

Ruth Nettles

090430-TP

**From:** WOODS, VICKIE (Legal) [vf1979@att.com]  
**Sent:** Tuesday, January 05, 2010 3:03 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** 090430-TP AT&T Florida's Motion for Protective Order  
**Importance:** High  
**Attachments:** Document.pdf

- A. Vickie Woods  
BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
150 South Monroe Street  
Suite 400  
Tallahassee, Florida 32301  
(305) 347-5560  
vf1979@att.com
- B. Re: Docket No. 090430-TP: Petition for verified emergency injunctive relief and request for stay of AT&T's CLEC OSS-related releases by Saturn Telecommunications Services, Inc.
- C. BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
  
on behalf of Manuel A. Gurdian
- D. 5 pages total (includes letter, pleading and certificate of service)
- E. BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Motion for Protective Order  
  
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1/5/2010

DOCUMENT NUMBER DATE

00071 JAN-5 2010

FPSC-COMMISSION CLERK



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January 5, 2010

Ms. Ann Cole, Commission Clerk  
Office of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 090430-TP: Petition for verified emergency injunctive relief and request for stay of AT&T's CLEC OSS-related releases by Saturn Telecommunications Services, Inc.**

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Motion for Protective Order, which we ask that you file in the captioned docket.

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

Sincerely,

Manuel A. Gurdian

cc: All parties of record  
Jerry Hendrix  
Gregory R. Follensbee  
E. Earl Edenfield, Jr.


**CERTIFICATE OF SERVICE**  
**Docket No. 090430-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Electronic Mail and First Class U.S. Mail this 5th day of January, 2010 to the following:

Timisha Brooks  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
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STS Telecom  
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[kkramer@ststelecom.com](mailto:kkramer@ststelecom.com)

  
\_\_\_\_\_  
Manuel A. Gurdian

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition for verified emergency injunctive relief ) Docket No. 090430-TP  
and request for stay of AT&T's CLEC )  
OSS-related releases by Saturn Telecommunication )  
Services, Inc. )  
\_\_\_\_\_ ) Filed: January 5, 2010

**AT&T FLORIDA'S MOTION FOR PROTECTIVE ORDER**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") pursuant to Rule 28-106.204, Florida Administrative Code, hereby moves the Florida Public Service Commission ("Commission") to issue an order protecting AT&T Florida from Saturn Telecommunications Services, Inc.'s ("STS") Notice of Taking Deposition of Steve Hancock ("Notice"). This Notice is inappropriate, as the Commission has entered an Order holding that the docket be "placed in abeyance until our staff brings a recommendation back to this Commission upon completion of a review." In further support of its support thereof, AT&T Florida states the following:

1. On December 2, 2009, the Commission issued Order No. PSC-09-0799-PAA-TP (the "Order") in this docket and found that there was "no need to restrict or prohibit AT&T from implementing its OSS release scheduled fro November 14, 2009, as our staff is allowed to conduct a post implementation review." The Commission also dismissed a portion of STS' amended petition and ordered that the docket was to remain open pending the outcome of further proceedings including resolution of the remaining requests in STS' amended petition.

2. Moreover, the Commission held this docket in abeyance until staff completed its review and brought a recommendation back to the Commission.

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3. Per the Order, the Commission Staff is currently performing its review of AT&T Florida's November OSS Release. Upon completion of the review, Commission Staff will bring a recommendation back to the Commission regarding the results of its evaluation and conclusions and any recommended action, if any.

4. On or about December 28, 2009, STS served the Notice. The Notice provides that STS has scheduled the deposition of Mr. Hancock for January 11, 2010 in Birmingham, Alabama in the above-referenced docket.

5. STS' Notice is clearly in derogation of the Order holding this proceeding in abeyance pending the Commission Staff's conduct of its review of AT&T Florida's November OSS Release. As a result the Notice is harassing and a waste of resources, both AT&T Florida's as well as the Commission Staff's.

6. Moreover, since the matter is in abeyance, the parties have not identified any Issues nor has the Commission set a procedural schedule regarding discovery and hearing dates.

7. Accordingly, as STS's Notice is clearly outside the scope of activities permitted by the Order and premature, the Commission should issue an order protecting AT&T Florida from STS's inappropriate discovery effort.

8. AT&T Florida fully believes that the Commission can and should issue its order granting the instant Motion, however, if the Commission were inclined to allow the deposition of Steve Hancock to proceed, then AT&T Florida would request that the scope of questions at the deposition be specifically limited to the allegations related to STS's amended petition and not permit STS to conduct a "fishing expedition" of matters unrelated to this docket, such as its pending complaint against AT&T before the Federal

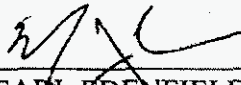
Communications Commission and the current SQM/SEEM review in Docket No. 000121A.

9. AT&T Florida has conferred with STS's counsel and STS refuses to withdraw its Notice and objects to this Motion.

WHEREFORE, AT&T Florida respectfully requests the entry of an Order protecting AT&T Florida from STS's Notice of Taking Deposition of Steve Hancock.

Respectfully submitted this 5th day of January, 2010.

AT&T FLORIDA



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