

ORIGINAL

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December 19, 1997

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

RE: Docket Nos. 960833-TP; 960846-TP; 960757-TP  
960916-TP and 971140-TP

Dear Ms. Bayo:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Response and Objections to Staff's Fourth Request for Production of Documents. 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,

*Bennett L. Ross*  
Bennett L. Ross (for)

Enclosures

cc: All Parties of Record  
A. M. Lombardo  
R. G. Beatty  
W. J. Ellenberg

ACK ✓  
AFA 4  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU ✓  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG 2  
LIN 5  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1  
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

13026 DEC 19 97

FPSC-RECORDS/REPORTING

RECEIVED  
DIVISION OF RECORDS

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petitions by AT&T )  
 Communications of the Southern )  
 States, Inc., and MCI )  
 Telecommunications Corporation, )  
 MCI Metro Access Transmission )  
 Services, Inc., for arbitration )  
 of certain terms and conditions )  
 of a proposed agreement with )  
 BellSouth Telecommunications, )  
 Inc. concerning interconnection )  
 and resale under the )  
 Telecommunications Act of 1996 )

Docket No. 960833-TP  
 Docket No. 960846-TP

In the matter of )  
 MFS Communications Company, Inc. )  
 Petition for Arbitration Pursuant )  
 to 47 U.S.C. § 252(b) of )  
 Interconnection Rates, Terms, and )  
 Conditions with )

Docket No. 960757-TP

BellSouth Telecommunications, Inc. )  
 In the Matter of )  
 Petition by American )  
 Communications Services, Inc. )  
 and American Communications )  
 Services of Jacksonville, Inc. )  
 for Arbitration with BellSouth )  
 Telecommunications, Inc. )  
 pursuant to the )  
 Telecommunications Act of 1996 )

Docket No. 960916-TP

In re: Petition by MCI Metro Access )  
 Transmission Services, Inc., to Set )  
 Non-Recurring Charges for )  
 Combination of Network Elements )  
 to Set Non-Recurring Charges for )  
 Combination of Network Elements )  
 with BellSouth Telecommunications, Inc. )

Docket No. 971140-TP

Filed: December 19, 1997

DOCUMENT NUMBER-DATE

13026 DEC 19 97

FPSC-RECORDS/REPORTING

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
RESPONSE AND OBJECTIONS TO STAFF'S FOURTH REQUEST FOR  
PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc. ("BellSouth") files, pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.280(b), 1.340 and 1.350, Florida Rules of Civil Procedure, its Response and Objections to the Staff of the Florida Public Service Commission ("Staff's") Fourth Request for Production of Documents, dated December 8, 1997.

**GENERAL OBJECTIONS**

BellSouth makes the following General Objections to Staff's Fourth Request for Production of Documents.

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 Staff'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 requests. Any Answers provided by BellSouth in response to Staff's request 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 Staff's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth that 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 Staff's requests proprietary confidential business information which is not subject to the "trade secrets" privilege, BellSouth will make such information available to counsel for Staff 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 requests. 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 Staff'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 AND SPECIFIC RESPONSES

Subject to, and without waiver of, the foregoing general objections, BellSouth enters the following specific objections with respect to Staff's requests:

11. With respect to Request No. 51(a), BellSouth has no documents responsive to this request in its possession, custody, or control.

12. With respect to Request No. 51(b), BellSouth is producing the responsive documents that are in its possession, custody, or control.

13. With respect to Request No. 52(a) and (b), BellSouth is producing the responsive documents that are in its possession, custody, or control subject to a Notice of Intent to Request Confidential Classification set forth above.

14. With respect to Request No. 53(a), BellSouth has already produced the responsive documents in its possession, custody, or control. Please refer to BellSouth's cost study filing in this docket, Appendix E pages 1437 to 1440.

15. With respect to Request No. 53(b), BellSouth has already produced the responsive documents in its possession, custody, or control. Please refer to BellSouth's cost study filing in this docket, Appendix E, pages 1441 to 1443.

16. With respect to Request No. 53(c), BellSouth is still searching for documents responsive to this request and will respond appropriately when and if such documents are found.

17. With respect to Request No. 54(a), (b) and (c), BellSouth is producing the responsive documents that are in its possession, custody, or

control. Please also refer to BellSouth's cost study filing in this docket, Appendix A, pages 699 to 1132.

18. With respect to Request No. 55, BellSouth has already produced the responsive documents in its possession, custody, or control.

19. With respect to Request No. 56, BellSouth is producing the responsive documents that are in its possession, custody, or control.

20. With respect to Request No. 57, BellSouth is producing the responsive documents that are in its possession, custody, or control.

21. With respect to Request No. 58, BellSouth is producing the responsive documents that are in its possession, custody, or control.

22. With respect to Request No. 59, BellSouth is producing the responsive documents that are in its possession, custody, or control subject to a Notice of Intent to Request Confidential Classification set forth above.

23. With respect to Request No. 60, BellSouth is producing the responsive documents that are in its possession, custody, or control.

24. With respect to the Staff's Fourth Request for Interrogatories Item No. 71b, which was a request for documents, BellSouth is providing the responsive documents subject to a Notice of Intent to Request Confidential Classification set forth above.

Respectfully submitted this 19th day of December, 1997.

BELLSOUTH TELECOMMUNICATIONS, INC.

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**CERTIFICATE OF SERVICE**  
**DOCKET NOS. 960833-TP/960846-TP/960757-TP/960916-TP/971140-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

Federal Express this 19th day of December, 1997 to the following:

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