

J. Phillip Carver
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July 8, 1992

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Mr. Steve C. Tribble
Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

Re: Public Counsel's 24th Document Request
Docket No. 910163-TL - Repair Service Investigation

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Twenty-Fourth Set of Requests for Production of Documents, which we ask that you file in the captioned docket.

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 _____
- APP _____
- CAF _____
- CMU _____
- CTR _____

Enclosures

Sincerely yours,

J. Phillip Carver
J. Phillip Carver (02)

- EAG _____ cc: All Parties of Record
- LEO *14/12* _____ Harris R. Anthony
- LIN *6* _____ A. M. Lombardo
- _____ R. Douglas Lackey

- OPC _____
- ROH _____
- SEC *1* _____
- WAB _____
- OTH _____

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J.D.
FPSC-BUREAU OF RECORDS

A BELL SOUTH Company

DOCUMENT NUMBER-DATE

07410 JUL -8 1992

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on behalf of Citizens) Docket No. 910163-TL
of the State of Florida to initiate)
investigation into integrity of) Filed: July 8, 1992
Southern Bell Telephone and Telegraph)
Company's repair service activities)
and reports.)

**SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S
TWENTY-FOURTH SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

COMES NOW BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files pursuant to Rule 25-22.034, Florida Administrative Code, and Rules 1.280(c) and 1.350, Florida Rules of Civil Procedure, its Response and Objections to Office of Public Counsel's ("Public Counsel") Twenty-Fourth Set of Requests for Production of Documents dated June 3, 1992

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell does not believe it was Public Counsel's intent to require Southern Bell to produce again the same documents previously produced in other dockets, but to the extent it does, Southern Bell objects on the basis of such a request would be unduly burdensome, oppressive, and unnecessary, and for these reasons is prohibited.

2. Southern Bell objects to the specific time and place designated by Public Counsel for the production of documents for the reason that the designation is not reasonable, but has no

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

objection to producing the documents that are responsive and to which no other objection is made, at a mutually agreed upon time and place.

3. Southern Bell objects to the instruction, set forth in the Definitions section of the request, as to information that is to be provided for any document not in the possession of Southern Bell. This request for an extensive narrative as to the "disposition" of these documents is not properly encompassed within a Request for Production, and is, further, unreasonable and burdensome.

4. Southern Bell objects to Public Counsel's definition of "document" or "documents". Public Counsel's definition of these terms is overly broad and is objectionable pursuant to standards adopted in Caribbean Security Systems v. Security Control Systems, Inc., 46 So.2d 654 (Fla. App. 3rd Dist. 1986).

SPECIFIC RESPONSES

5. In any instance in which Southern Bell agrees to produce documents in a specific response set forth below, that response is subject to the general objections set forth above.

6. In response to Request No. 1, Southern Bell will produce, at a mutually convenient time and place, responsive documents that are in its possession, custody or control.

7. In response to Request No. 2, Southern Bell will produce, at a mutually convenient time and place, responsive documents that are in its possession, custody or control.

8. In response to Request No. 3, Southern Bell will produce, at a mutually convenient time and place, responsive documents that are in its possession, custody or control.

9. In response to Request No. 4, Southern Bell will produce, at a mutually convenient time and place, responsive documents that are in its possession, custody or control.

10. In response to Request No. 5, Southern Bell will produce, at a mutually convenient time and place, responsive documents that are in its possession, custody or control.

11. In response to Request No. 6, Southern Bell will produce, at a mutually convenient time and place, responsive documents that are in its possession, custody or control.

12. As to Request No. 7, Southern Bell objects because this request calls for the production of documents that were generated at the direct request of, and under the general supervision of, attorney's for Southern Bell. These documents were developed in anticipation of litigation, and were the basis upon which legal opinions were rendered to Southern Bell by its attorneys. Accordingly, Southern Bell objects to the production of these documents on the basis of the attorney client and work product privileges.

13. As to Request No. 8, Southern Bell objects because this request calls for the production of documents that were generated at the direct request of, and under the general supervision of, attorney's for Southern Bell. These documents were developed in anticipation of litigation, and were the basis upon which legal opinions were rendered to Southern Bell by its attorneys. Accordingly, Southern Bell objects to the production of these documents on the basis of the attorney client and work product privileges.

14. As to Request No. 9, Southern Bell objects because this request calls for the production of documents that were generated at the direct request of, and under the general supervision of, attorney's for Southern Bell. These documents were developed in anticipation of litigation, and were the basis upon which legal opinions were rendered to Southern Bell by its attorneys. Accordingly, Southern Bell objects to the production of these documents on the basis of the attorney client and work product privileges.

15. In response to Request No. 10, including subparts, the requested document was created by Dan King, an employee of Southern Bell, at the direct request of, and under the general supervision of, attorneys for Southern Bell. These documents were developed in anticipation of litigation, and were the basis upon which legal opinions were rendered to Southern Bell by its attorneys. Accordingly, Southern Bell objects to the production

of these documents on the basis of the attorney client and work product privileges.

16. Southern Bell objects to the production of documents pursuant to Request No. 11 for the same reason as set forth in paragraph number 15 above in regard to Request No. 10.

Respectfully submitted,

ATTORNEYS FOR SOUTHERN BELL
TELEPHONE AND TELEGRAPH COMPANY

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