

Harris R. Anthony  
General Counsel - Florida

ORIGINAL  
FILE COPY

Southern Bell Telephone  
and Telegraph Company  
c/o Marshall Criser III  
Suite 400  
150 South Monroe St.  
Tallahassee, Florida 32301  
Phone (305) 530-5555

April 29, 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. (910163-TL)

92D260-TL

Dear Mr. Tribble:

Enclosed please find an original and twenty copies of Southern Bell Telephone and Telegraph Company's Response to Attorney General's Motion for Leave to File Response to Southern Bell's Motion for Return of Documents Held in Camera, 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.

- AGC ✓
- AGA \_\_\_\_\_
- APP \_\_\_\_\_
- IAF \_\_\_\_\_
- QRM \_\_\_\_\_
- KTR \_\_\_\_\_
- FGA \_\_\_\_\_
- LEG 10/1/94
- DN 6
- \_\_\_\_\_ 1
- \_\_\_\_\_ 1
- \_\_\_\_\_
- \_\_\_\_\_
- QTR \_\_\_\_\_

Enclosures

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

Sincerely yours,

*Harris R. Anthony (Bw)*  
Harris R. Anthony

*mas*  
FPSC-RECORDS/REPORTING

DOCUMENT NUMBER-DATE  
04039 APR 29 1994  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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 ) Filed: April 29, 1994  
reports. )  
\_\_\_\_\_ )

**SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE TO ATTORNEY GENERAL'S MOTION FOR LEAVE  
TO FILE REPONSE TO SOUTHERN BELL'S MOTION FOR  
RETURN OF DOUMENTS HELD IN CAMERA**

COMES NOW, BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell"), and files its Response to the Attorney General's Motion for Leave to File Response to Southern Bell's Motion for Return of Documents held In Camera by showing the Florida Public Service Commission (the "Commission") the following:

1. On April 22, 1994, the Florida Attorney General's Office filed a Motion for Leave to File Response to Southern Bell's Motion for Return of Documents Held In Camera (the "Motion for Leave"). The Motion for Leave was filed in response to a motion filed by Southern Bell on April 8, 1994, in which Southern Bell sought the return from the Commission of certain documents held in camera by the Commission. Those documents have been the subject of various appeals filed by Southern Bell with the Florida Supreme Court, which appeals were decided by an Order of

DOCUMENT NUMBER-DATE  
04039 APR 29 1994  
FPSC-RECORDS/REPORTING

the Supreme Court dated March 10, 1994. As explained in greater detail in Southern Bell's Motion for Return of Documents, it is the Company's position that all of the documents held in camera should be returned by the Commission to Southern Bell.

2. The appeals referred to above were filed as a result of certain Commission orders related to the matters under review in Docket No. 910163-TL. Moreover, the Commission, in Order No. PSC-94-0172-FOF-TL, dated February 11, 1994, ruled that Docket No. 910163-TL would remain open pending the resolution of those appeals. Southern Bell therefore properly filed its Motion for Return of Documents in Docket No. 910163-TL and served copies of that Motion on only the parties to that docket. Southern Bell did not intend to exclude any person from receiving a copy of its Motion, but rather simply served the parties to the docket in which the documents in question had been reviewed in camera and in which the appeals were filed. Southern Bell acted properly in so doing.

3. Nonetheless, Southern Bell has no objection to the Attorney General being provided additional time to file a response to Southern Bell's Motion for Return of Documents as requested in the Attorney General's Motion for Leave. The Attorney General, however, also suggests that Southern Bell be required to provide notice to certain additional persons regarding its Motion for Return of Documents. No person other than those already served with Southern Bell's Motion and the

Attorney General were parties to the relevant Supreme Court appeals, and thus no such person has evidenced any interest in this status of these documents. Similarly, the Attorney General has served a copy of his Motion for Leave on all parties to the consolidated dockets. That filing was sufficient to put all such persons on notice of Southern Bell's Motion, yet not one of them, to date, has indicated any interest in this matter. Therefore, Southern Bell believes that it would be inappropriate to further postpone the resolution of its Motion by granting additional time for such parties to respond.

WHEREFORE, Southern Bell respectfully files its Response to the Attorney General's Motion for Leave.

Respectfully submitted this 29<sup>th</sup> day of April,  
1994.

ATTORNEYS FOR SOUTHERN BELL  
TELEPHONE AND TELEGRAPH COMPANY

Harris R. Anthony (PW)  
HARRIS R. ANTHONY  
c/o Marshall M. Criser III  
150 So. Monroe Street  
Suite 400  
Tallahassee, Florida 32301  
(305) 530-5555

R. Douglas Lackey (PW)  
R. DOUGLAS LACKEY  
NANCY B. WHITE  
4300 Southern Bell Center  
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 29th day of April, 1994 to:

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

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

Michael B. Gross  
Assistant Attorney General  
Office of Attorney General  
Department of Legal Affairs  
PL-01 The Capitol  
Tallahassee, FL 32399-1050

Harris R. Anthony (Per)