SIDNEY J. WHITE, JR.
General Attorney

Southern Bell Telephone
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(404) 529-5094

March 19, 1993

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

RE: Docket No. 910163-TL 920260

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Thirty-Ninth Request for Production of Documents dated February 16, 1993. Please file these documents in the above-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 on the parties shown on the attached Certificate of Service.

Sincerely,

Sidney J. White, Jr.

Enclosures

cc: All Parties of Record
A. M. Lombardo
H. R. Anthony
R. D. Lackey

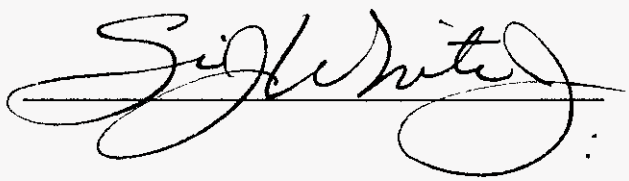
RECEIVED & FILED
FPSC-BUREAU OF RECORDS

CERTIFICATE OF SERVICE
Docket No. 910163-TL

I HEREBY CERTIFY that a copy of the foregoing has been furnished by United States Mail this 19th day of March, 1993 to:

Charles J. Beck
Assistant Public Counsel
Office of the Public Counsel
812 - 111 W. Madison Street
Tallahassee, FL 32399-1400

Tracy Hatch
Division of Legal Services
Florida Public Svc. Commission
101 East Gaines Street
Tallahassee, FL 32399-0863



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on Behalf of Citizens of the State of Florida to Initiate Investigation into Integrity of Southern Bell Telephone and Telegraph Company's Repair Service Activities and Reports.	)	Docket No. 910163-TL
	)	Filed: March 19, 1993

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S
THIRTY-NINTH REQUEST FOR PRODUCTION OF DOCUMENTS

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 Rule 1.350 of the Florida Rules of Civil Procedure, its Responses and Objections to the Office of Public Counsel's ("Public Counsel") Thirty-Ninth Request for Production of Documents dated February 16, 1993.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to Public Counsel'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 Public Counsel would be similarly privileged and therefore not subject to discovery.

2. Southern Bell objects to Public Counsel's Instruction requesting "... a description of the sequence or order of the documents..." being produced. Such a request is patently unreasonable. The "sequence or order" of documents being produced is readily apparent; therefore, Public Counsel's

request for a narrative description of what can be easily determined based on a review of the documents themselves is unnecessary and objectionable.

3. 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., 486 So. 2d 654 (Fla. App. 3rd District 1986).

4. Southern Bell objects to Public Counsel's definition of "you" and "your" as well as the definition of "BellSouth." It appears that Public Counsel, 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 of documents may be directed only to parties, and any attempt by Public Counsel 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).

5. 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 that such a request would be unduly burdensome, oppressive and unnecessary, and for these reasons is prohibited.

6. The following Specific Responses are given subject to the above-stated General Responses and Objections.

SPECIFIC RESPONSES

7. With respect to Request No. 1, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place. Also, pursuant to an agreement with Public Counsel, Southern Bell will produce these documents without the proprietary and confidential customer names, addresses, and other personally identifiable information included.

Respectfully submitted this 19th day of March, 1993.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY

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