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Legal Department

MARY K. KEYER  
General Attorney

98 SEP -8 PM 4: 30

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

RECORDS AND  
REPORTING

September 8, 1998

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

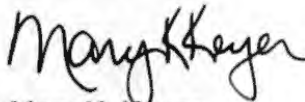
Re: Docket No. 980733-TL

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Responses and Objections to Florida Legal Services' 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.

Sincerely,



Mary K. Keyer

RECEIVED & FILED

FPSO BUREAU OF RECORDS

- ACY \_\_\_\_\_
- AFB 1
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMI \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 2
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH 2
- SEC 1
- WAS \_\_\_\_\_

Enclosures

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

DOCUMENT NUMBER-DATE

09789 SEP-8

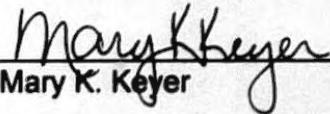
FPSO-RECORDS REPORTING

ORIGINAL

**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 8th day of September, 1998, to the following:

Benjamin Ochshorn, Esquire  
Florida Legal Services  
2121 Delta Boulevard  
Tallahassee, FL 32303

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

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 8, 1998

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES AND OBJECTIONS TO FLORIDA LEGAL SERVICES' 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 Florida Legal Services' ("FLS") First Request for Production of Documents dated August 5, 1998.

**GENERAL RESPONSES**

1. BellSouth objects to FLS'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 FLS 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.

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

DOCUMENT NUMBER-DATE

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FILED RECORDS/REPORTING

3. BellSouth objects to FLS's definition of "you" and "your." It appears that FLS, 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 FLS 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 FLS'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 FLS 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. All documents requested of BellSouth by letters dated June 19, 1998, from Walter D'Haeseleer and Tom Devlin of the Florida Public Service Commission to all local exchange companies regarding 980000A-SP, undocketed special project, fair and reasonable rates.

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

2. All documents requested of BellSouth by the First Request for Production of Documents to BellSouth by the Attorney General and the Citizens of Florida, dated June 19, 1998.

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

3. All documents requested of BellSouth by Citizens' Third Request for Production of Documents to BellSouth, dated July 16, 1998.

**Response:** To the extent the documents requested have not already been produced to FLS, BellSouth will produce the documents requested, some of which contain confidential proprietary business information, subject to a Protective Agreement executed by FLS.



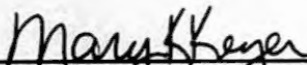
4. All documents requested of BellSouth by Citizens' First Set of Interrogatories to BellSouth, dated July 16, 1998, including responsive answers and supporting documents.

**Response:** BellSouth will produce its answers and any accompanying documents to those answers to Citizens' First Set of Interrogatories to BellSouth dated July 16, 1998.

Respectfully submitted this 8th day of September, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
\_\_\_\_\_  
ROBERT G. BEATTY  
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