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Legal Department

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RECORDS AND  
REPORTING

April 16, 2001

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. 000121-TP (OSS)**

Dear Ms. Bayó:

Today, BellSouth Telecommunications, Inc. served its Responses and Objections to the ALEC Coalition's First Request for Production of Documents and First Set of Interrogatories, dated March 26, 2001.

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,

  
J. Phillip Carver (KA)

Enclosures

cc: All parties of record  
Marshall M. Criser, III  
Nancy B. White  
R. Douglas Lackey

RECEIVED & FILED

PPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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PPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE  
Docket No. 000121-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail and Hand Delivery(\*) this 16th day of April, 2001 to the following:

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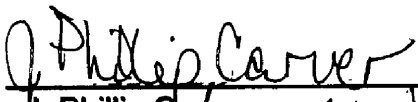
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J. Phillip Carver (KA)

#237366

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Investigation into the ) Docket No. 000121-TP  
Establishment of Operations Support )  
Systems Permanent Performance )  
Measures for Incumbent Local Exchange )  
Telecommunications Companies ) Dated: April 16, 2001  
\_\_\_\_\_ )

**BELLSOUTH'S RESPONSES AND OBJECTIONS TO ALEC COALITION'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 ALEC Coalition's ("the Coalition") First Request for Production of Documents dated March 26, 2001.

**GENERAL OBJECTIONS**

BellSouth makes the following General Objections to the Coalition's First Request for Production of Documents.

1. BellSouth objects to the requests to the extent they 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 objects to the requests to the extent they are intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission. BellSouth objects to such requests as being irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request and instruction to the extent that such requests 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 requests are 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 answers provided by BellSouth in response to the requests will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request insofar as it 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 in its responses each instance where this objection applies.

6. BellSouth objects to providing information to the extent that such information is already in the public record before the Commission.

7. BellSouth objects to each and every request to the extent that the information requested constitutes “trade secrets” which are privileged pursuant to §90.506, *Florida Statutes*. BellSouth also objects to each and every request that would require the disclosure of customer specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that the ALEC Coalition's requests ask for proprietary information that is not subject to the “trade secrets” privilege or to §364.24, BellSouth will make such information available to the ALEC Coalition at a mutually agreeable time and place pursuant to a Motion for Protective Order, or subject to a Request for Confidential Classification.

8. BellSouth objects to the ALEC Coalition's 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.

9. BellSouth objects to each and every request, insofar as any of them is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

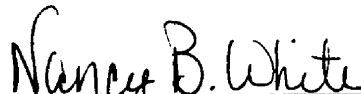
10. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to Commission or FCC retention of records requirements. These documents are kept in numerous 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 identified in response to these requests. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the requests purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

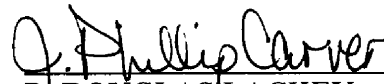
### **SPECIFIC RESPONSES**

11. In response to Request No. 1, BellSouth agrees to produce all responsive documents at a mutually agreeable time and place, except those that are proprietary, which will be produced at a mutually agreeable time and place after the execution of an appropriate confidentiality agreement.

12. In response to Request No. 2, BellSouth states that these documents are proprietary. BellSouth agrees to produce these documents at a mutually agreeable time and place after the execution of an appropriate proprietary agreement.

Respectfully submitted this 16th day of April, 2000.

  
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