

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Matter of the)
Interconnection Agreement)
Negotiations Between AT&T) Docket No. 960833-TP
Communications of The)
Southern States, Inc. and)
BellSouth Telecommunications,) Filed: August 30, 1996
Inc. Pursuant to 47 U.S.C.)
§ 252)
_____)

BELLSOUTH TELECOMMUNICATIONS, INC.'S
OBJECTIONS TO AT&T'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS

BellSouth Telecommunications, Inc., ("BellSouth" or "Company"), hereby files, pursuant to Rule 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.340 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Objections to AT&T Communications of the Southern States, Inc.'s ("AT&T") First Request for Production of Documents.

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in Order No. PSC-96-0933-PCO-TP issued by the Florida Public Service Commission ("Commission") in the above-referenced docket on July 17, 1996. Should additional grounds for objection be discovered as BellSouth prepares its Answers to the above-referenced set of requests, BellSouth reserves the right to supplement, revise, or modify its objections at the time that it serves its Answers on AT&T. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the material requested by AT&T, BellSouth reserves the right to file a motion with the Commission

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seeking such an order at the time that it serves its Answers on AT&T.

GENERAL OBJECTIONS

BellSouth makes the following General Objections to AT&T's First Request for Production of Documents which will be incorporated by reference into BellSouth's specific responses when its Answers are served on AT&T.

1. BellSouth objects to the requests to the extent that such requests seek to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth has interpreted AT&T's requests to apply to BellSouth's regulated intrastate operations in Florida and will limit its Answers accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such request to produce as irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request and instruction to the extent that such request or instruction calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to each and every request insofar as

the request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these interrogatories. Any Answers provided by BellSouth in response to AT&T's requests will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will attempt to note each instance where this objection applies.

6. BellSouth objects to AT&T's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth which exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

7. BellSouth objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. BellSouth objects to each and every request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. BellSouth objects to each and every request to the extent that the information requested constitute "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that AT&T's request proprietary confidential business information which is not subject to the

"trade secrets" privilege, BellSouth will make such information available to counsel for AT&T pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

10. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to Florida Public Service Commission or FCC retention of records requirements. These documents are kept in numerous locations that are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that not every document has been provided in response to these discovery request. Rather, these responses provide all of the information obtained by BellSouth after a reasonable and diligent search conducted in connection with this discovery request. BellSouth has complied with AT&T's request that a search be conducted of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

OBJECTIONS TO SPECIFIC REQUESTS

Subject to, and without waiver of, the foregoing general objections, BellSouth enters the following specific objections with respect to AT&T's requests:

11. With respect to Request No. 4, BellSouth objects to

this request on the grounds that such requests are overly broad, unduly burdensome, oppressive, and are not permitted by applicable discovery rules.

12. With respect to Request Nos. 10, 11, 48, 49, 51, and 54, BellSouth objects to this request to the extent that it applies to areas other than BellSouth's regulated intrastate operations in Florida. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such requests as irrelevant, overly broad, unduly burdensome, and oppressive. Further, BellSouth objects to this request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this proceeding.

13. With respect to Request Nos. 7 and 40, BellSouth objects to this request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this proceeding.

14. With respect to Request Nos. 8 and 15, BellSouth objects to this request to the extent that it applies to areas other than BellSouth's regulated intrastate operations in Florida. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such requests as irrelevant, overly broad, unduly burdensome, and oppressive. Further, BellSouth objects to this request on the

grounds that it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this proceeding. Moreover, BellSouth objects to this request on the grounds that it is overly broad, unduly burdensome, and not relevant to respond to requests regarding out of date material, i.e., earlier versions of cost studies. This objection notwithstanding, BellSouth plans to restrict its responses to requests regarding current cost studies.

15. With respect to Request No. 12, BellSouth objects to this request to the extent that it applies to areas other than BellSouth's regulated intrastate operations in Florida. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such requests as irrelevant, overly broad, unduly burdensome, and oppressive. BellSouth objects to this request on the grounds that it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Further, BellSouth objects to this request on the grounds that it requests information that is highly sensitive, particularly with regard to competitors. Moreover, BellSouth objects to this request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this proceeding.

16. With respect to Request Nos. 13, 14, 24, 44, and 50,

BellSouth objects to this request to the extent that it applies to areas other than BellSouth's regulated intrastate operations in Florida. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such requests as irrelevant, overly broad, unduly burdensome, and oppressive.

17. With respect to Request Nos. 6, 16, 17 and 46, BellSouth objects to this request to the extent that it applies to areas other than BellSouth's regulated intrastate operations in Florida. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such requests as irrelevant, overly broad, unduly burdensome, and oppressive. Further, BellSouth objects to this request on the grounds that it is overly broad, unduly burdensome, and not relevant to respond to requests regarding out of date material, i.e., earlier versions of cost studies. This objection notwithstanding, BellSouth plans to restrict its responses to requests regarding current cost studies.

18. With respect to Request No. 21, BellSouth objects to this request on the grounds that it seeks to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case.

19. With respect to Request No. 42, BellSouth objects to this request on the grounds that it is not reasonably calculated

to lead to the discovery of admissible evidence and is not relevant to the subject matter of this proceeding. Further, BellSouth objects to this request on the grounds that such requests are overly broad, unduly burdensome, oppressive, and are not permitted by applicable discovery rules.

20. With respect to Request No. 43, BellSouth objects to this request to the extent that it applies to areas other than BellSouth's regulated intrastate operations in Florida. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such requests as irrelevant, overly broad, unduly burdensome, and oppressive. Further, BellSouth objects to this request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this proceeding. Moreover, BellSouth objects to this request on the grounds that such requests are overly broad, unduly burdensome, oppressive, and are not permitted by applicable discovery rules.

21. With respect to Request No. 45, BellSouth objects to this request on the grounds that it is overly broad, unduly burdensome, and not relevant to respond to requests regarding out of date material, i.e., earlier versions of cost studies. This objection notwithstanding, BellSouth plans to restrict its responses to requests regarding current cost studies.

22. With respect to Request No. 47, BellSouth objects to this request on the grounds that it is vague, ambiguous, overly

broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Further, BellSouth objects to this request on the grounds that it requests information that is highly sensitive, particularly with regard to competitors. Moreover, BellSouth objects to this request on the grounds that such requests are overly broad, unduly burdensome, oppressive, and are not permitted by applicable discovery rules.

Respectfully submitted this 30th day of August, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

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CERTIFICATE OF SERVICE

DOCKET NO. 960833-TP

DOCKET NO. 960846-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Federal Express this 30th day of August, 1996 to the following:

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