

ORIGINAL

Legal Department

MARY K. KEYER
General Attorney

BellSouth Telecommunications, Inc.
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RECEIVED

OCT 02 1998

October 2, 1998

FPSC - Records/Reporting

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 the Attorney General's Sixth 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.

- ACK _____
- AFA 1
- APP _____
- CAF _____
- CMU 1
- CTR _____
- EAG _____
- LEG 1 Enclosures
- LIN _____
- GFC _____
- RCH 1
- SEC 1
- WAS _____
- OTH _____

Sincerely,

Mary K. Keyer
(pp)

Mary K. Keyer

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

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FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10868 OCT-2 98

FPSC-RECORDS/REPORTING

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: October 2, 1998

BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES AND OBJECTIONS TO ATTORNEY GENERAL'S SIXTH 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 Attorney General's ("Attorney General") Sixth Request for Production of Documents dated September 15, 1998.

GENERAL RESPONSES

1. BellSouth objects to the Attorney General'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 the Attorney General 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 the Attorney General's definition of "document" or "documents", BellSouth has made a diligent, good faith attempt to locate

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documents responsive to the scope of the Attorney General's individual requests for documents.

3. BellSouth objects to the Attorney General's definition of "you" and "your." It appears that the Attorney General, 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 the Attorney General 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 the Attorney General'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.

SPECIFIC RESPONSE

The following Specific Response is given subject to the above-stated General Responses and Objections.

34. Your response to the September 10, 1998 data request issued by Timothy Devlin, Director, Division of Auditing & Financial Analysis, which are due at the Division of Auditing & Financial Analysis and the Division of Communications by September 28, 1998.

Response: BellSouth will produce the requested response.

Respectfully submitted this 2nd day of October, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty (ps)

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136035

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 2nd day of October, 1998, to the following:

Michael A. Gross
Assistant General Attorney
Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050

Mary K. Keyer (p)
Mary K. Keyer