

ORIGINAL

Timolyn Henry

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Sent: Tuesday, June 27, 2006 1:44 PM
To: Filings@psc.state.fl.us
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Subject: PSC Miami-Dade County's Responses to BellSouth Telecommunications, Inc.'s First Request for Production
Attachments: PSC Response to First Request for Production).pdf

June 27, 2006

Mrs. Blanca S. Bayó
 Director, Division of the Commission Clerk
 and Administrative Services
 Florida Public Service Commission
 2540 Shumard Oak Boulevard

Re: Complaint by BellSouth Telecommunication, Inc., Regarding the Operation of a Telecommunication Company by Miami-Dade County in Violation of Florida Statutes and Commission Rules (Docket No. 050257)

Dear Mrs. Bayó:

Enclosed is an original Miami-Dade County's Responses to BellSouth Telecommunications, Inc.'s First Request for Production.

Copies have been served to the parties shown on the attached Certificate of Service.

- CMP cc: All Parties of Record
 - COM David Stephen Hope, Assistant County Attorney
 - COM Cynji Lee, Assistant County Attorney
 - CTR
 - ECR
 - GCL
 - OPC
 - RCA
 - SCR
 - SGA
 - SEC
 - OTH
- 6/27/2006

DOCUMENT NUMBER-DATE
 05740 JUN 27 06
 FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by BellSouth
Telecommunications, Inc., Regarding
The Operation of a Telecommunications
Company by Miami-Dade County in
Violation of Florida Statutes and
Commission Rules

Docket No. 050257

**MIAMI-DADE COUNTY'S RESPONSES TO BELLSOUTH
TELECOMMUNICATIONS, INC.'S FIRST REQUEST FOR PRODUCTION**

Miami-Dade County (the "County"), by and through its undersigned counsel, hereby serves its answers to BellSouth Telecommunications Inc.'s ("BellSouth") First Request for Production (the "Request") and states:

1. The County answers BellSouth's First Request for Production, and said answers are available for inspection and copying, pursuant to Fla. R. Civ. P. 1.280 and 1.350, at the Office of the County Attorney, Stephen P. Clark Center, 111 Northwest 1st Street, Suite 2800, Miami, Florida 33128-1993.
2. Regarding Request No. 1, additional documents are produced pursuant to paragraph 1 above. Responsive documents have been provided in Plaintiff's First Request for Production Nos. 1 and 3, dated January 30, 2003, and produced March 6, 2003 and December 15, 2005.
3. Regarding Request No. 2, additional documents are produced pursuant to paragraph 1 above. Responsive documents have been provided in Plaintiff's First Request for Production No. 1, dated January 30, 2003, and produced December 15, 2005 and February 8, 2006. However, the County's current list of customers constitutes a trade secret. § 812.081, Fla. Stat. (2002). "[T]rade secret information as defined in s. 812.081, and as provided for in s. 815.04(3),

[is] expressly made confidential and exempt from the public records law" § 815.045, Fla. Stat. (2005). The County objects to any production which violates this trade secret privilege.

4. Regarding Request No. 3, additional documents are produced pursuant to paragraph 1 above. Responsive documents have been provided in Plaintiff's First Request for Production Nos. 1 and 4, dated January 30, 2003, and produced March 6, 2003 and December 15, 2005.

5. Regarding Request No. 4, additional documents are produced pursuant to paragraph 1 above. Responsive documents have been provided in Plaintiff's First Request for Production Nos. 1, 4, 7, and 8, dated January 30, 2003, and produced March 6, 2003 and December 15, 2005.

6. Regarding Request No. 5, the documents have been provided in Plaintiff's First Request for Production Nos. 5 and 6, dated January 30, 2003, and produced March 6, 2003.

7. Regarding Request Nos. 6, the documents have been provided in: (i) Plaintiff's First Request for Production Nos. 1, 7, and 8, dated January 30, 2003, and produced March 6, 2003 and December 15, 2005; (ii) Plaintiff's Contention Interrogatories Nos. 6 and 13, dated February 3, 2004, and produced March 1, 2004; and (iii) the County's Preliminary Exhibit List Nos. 2, 3, 4, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 35, and 49, dated May 26, 2006, and produced June 2, 2006.

8. Regarding Request Nos. 7, additional documents are produced pursuant to paragraph 1 above. Responsive documents have been provided in: (i) Plaintiff's First Request for Production Nos. 7 and 8, dated January 30, 2003, and produced March 6, 2003; and (ii) Plaintiff's Third Request for Production No. 1, dated April 17, 2006 and produced May 15, 2006.

9. Regarding Request Nos. 8, additional documents are produced pursuant to paragraph 1 above. Responsive documents have been provided in: (i) Plaintiff's First Request for Production

Nos. 1, 4, 7, and 8, dated January 30, 2003, and produced March 6, 2003 and December 15, 2006; (ii) Plaintiff's Third Request for Production No. 1, dated April 17, 2006 and produced May 15, 2006; and (iii) Request Nos. 1 and 2.

10. Regarding Request No. 9, the documents have been provided in Request No. 8.

11. Regarding Request No. 10, additional documents are produced pursuant to paragraph 1 above. Responsive documents have been provided in the videotaped deposition of Pedro Garcia on October 28, 2004.

12. Regarding Request No. 11, the documents are provided pursuant to paragraph 1 above.

13. Regarding Request No. 12, the documents have been provided in Request No. 11.

14. Regarding Request No. 13, the documents have been provided pursuant to paragraph 1 above.

15. Regarding Request No. 14, the documents requested do not exist.

RESPECTFULLY SUBMITTED,

MURRAY A. GREENBERG
MIAMI-DADE COUNTY ATTORNEY

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Fax: (305) 375-5611

By 

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 27th

day of June 2006, to:

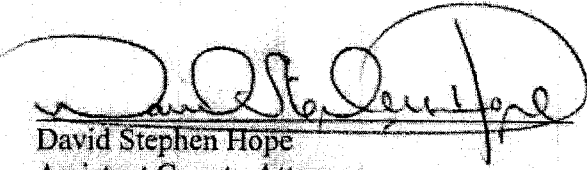
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