

ORIGINAL

Legal Department

MARY K. KEYER
General Attorney

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

September 4, 1998

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 980733-TL

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Responses and Objections to FCTA's First Request for Production of Documents, which we served today. Please file them in the captioned matter.

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 to the parties shown on the attached Certificate of Service.

9/4 - 4:23 am
RECEIVED & FILED

Sincerely,

[Signature]
Mary K. Keyer (PK)

FPSO BUREAU OF RECORDS

Enclosures

cc: All parties of record
A. M. Lombardo
R. G. Beatty
William J. Ellenberg II (w/o enclosures)

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN
- OPC
- RCH
- SEC
- WAS
- OTH

DOCUMENT NUMBER-DATE
09675 SEP-4 98
FPSO-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Discovery for Study on Fair & Reasonable Rates and on Relationships Among Costs and Charges Associated with Certain Telecommunications Services Provided by LECs, as Required by Chapter 98-277.)
_____)

Docket No.: 980733-TL

Filed: September 4, 1998

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES
AND OBJECTIONS TO FCTA'S FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS**

BellSouth Telecommunications, Inc. ("BellSouth"), files pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, its Responses and Objections to the Florida Cable Telecommunications Association's ("FCTA") First Request for Production of Documents dated August 5, 1998.

GENERAL RESPONSES

1. BellSouth objects to FCTA's proposed "Instruction" relating to details of privileged documents. To the extent a document responsive to any of the requests is subject to an applicable privilege, some of the information requested by FCTA would be similarly privileged and therefore not subject to discovery. Notwithstanding this objection, BellSouth agrees to identify any documents withheld on the basis of privilege.

DOCUMENT NUMBER-DATE

09675 SEP-4 88

FPSC RECORDS/REPORTING

2. With regard to FCTA's definition of "document" or "documents", BellSouth has made a diligent, good faith attempt to locate documents responsive to the scope of FCTA's individual requests for documents.

3. BellSouth objects to FCTA's definition of "you" and "your." It appears that FCTA, through its definition of these words, is attempting to obtain discovery of information in the possession, custody, or control of entities that are not parties to this docket. Requests for Production may only be directed to parties, and any attempt by FCTA to obtain discovery from non-parties should be prohibited. See Rule 1.340, Florida Rules of Civil Procedure; Broward v. Kerr, 454 So. 2d 1068 (4th D.C.A. 1984).

4. BellSouth does not believe it was FCTA's intent to require BellSouth to produce again the same documents previously produced in other dockets, but to the extent it does, BellSouth objects on the basis that such a request would be unduly burdensome, oppressive, and unnecessary, and for these reasons is prohibited.

5. BellSouth objects to the specific time and place designated by FCTA for the production of documents for the reasons that the designation is not reasonable, but has no objection to producing the documents that are responsive and to which no other objection is made, at a mutually agreed upon time and place.

6. The following Specific Responses are given subject to the above-stated General Responses and Objections.

SPECIFIC RESPONSES

1. Please provide all documents and supporting data supplied in your response to Office of Public Counsel's First Request for Production of Documents to your company in this proceeding dated June 19, 1998.

Response: The documents requested contain proprietary confidential business information which BellSouth will produce subject to a Protective Agreement executed by FCTA.

2. Please provide all documents and supporting data supplied in your response to Office of Public Counsel's Second Request for Production of Documents to your company in this proceeding dated June 25, 1998.

Response: The information contained in the documents requested constitutes confidential proprietary business information, which BellSouth will make available for review by the FCTA at a mutually agreeable time and place subject to a Protective Agreement executed by FCTA and for certain documents subject to the following.

With respect to the documents requested in Data Requests 13 and 14 in Tim Devlin's letter dated June 19, 1998, to all local exchange companies regarding 980000A-SP, undocketed special project, fair and reasonable rates, BellSouth has certain materials that it has provided to bond rating agencies, including Standard & Poor's and Moody's, on its own behalf, but it does not have possession, custody or control of any such documents that might have been prepared by BellSouth Corporation or any of its other subsidiaries.

The materials BellSouth has that may be responsive to those particular requests constitute confidential proprietary business information, some of which is so sensitive that any individual who reviews the information is deemed to be an "insider" for purposes of the Securities and Exchange Commission rules.

With this in mind, and assuming that counsel for FCTA who wish to review this material is willing to review the materials with the understanding that doing so may make them "insiders" for purposes of the Securities and Exchange Commission, BellSouth will produce the requested materials that are in its possession, custody and control at a mutually agreed upon time and place, subject to the material being treated as proprietary confidential business information. BellSouth will file Notices and Requests for Confidential Classification at the appropriate time.

3. Please provide all documents and supporting data supplied in your response to Office of Public Counsel's Third Request for Production of Documents to your company in this proceeding dated July 16, 1998.

Response: BellSouth will produce the requested documents, some of which may contain proprietary confidential business information, subject to a Protective Agreement executed by FCTA.

Respectfully submitted this 4th day of September, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty

ROBERT G. BEATTY

NANCY B. WHITE

c/o Nancy H. Sims

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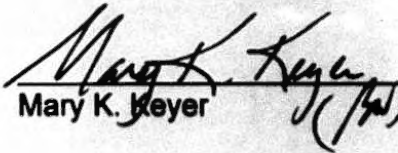
(404) 335-0711

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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 4th day of September, 1998, to the following:

Laura L. Gallagher
Florida Cable Telecommunications
Association
310 N. Monroe Street
Tallahassee, FL 32301


Mary K. Keyer