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General Attorney

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150 South Monroe Street
Room 400
Tallahassee, Florida 32301
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RECORDS AND
REPORTING

January 21, 2000

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

Re: Docket No. 991237-TP (AT&T Complaint)

Dear Ms. Bayó:

Enclosed please find the original and fifteen copies of BellSouth Telecommunications, Inc.'s Objections to AT&T Communications of the Southern States, Inc.'s First Set of Interrogatories (1-9), dated January 11, 2000, which we ask that you file in the above-referenced matter.

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.

Sincerely,

Michael P. Goggin (LR)

Michael P. Goggin

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White
Lisa Foshee

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**CERTIFICATE OF SERVICE
Docket No. 991237-TP**

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

U.S. Mail this 21st day of January, 2000 to the following:

Diana Caldwell
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Tracy Hatch, Esq.
AT&T Communications of the
Southern States, Inc.
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
Tel. No. (850) 425-6364
Fax No. (850) 425-6343


Michael P. Goggin (KR)
Michael P. Goggin

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| | | |
|---|---|-------------------------|
| In re: Complaint by AT&T Communications |) | |
| Of the Southern States, Inc. d/b/a/ Connect'N |) | Docket No. 991237-TP |
| Save d/b/a/ Lucky Dog and d/b/a ACC Business |) | |
| Against BellSouth Telecommunications, Inc. |) | Filed: January 21, 2000 |
| Regarding improper application of switched |) | |
| access charges. |) | |

**BELLSOUTH TELECOMMUNICATIONS, INC.'S OBJECTIONS
TO AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.'S
FIRST SET OF INTERROGATORIES**

BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 28-106.206, *Florida Administrative Code*, and Rules 1.340 and 1.280, *Florida Rules of Civil Procedure*, files the following general objections to the First Set of Interrogatories served by AT&T Communications of the Southern States, Inc. ("AT&T") on January 11, 2000.

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the 10-day requirement set forth in the procedural order issued by the Florida Public Service Commission ("Commission") in the above-captioned docket. Should additional grounds for objection be discovered as BellSouth prepares its answers to the above-referenced interrogatories, BellSouth reserves the right to supplement, revise, or modify its objections at the time it serves its answers. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the requested information, BellSouth reserves the right to file a motion with the Commission seeking such an order at the time that it serves its answers.

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GENERAL OBJECTIONS

BellSouth makes the following General Objections to AT&T's First Interrogatories which will be incorporated by reference into BellSouth's specific responses when its Answers are served.

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 AT&T'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 the definition of "identify" or "identifying" or "identification" when used in reference to a natural person to the extent that such definition includes the production of home addresses, whether present or last known.

4. BellSouth objects to the General Instructions to the extent they purport to impose a duty to supplement greater than that imposed by the Florida Rules of Civil Procedure, Florida law and Order No. PSC-99-2465-PCO-TP, issued in this docket on December 16, 1999.

5. BellSouth objects to the General Instructions to the extent they purport to require BellSouth to provide the name of the employee providing the information

contained in each answer. The information provided is so provided by BellSouth Telecommunications, Inc. and often is the result of the combined efforts of many persons.

6. 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.

7. BellSouth objects to the production of any proprietary, confidential and/or competitively sensitive materials or information without the execution of an acceptable protective agreement.

8. BellSouth objects to the Interrogatories to the extent they seek the production of documents or information prior to 1993. AT&T only is claiming damages for the period 1993 to present, and thus information prior to 1993 is not relevant to this proceeding. Moreover, to the extent AT&T's requests seek information prior to 1993, such requests are overbroad and unduly burdensome.

9. BellSouth objects to these Interrogatories to the extent that they seek information already in the possession custody or control of AT&T or as reasonably accessible to AT&T as to BellSouth.

10. 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.

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

12. 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.

13. BellSouth objects to each and every request as overbroad and unduly burdensome insofar as the request purports to obligate BellSouth to perform and special studies, software development or other extraordinary efforts to obtain the information requested.

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

15. BellSouth objects to each and every interrogatory to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to §90.506, *Florida Statutes*. BellSouth also objects to each and every interrogatory that would require the disclosure of customer specific information, the disclosure of which is prohibited by §364.24, *Florida Statutes*. To the extent that AT&T requests proprietary information that is not subject to the "trade secrets" privilege or to §364.24, BellSouth will make such information available to AT&T at a mutually agreeable time and place upon the execution of a confidentiality agreement, or subject to a Request for Confidential Classification.

16. 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 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 identified in response to these interrogatories. BellSouth will conduct a search of those files that are reasonably expected to contain the requested information. To the extent that the interrogatories purport to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

INTERROGATORIES

2. In addition to the General Objections set forth above, BellSouth objects to Interrogatory 2 to the extent that it purports to require BellSouth to produce “other interactions” of call components through the remote and variable call forwarding services, and the data for such interactions. While BellSouth will respond to non-objectionable discovery requests served upon it, BellSouth is not obligated to formulate discovery requests to which it must then respond.

3. In addition to the General Objections set forth above BellSouth objects to Interrogatory 3 to the extent that it purports to require BellSouth to produce “other interactions” of busy/no answer call forwarding feature, and the data for such interactions. While BellSouth will respond to non-objectionable discovery request served upon it, BellSouth is not obligated to formulate discovery requests to which it must then respond.

4. In addition to the General Objections set forth above BellSouth objects to Interrogatory 4 to the extent that it purports to require BellSouth to produce “other interactions” of the call waiting feature, and the data for such interactions. While

BellSouth will respond to non-objectionable discovery request served upon it, BellSouth is not obligated to formulate discovery requests to which it must then respond.

5. In addition to the General Objections set forth above BellSouth objects to Interrogatory 5 to the extent that it purports to require BellSouth to produce “other interactions” of the three-way calling feature, and the data for such interactions. While BellSouth will respond to non-objectionable discovery request served upon it, BellSouth is not obligated to formulate discovery requests to which it must then respond.

6. Subject to the General Objections set forth above, BellSouth objects to Interrogatory 6 that it seeks information regarding interstate services. Interstate services are beyond the scope of this proceeding and therefore information regarding such services is not relevant. Moreover, the production of such information would be overbroad and unduly burdensome.

7. Subject to the General Objections set forth above, BellSouth objects to Interrogatory 7 to the extent that it purports to seek information from an entity other than BellSouth Telecommunications, Inc.

8. Subject to the General Objections set forth above, BellSouth objects to Interrogatory 8 to the extent that it purports to seek information from an entity other than BellSouth Telecommunications, Inc.

9. Subject to the General Objections set forth above, BellSouth objects to Interrogatory 9 to the extent it seeks any information after March 1996 because BellSouth stopped assessing CCL on equipment to paging services at that time. Thus, any information after March 1996 is not relevant to this proceeding. BellSouth further objects to the extent that AT&T states that the request “has not included a request for

such information [outgoing calls from paging carriers to AT&T],” but then purports to request that BellSouth produce such information anyway. BellSouth only is obligated to respond to interrogatories as posed, and is not obligated to speculate as to what else the request might have covered.

Respectfully submitted this 21st day of January, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

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