

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Rule 25-24.845, F.A.C.,)
Customer Relations; Rules Incorporated,)
and proposed amendments to Rules)
25-24-110, F.A.C., Definitions; 25-4.118,)
F.A.C., Interexchange Carrier Selection;)
25-24.490, F.A.C., Customer Relations;)
Rules Incorporated.)

Docket No. ~~970882-TI~~
Filed: September 22, 1997

AT&T'S OBJECTIONS TO CITIZEN'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-13)

AT&T Communications of the Southern States, Inc. (hereinafter "AT&T"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code and Rules 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Objections to Citizens of the State of Florida's (OPC's) First Set of Requests for Production of Documents (Nos. 1 - 13) to AT&T Communications of the Southern States, Inc.(AT&T).

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-97-1071-

ACK PCO-TI issued by the Florida Public Service Commission (hereinafter the "Commission") in
AFA the at ve-referenced docket on September 12, 1997. Should additional grounds for objection
APP be discovered as AT&T prepares its Responses to the above-referenced set of requests, AT&T
CAF _____
CMU _____
CTR _____ reserves the right to supplement, revise, or modify its objections at the time that it serves its
EAG _____
LEG _____ Responses. Moreover, should AT&T determine that a Protective Order is necessary with
LIN 5 respect to any of the material requested by OPC, AT&T reserves the right to file a motion with
OPC _____
RCH _____ the Commission seeking such an order at the time that it serves its Responses.
SEC 1 _____
WAS _____
OTH _____

RECEIVED & FILED
[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
~~09640~~ SEP 22 1997
FPSC-RECORDS/REPORTING

General Objections

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

1. AT&T objects to paragraph 2 of the "Definitions" section of the Requests for Production of Documents to the extent that the definitions of "you", "your", "Company" or "AT&T" seek to impose an obligation on AT&T Communications of the Southern States, Inc. to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such definition is overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules. Without waiver of its general objection, and subject to other general and specific objections, responses will be provided on behalf of AT&T Communications of the Southern States, Inc. which is the entity certificated to provide regulated telecommunications services in Florida and which is a party to this docket. All references to "AT&T" in responding to the requests for production of documents should be taken to mean AT&T Communications of the Southern States, Inc.
2. AT&T has interpreted OPC's requests to apply to AT&T's regulated intrastate operations in Florida and will limit its responses 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, AT&T objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.
3. AT&T 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. AT&T objects to each and every request insofar as the request is vague, ambiguous, voluminous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Any responses provided by AT&T in response to these requests will be provided subject to, and without waiver of, the foregoing objection.

5. AT&T 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. AT&T will attempt to note each instance where this objection applies.

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

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

8. AT&T objects to each and every request, general instruction, or definition insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming to comply with as written.

9. AT&T objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that the requests seek proprietary confidential business information which is not the subject of the "trade secrets" privilege, AT&T will make such information available to counsel for OPC pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

10. AT&T objects to each and every request on the grounds that AT&T is not a party to this proceeding.

11. AT&T objects to each and every request to the extent that it seeks information that AT&T is prohibited from disclosing pursuant to Section 364.24 Florida Statutes.

12. AT&T is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, AT&T 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 and are frequently moved from site to site as employees change jobs or as the business is reorganized. Therefore, it is possible that every document may not be provided in response to these discovery requests. Rather, these responses will provide all of the information obtained by AT&T after a reasonable and diligent search conducted in connection with this discovery request. AT&T is complying with BellSouth'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, AT&T objects on the grounds that compliance would impose an undue burden or expense.

RESPECTFULLY SUBMITTED this 22nd day of September, 1997.



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**ATTORNEY FOR AT&T
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CERTIFICATE OF SERVICE

DOCKET NO. 970882-TL

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties of record this 22nd day of September, 1997:

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