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FILE COPY

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904 222-1201

July 25, 1991

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

RE: Docket No. 910163-TL

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Citizens' Sixth Request for Production of Documents which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please indicate on the copy that the original was filed and return the copy to me.

Sincerely yours

*R. Douglas Lackey*  
R. Douglas Lackey

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1 w/m
- LIN 6
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

Enclosures

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

RECEIVED & FILED

JJ  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

07532 JUL 25 1991

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the )  
Integrity of Southern Bell's ) Docket No. 910163-TL  
Repair Service Activities ) Filed: July 25, 1991  
and Reports )  
\_\_\_\_\_ )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S  
SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS AND  
MOTION FOR A TEMPORARY PROTECTIVE ORDER

COMES NOW Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company") and files, (1) pursuant to Rule 25-22.034, Florida Administrative Code, and Rules 1.280(c) and 1.350 of the Florida Rules of Civil Procedure, its Response and Objections to the Office of Public Counsel's ("Public Counsel") Sixth Request for Production of Documents dated June 20, 1991, and (2) pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, its Motion for a Temporary Protective Order. To the extent that any individual request might otherwise be the subject of a motion for a protective order other than pursuant to Rule 25-22.006(5)(c), this response may be considered as serving that purpose. See, Slatnick v. Leadership Housing System of Florida, Inc. 368 So.2d 78 (Fla. 4th DCA 1979).

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell makes a general objection to Requests 3, 4, 5, 6, 7, 9, 10 and 14, on the grounds that the requests are too broad in scope as to time and lack specificity with regard to

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PSC-RECORDS/REPORTING

the subject matter of this docket. Each request is worded so broadly, particularly when coupled with the instructions accompanying the requests, that it is impossible to conclude with any degree of assurance that Southern Bell could even identify each responsive document. For instance, each of the requests as for "all information" regarding a particular topic for a period of eleven years. Such an approach to discovery is precisely what the court prohibited in Caribbean Security Systems, Inc. v. Security Control Systems, Inc., 486 So.2d 654 (Fla. App. 3rd District, 1986). Southern Bell also generally objects to Requests 2, 8 and 16 on the basis that the requests are too broad in scope as to time.

2. Southern Bell does not believe it was Public Counsel's intent to require Southern Bell to produce the same documents previously or contemporaneously 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.

3. Some of the documents that will be delivered to and reviewed by Public Counsel contain proprietary confidential business information which should not be publicly disclosed. Thus, pursuant to the Commission's rule on confidentiality, Rule 25-22.006(5)(c), Florida Administrative Code, Southern Bell moves the Prehearing Officer to issue a Temporary Protective Order exempting these documents from Section 119.07(1), Florida Statutes. The proprietary information in question is furnished

in response to Requests Nos. 1 through 9 and Request No. 12. The documents in response to Requests 1 through 9 relate to Southern Bell's computer system and provide information which could be used to breach the security of that system. The documents responsive to Request No. 12 contain customer specific information. Once Public Counsel notifies Southern Bell that any of the proprietary documents are to be used in a proceeding before the Commission, Southern Bell will file a detailed Motion for Protective Order specifically addressing each of the documents identified in accordance with Rule 25-22.006, Florida Administrative Code.

4. Southern Bell objects to the time and place designated by Public Counsel on the basis that they are unreasonable, but will produce the responsive documents it has identified at a mutually agreeable time and place.

#### SPECIFIC RESPONSES

5. Subject to the general objections, each of which is incorporated by reference into the specific responses made herein, Southern Bell responds to the individual numbered requests contained in Public Counsel's Sixth Request for Production of Documents as follows:

A. In response to Request No. 1, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

B. In response to Request No. 2, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

C. In response to Request No. 3, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

D. In response to Request No. 4, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

E. In response to Request No. 5, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

F. In response to Request No. 6, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

G. In response to Request No. 7, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

H. In response to Request No. 8, Southern Bell has not been able to identify any documents responsive to this

request. The Automated Screener rules are dynamic and are maintained in the computers themselves. There is no hard copy of these rules.

I. In response to Request No. 9, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

J. In response to Request No. 10, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

K. In response to Request No. 11, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

L. In response to Request No. 12, Southern Bell has only been able to locate responsive documents for North Dade and those documents will be produced at a mutually convenient time and place.

M. In response to Request No. 13, Southern Bell has not been able to identify any documents responsive to this request.

N. In response to Request No. 14, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its

possession, custody or control.

O. In response to Request No. 15, Southern Bell has not been able to identify any documents responsive to this request.

P. In response to Request No. 16, the MTAS User's Guide which contains some of the requested information has been previously produced. There are no other documents that list management levels with data base access. By way of further answer, certain management levels, i.e., first and second level managers, can routinely request certain MTAS reports. However, once a trouble report is closed and enters the system, no one has the capability to routinely enter the data base to change the data, including information reflected in DLETHs.

Respectfully submitted this 25th day of July, 1991.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY

  
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c/o Marshall M. Criser, III  
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CERTIFICATE OF SERVICE  
Docket No. 910163-TL

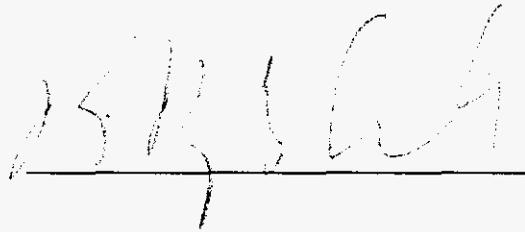
I HEREBY CERTIFY that a copy of the foregoing has been  
furnished by United States Mail this 25th day of July, 1991.

to:

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

Robert Vandiver  
Division of Legal Services  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32399-0863

Tracy Hatch  
Division of Legal Services  
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A handwritten signature in cursive script, appearing to read "Tracy Hatch", is written over a horizontal line.