

ORIGINAL

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January 7, 1998

Ms. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket Nos. 960833-TP, 960846-TP and 960757-TP
960916-TP and 971140-TP**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Response and Objections to Staff's Fifth Request for Production of Documents. Please file these documents 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 on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White
Nancy B. White (BW)

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC _____
- WAS _____
- OTH _____

Enclosures

cc: All parties of record
A. M. Lombardo
R. G. Beatty
William J. Ellenberg II

This Notice of Intent was filed with Confidential Document No. 00357-98. The document has been placed in the confidential files pending receipt of a request for confidential treatment.

RECEIVED & FILED

J e
DIVISION OF RECORDS

DOCUMENT NUMBER-DATE

00350 JAN-7 98

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
DOCKET NOS. 960833-TP/960846-TP/960757-TP/960916-TP/971140-TP

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

Federal Express this 7th day of January, 1998 to the following:

** Hand delivery*

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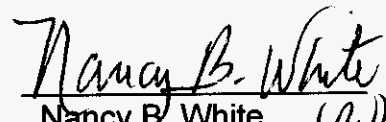
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Nancy B. White (Pw)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petitions by AT&T) Docket No. 960833-TP
Communications of the Southern)
States, Inc., and MCI) Docket No. 960846-TP
Telecommunications Corporation,)
MCI Metro Access Transmission)
Services, Inc., for arbitration)
of certain terms and conditions)
of a proposed agreement with)
BellSouth Telecommunications,)
Inc. concerning interconnection)
and resale under the)
Telecommunications Act of 1996)
In the matter of) Docket No. 960757-TP
MFS Communications Company, Inc.)
Petition for Arbitration Pursuant)
to 47 U.S.C. § 252(b) of)
Interconnection Rates, Terms, and)
Conditions with)
BellSouth Telecommunications, Inc.)
In the Matter of) Docket No. 960916-TP
Petition by American)
Communications Services, Inc.)
and American Communications)
Services of Jacksonville, Inc.)
for Arbitration with BellSouth)
Telecommunications, Inc.)
pursuant to the)
Telecommunications Act of 1996)
In re: Petition by MCI Metro Access) Docket No. 971140-TP
Transmission Services, Inc., to Set)
Non-Recurring Charges for)
Combination of Network Elements)
to Set Non-Recurring Charges for)
Combination of Network Elements)
with BellSouth Telecommunications, Inc.)
Filed: January 7, 1998

DOCUMENT NUMBER-DATE

00350 JAN-7 88

FPSC-RECORDS/REPORTING

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
RESPONSE AND OBJECTIONS TO STAFF'S FIFTH REQUEST FOR
PRODUCTION OF DOCUMENTS AND NOTICE OF INTENT
TO FILE CONFIDENTIAL CLASSIFICATION**

BellSouth Telecommunications, Inc. ("BellSouth") files, pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.280(b), 1.340 and 1.350, Florida Rules of Civil Procedure, its Response and Objections to the Staff of the Florida Public Service Commission ("Staff's") Fifth Request for Production of Documents, dated December 19, 1997.

GENERAL OBJECTIONS

BellSouth makes the following General Objections to Staff's Fifth Request for Production of Documents.

1. BellSouth objects to the requests to the extent that such requests 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 has interpreted Staff's requests to apply to BellSouth's regulated intrastate operations in Florida and will limit its Answers accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such request to produce as irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request and instruction to the extent that such request 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 request is 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 Staff's request will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request insofar as the request 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 each instance where this objection applies.

6. BellSouth objects to Staff'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.*

7. BellSouth objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. BellSouth objects to each and every request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. 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 Florida Public Service 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 provided in response to these discovery requests. Rather, these responses provide all of the information obtained by BellSouth after a reasonable and diligent search conducted in connection with this discovery request. BellSouth has complied with Staff's request that a search be conducted of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

**NOTICE OF INTENT TO FILE REQUEST FOR
CONFIDENTIAL CLASSIFICATION**

10. The information contained in these responses is proprietary to BellSouth and includes information containing, among other things, vendor specific information. This information is clearly confidential and proprietary under Florida Statutes, Section 364.183 and Rule 25-22.006, Florida Administrative Code. Because this information contains proprietary information, BellSouth is filing this Notice of Intent to Request Specified Confidential Classification, pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, in

order to allow the Commission to take possession of the responses without delay. The original of this notice has been filed with the Division of Records and Reporting, and a copy has been served on the Division requesting the information.

OBJECTIONS AND SPECIFIC RESPONSES

Subject to, and without waiver of, the foregoing general objections, BellSouth enters the following specific objections with respect to Staff's requests:

11. With respect to Request No. 61, BellSouth will produce the documents responsive to this request in its possession, custody, or control.

12. With respect to Request No. 62, BellSouth is producing the responsive documents that are in its possession, custody, or control subject to the Notice of Intent to file Confidential Classification contained herein.

13. With respect to Request No. 63, BellSouth is producing the responsive documents that are in its possession, custody, or control.

14. With respect to Request No. 64, BellSouth is producing the responsive documents that are in its possession, custody, or control.

15. With respect to Request No. 65, BellSouth is producing the responsive documents in its possession, custody, or control.

16. With respect to Request No. 66, BellSouth is producing the responsive documents in its possession, custody, or control.

17. With respect to Request No. 67, BellSouth is producing the documents responsive to this request in its possession, custody, and control.

18. With respect to Request No. 68, BellSouth is producing the responsive documents that are in its possession, custody, or control.

19. With respect to Request No. 69, BellSouth is producing the responsive documents in its possession, custody, or control.


20. With respect to Request No. 70, BellSouth is producing the responsive documents that are in its possession, custody, or control.

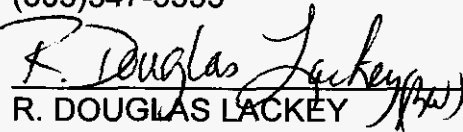
21. With respect to Request No. 71, BellSouth is producing the responsive documents that are in its possession, custody, or control.

22. With respect to Request No. 72, BellSouth is producing the responsive documents that are in its possession, custody, or control.

Respectfully submitted this 7th day of January, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.


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