

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| | | |
|--|---|------------------------|
| Initiation of Show Cause Proceedings |) | Docket No. 971492-TI |
| against AT&T Communications of the |) | |
| Southern States, Inc. and d/b/a Connect |) | Filed: August 31, 1998 |
| N' Save for violation of Rule 25-4.118, |) | |
| F.A.C., Interexchange Carrier Selection. |) | |
| |) | |
| |) | |

**AT&T'S RESPONSE AND OBJECTIONS TO THE
THIRD SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS BY THE
ATTORNEY GENERAL AND THE CITIZENS OF FLORIDA**

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 responds to the Third Set of Requests for Production of Documents to AT&T filed by the Office of Public Counsel (OPC) on behalf of the Attorney General and the Citizens of Florida on July 22, 1998.

Response

1. On Friday, August 21, 1998, the undersigned notified Charles J. Beck, Deputy Public Counsel, that copies of documents requested in the Third Set of Requests for Production referenced above were available, but that a subpoena was required pursuant to Section 364.24, Florida Statutes, in order for AT&T to release such

DOCUMENT NUMBER-DATE

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FILED-RECORDS/REPORTING

documents. Thereafter, AT&T received a subpoena requiring the production of these documents on August 31, 1998.

2. Public Counsel's request seeks proprietary confidential business information. AT&T will make such information available to counsel for OPC pursuant to an appropriate Protective Order, subject to any other general or specific objections contained herein.

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. Accordingly, AT&T will withhold the following documents:

| <u>Date</u> | <u>Sender</u> | <u>Recipients</u> | <u>Subject Matter</u> | <u>Basis of Privilege</u> |
|-------------|---------------|-------------------|-----------------------|---------------------------------|
| Undated | Merritt | McNeely | 7/17/98 Agenda | Attorney-Client Work Product |
| 11/04/97 | Einhorn | Way | Snyder | Work Product |
| 05/01/98 | Kelly | | LOA | Work Product |
| 05/01/98 | Kelly | | LOA | Work Product |
| 05/01/98 | Kelly | | LOA | Work Product |
| 05/05/98 | Anthony | | TPV | Work Product |
| 05/06/98 | Bougadis | | LOA | Work Product |
| 05/07/98 | Anthony | | TPV | Work Product |
| 05/08/98 | Bougadis | | LOA | Work Product |
| 05/08/98 | Bougadis | | LOA | Work Product |
| 05/08/8 | Bougadis | | LOA | Work Product |
| 05/11/98 | Bougadis | | LOA | Work Product |
| 05/11/98 | Bougadis | | LOA | Work Product |
| 05/12/98 | Anthony | | LOA | Work Product |
| 05/12/98 | Anthony | | LOA | Work Product |
| 05/15/98 | Kelly | | LOA | Work Product |
| 05/18/98 | Deanna | | LOA | Work Product |
| 05/18/98 | Deanna | | LOA | Work Product |
| 05/18/98 | Deanna | | TPV | Work Product |
| 05/18/98 | Deanna | | LOA | Work Product |

| <u>Date</u> | <u>Sender</u> | <u>Recipients</u> | <u>Subject Matter</u> | <u>Basis of Privilege</u> |
|-------------|---------------|-------------------|-----------------------|---------------------------|
| 05/18/98 | Deanna | | LOA | Work Product |
| 05/18/98 | Bougadis | | LOA | Work Product |
| 05/18/98 | Deanna | | LOA | Work Product |
| 05/18/98 | Deanna | | LOA | Work Product |
| 08/04/98 | Merritt | Angeline | Complaints | Work Product |
| 08/05/98 | Angeline | Merritt | Complaints | Work Product |

Respectfully submitted this 31st day of August, 1998.



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ATTORNEY FOR AT&T
 COMMUNICATIONS OF THE
 SOUTHERN STATES, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U. S. Mail or hand delivery to the following parties of record on this 31st day of August, 1998.

Cathy Bedell
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