

430
m

NANCY B. WHITE
General Attorney

Southern Bell Telephone
and Telegraph Company
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301
(404) 529-5387

ORIGINAL
FILE COPY

July 24, 1995

Mrs. Blanca S. Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

RE: Docket No. 920260-TL

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Objections to Florida Interexchange Carrier Association's Seventh Request for Production of Documents and Motion for Protective Order. Please file these documents 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 on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White
Nancy B. White ⁰¹

- ACK
- AFA 3 Enclosures
- APP cc: All Parties of Record
- CAF A. M. Lombardo
- CMU Norton R. G. Beatty
- CTR R. D. Lackey
- EAG
- LEG 1
- LIN 5
- CPC
- RCH 1
- SEC
- WAS

[Handwritten signature and stamp]

DOCUMENT NUMBER-DATE
07064 JUL 24 95
FPSC-RECORDS/REPORTING

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: July 24, 1995
Company)
_____)

SOUTHERN BELL'S RESPONSE AND OBJECTIONS TO
FLORIDA INTEREXCHANGE CARRIER ASSOCIATION'S
SEVENTH 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 Florida Interexchange Carrier Association's ("FIXCA") Seventh Request for Production of Documents dated June 23, 1995, and (2) Motion for Protective Order.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to FIXCA's definition of "document" or "documents". FIXCA'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 FIXCA'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 FIXCA would similarly be privileged and is therefore prohibited.

DOCUMENT NUMBER-DATE
07064 JUL 24 88
FPSC-RECORDS/REPORTING

3. Southern Bell objects to producing some of the documents requested by FIXCA on the basis that the documents sought contain proprietary and confidential business information regarding, among other things, Southern Bell's revenues on a route specific basis. 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 FIXCA upon the execution of an appropriate protective agreement.

SPECIFIC RESPONSES

4. With respect to Request No. 20, Southern Bell objects to producing the documents requested on the basis that the documents responsive to this request contain proprietary and confidential business information regarding Southern Bell's specific routes. Consequently, Southern Bell moves for a Protective Order as set forth herein. In the alternative, the production of such documents should occur only after the execution of an acceptable protective agreement.

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

6. With respect to Request No. 22, Southern Bell refers FIXCA to Southern Bell's Responses to FIXCA's Sixth Request for Production of Documents.

7. With respect to Request No. 23, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place.

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

9. With respect to Request No. 25, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

10. With respect to Request No. 26, Southern Bell has no documents responsive to this request in its possession, custody, or control.

Respectfully submitted this 24th day of July, 1995.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY

Robert G. Beatty (02)
ROBERT G. BEATTY
PHILLIP J. CARVER
c/o Nancy Sims
Suite 400
150 South Monroe Street
Tallahassee, Florida 32301
(305) 530-5555

R. Douglas Lackey (02)
R. DOUGLAS LACKEY
NANCY B. WHITE
4300 Southern Bell Center
675 West Peachtree St., N.E.
Atlanta, Georgia 30375
(404) 529-3862
(404) 529-5387

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 24th day of July, 1995 to:

Robin Norton
Division of Communications
Florida Public Service
Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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

Tracy Hatch
Division of Legal Services
Florida Public Svc. Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Michael J. Henry
MCI Telecommunications Corp.
780 Johnson Ferry Road
Suite 700
Atlanta, Georgia 30342

Joseph A. McGlothlin
Vicki Gordon Kaufman
McWhirter, Grandoff & Reeves
315 South Calhoun Street
Suite 716
Tallahassee, FL 32301-1838
atty for FIXCA

Richard D. Melson
Hopping Boyd Green & Sams
Post Office Box 6526
Tallahassee, Florida 32314
atty for MCI

Kenneth A. Hoffman
Messer, Vickers, Caparello,
Madsen, Lewis & Metz, PA
Post Office Box 1876
Tallahassee, FL 32302
atty for FPTA

Rick Wright
Regulatory Analyst
Division of Audit and Finance
Florida Public Svc. Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Michael W. Tye
AT&T Communications of the
Southern States, Inc.
106 East College Avenue
Suite 1410
Tallahassee, Florida 32301

Laura L. Wilson, Esq.
Florida Cable
Telecommunications Assn., Inc.
310 North Monroe Street
Tallahassee, FL 32301
atty for FCTA

Dan B. Hendrickson
Post Office Box 1201
Tallahassee, FL 32302
atty for FCAN

Chanthina R. Bryant
Sprint Communications Co.
Limited Partnership
3100 Cumberland Circle
Atlanta, GA 30339

Benjamin H. Dickens, Jr.
Blooston, Mordkofsky,
Jackson & Dickens
2120 L Street, N.W.
Washington, DC 20037
Atty for Fla Ad Hoc

C. Everett Boyd, Jr.
Ervin, Varn, Jacobs, Odom
& Ervin
305 South Gadsden Street
Post Office Drawer 1170
Tallahassee, Florida 32302
atty for Sprint

Angela Green
Florida Public
Telecommunications Assn., Inc.
125 South Gadsden Street
Suite 200
Tallahassee, FL 32301

Monte Belote
Florida Consumer Action Network
4100 W. Kennedy Blvd., #128
Tampa, FL 33609

Joseph Gillan
J.P. Gillan & Associates
P.O. Box 541038
Orlando, FL 32854-1038

Mark Richard
Attorney for CWA
Locals 3121, 3122, and 3107
304 Palermo Avenue
Coral Gables, FL 33134

Gerald B. Curington
Department of Legal Affairs
2020 Capital Circle, SE
Alexander Building, 2nd Floor
Tallahassee, FL 32301

Mr. Douglas S. Metcalf
Communications Consultants,
Inc.
631 S. Orlando Ave., Suite 450
P. O. Box 1148
Winter Park, FL 32790-1148

Mr. Cecil O. Simpson, Jr.
General Attorney
Mr. Peter Q. Nyce, Jr.
General Attorney
Regulatory Law Office
Office of the Judge
Advocate General
Department of the Army
901 North Stuart Street
Arlington, VA 22203-1837

Mr. Michael Fannon
Cellular One
2735 Capital Circle, NE
Tallahassee, FL 32308

Floyd R. Self, Esq.
Messer, Vickers, Caparello,
Madsen, Lewis, Goldman & Metz
Post Office Box 1876
Tallahassee, FL 32302-1876
Attys for McCaw Cellular

Stan Greer
Division of Communications
Florida Public Svc. Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Nancy B. White
02