

ORIGINAL

Legal Department

MARY K. KEYER  
General Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(404) 335-0729

August 31, 1998

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

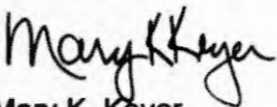
RE: Docket No. 980733-TL

Dear Mrs. Bayo:

Enclosed are an original and 15 copies of BellSouth Telecommunications, Inc.'s, Objections to Citizens' Fourth Set of Requests 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,


  
Mary K. Keyer

ACK \_\_\_\_\_  
AFA 1 \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_

Enclosures

CTR \_\_\_\_\_ ec: All Parties of Record  
EAG \_\_\_\_\_ A. M. Lombardo  
LEG 2 \_\_\_\_\_ R. G. Beatty  
LIN \_\_\_\_\_ W. J. Ellenberg (w/o enclosures)

OPC \_\_\_\_\_  
RCH 2 \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
WAS \_\_\_\_\_  
OTH \_\_\_\_\_

RECEIVED & FILED  
  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
**09521** AUG 31 88  
FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

|                                       |   |                        |
|---------------------------------------|---|------------------------|
| In re: Discovery for Study on Fair &  | ) |                        |
| Reasonable Rates and on Relationships | ) | Docket No.: 980733-TL  |
| Among Costs and Charges Associated    | ) |                        |
| with Certain Telecommunications       | ) |                        |
| Services Provided by LECs, as         | ) |                        |
| Required by Chapter 98-277.           | ) | Filed: August 31, 1998 |

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
OBJECTIONS TO CITIZENS' FOURTH SET OF  
REQUESTS 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, the following objections to the fourth set of requests for production of documents to BellSouth of Florida's Citizens ("Citizens").

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the 10-day requirement set forth in the procedural order issued by the Florida Public Service Commission ("Commission") in the above-captioned docket. Should additional grounds for objection be discovered as BellSouth prepares its responses to the above-referenced requests, BellSouth reserves the right to supplement, revise, or modify its objections at the time it serves its responses. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the requested material, BellSouth reserves the right to file a motion with the Commission seeking such an order at the time it serves its responses.

DOCUMENT NUMBER-DATE  
09521 AUG 31 88  
FBI REC'DS/REPORTING

## **GENERAL OBJECTIONS**

BellSouth makes the following General Objections to Citizens' Fourth Set of Requests for Production of Documents which will be incorporated by reference into BellSouth's specific responses when its responses are served on Citizens.

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 the discovery requests in this docket to apply to BellSouth'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, 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 responses provided by BellSouth in response to Citizens'

**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 Citizens' 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 constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent Citizens request proprietary confidential business information which is not subject to the "trade secrets" privilege, BellSouth will make such information available to counsel for Citizens subject to the information being treated as confidential and 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 conducted a search 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.**

**11. In any instance in which BellSouth agrees to produce documents, they will be produced at a mutually agreeable time and place. In instances in which the documentation is so voluminous that copying or transporting the documents would be burdensome, BellSouth will make the documents available for review upon BellSouth's premises where the documents are located.**

### **SPECIFIC OBJECTIONS**

**1. BellSouth objects to the response date specified by Citizens in its request. Citizens served its request on BellSouth by U.S. Mail on August 14, 1998, and requested that the documents requested be made available for inspection and copying "by Monday, September 14, 1998." Rule 25-22.034 of the Florida Administrative Code specifies that a party "may obtain discovery through the means and in the manner provided in Rules 1.280 through 1.400,**

**Florida Rules of Civil Procedure." Rule 1.350 of the Florida Rules of Civil Procedure provides that written responses to requests for production of documents are due "within 30 days after service of the request." When a document to which a party must respond is served by U.S. Mail, five days are added to the time within which the served party must respond. Rule 25-22.028(4), Florida Administrative Code. Although the Florida Public Service Commission has ordered that objections be filed within 10 days of service of discovery, the Commission made no such exception with regard to the time within which a party has to respond to discovery. Therefore, in accordance with the Florida Administrative Code and the Florida Rules of Civil Procedure, BellSouth will provide responses to Citizens' Fourth Request for Production of Documents by September 18, 1998.**

**2. BellSouth incorporates by reference its objections to the Attorney General's Third Request for Production of Documents to BellSouth dated August 7, 1998 and to the Attorney General's First Set of Interrogatories to BellSouth as if set forth fully herein.**

Respectfully submitted this 31st day of August, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B White MKK*  
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ROBERT G. BEATTY  
NANCY B. WHITE  
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*Mary Keyer*  
\_\_\_\_\_  
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Atlanta, Georgia 30375  
(404)335-0711

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**CERTIFICATE OF SERVICE**  
**Docket No. 980733-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Hand-Delivery this 31st day of August, 1998, to the following:

Charles J. Beck  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street  
Room 812  
Tallahassee, FL 32399-1400

  
\_\_\_\_\_  
Mary K. Keyer