 9, Southern Bell refers McCaw to Southern Bell's Response to Production of Documents Request No. 8.

13. With respect to Request No. 10, Southern Bell has no documents in its possession, custody, or control responsive to this request.

14. With respect to Request No. 11, Southern Bell objects to this request as overbroad, unduly burdensome and framed in a manner that calls for the discovery of other states' information. In addition, some of the documents responsive to this request contain proprietary and confidential business information regarding Southern Bell's cost studies by rate element, time of day, and length of haul. Consequently, Southern Bell moves for a Protective Order as set forth herein. In the alternative, the production of such documents occur only after the execution of an acceptable protective agreement.

15. With respect to Request No. 12, Southern Bell has no documents in its possession, custody, or control responsive to this request.

16. With respect to Request No. 13, Southern Bell has no documents in its possession, custody, or control responsive to this request.

17. With respect to Request No. 14, Southern Bell has no documents in its possession, custody, or control responsive to this request.

18. With respect to Request No. 15, Southern Bell objects to this request as overbroad, unduly burdensome and framed in a manner that calls for the discovery of other states' information. In addition, some of the documents responsive to this request contain proprietary and confidential business information regarding Southern Bell's cost studies by rate element, time of day, and length of haul. Consequently, Southern Bell moves for a Protective Order as set forth herein. In the alternative, the production of such documents occur only after the execution of an acceptable protective agreement.

19. With respect to Request No. 16, Southern Bell objects to this request as overbroad, unduly burdensome and framed in a manner that calls for the discovery of other states' information. In addition, some of the documents responsive to this request contain proprietary and confidential business information regarding Southern Bell's cost studies by rate element, time of day, and length of haul. Consequently, Southern Bell moves for a Protective Order as set forth herein. In the alternative, the production of such documents occur only after the execution of an acceptable protective agreement.

20. With respect to Request No. 17, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

21. With respect to Request No. 18, Southern Bell refers McCaw to Southern Bell's Response to Production of Documents Request No. 17.

22. With respect to Request No. 19, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

23. With respect to Request No. 20, Southern Bell has no documents in its possession, custody, or control responsive to this request.

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

Respectfully submitted this 24th day of February, 1994.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY

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