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Phone 404 529-3862

September 4, 1991

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

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 Ninth Request for Production of Documents and Motion for a Temporary Protective Order 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.

Sincerely yours,

R. Douglas Lackey

Enclosures

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

- CK \_\_\_\_\_
- VFA \_\_\_\_\_
- XPP 1 w/m
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1
- LIN 6
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

RECEIVED & FILED

EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

08819 SEP-4 1991

EPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Investigation into the )  
Integrity of Southern Bell's ) Docket No. 910163-TL  
Repair Service Activities ) Filed: September 4, 1991  
and Reports )  
\_\_\_\_\_ )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S  
NINTH 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") Ninth Request for Production of Documents dated July 31, 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 does not believe it was Public Counsel's intent to require Southern Bell to produce the same documents previously or contemporaneously produced in this or other dockets, but to the extent it does, Southern Bell objects on the basis that such a request would be unduly burdensome, oppressive

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

and unnecessary, and for these reasons is prohibited.

2. 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. 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. The proprietary information in question is furnished in response to Request Nos. 2, 3, 4 and 5 and consists of customer specific information consisting of the name, address and telephone number of subscribers and therefore constitutes confidential, proprietary business information pursuant to Sections 119.07(3)(w) and 384.183(3), Florida Statutes.

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 Ninth Request for Production of Documents as follows:

A. In response to Request No. 1, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 1. By way of further explanation, Southern Bell states that there does not exist any "reports of cable failure" specific to the Hialeah wire center (there is no such thing as a Hialeah IMC). Notwithstanding the foregoing, Southern Bell will provide an extract from the cable log from the North Dade IMC for the period requested showing cable failure reports related to the Hialeah wire center.

B. In response to Request No. 2, Southern Bell objects to Request No. 2 on the grounds that compliance with Request No. 2 as written would be unduly burdensome, oppressive and unnecessary. By way of further explanation, Southern Bell states that it will provide the DLETH associated with the first telephone number reporting the cable failure on the basis that that is how Southern Bell's records are kept. With few exceptions, all other numbers affected by the same cable failure are given the same status as the first number and receive the same treatment as the first number with respect to the closeout of the trouble, rebates, etc. Therefore there is no need to maintain, and Southern Bell does not maintain, an independent record of all other numbers affected by the same cable failure. To identify all other numbers affected by the cable failures

listed in response to Request No. 1 and to pull the associated DLETH's would require an extensive and time consuming manual number by number search, and would be unduly burdensome, oppressive and unnecessary.

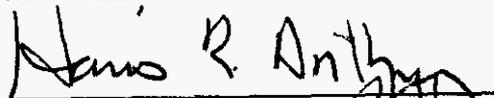
C. In response to Request No. 3, Southern Bell states that it will produce all documents in its possession, custody or control responsive to Request No. 3. By way of explanation, Southern Bell states that it does not have, and in many cases never had, service orders for the period requested in paper format. Therefore, the documents which will be provided in response to Request No. 3 will be data reconstituted from archive tapes onto a paper format for purposes of responding to this Request.

D. In response to Request No. 4, Southern Bell will produce all documents in its possession, custody or control responsive to Request No. 4.

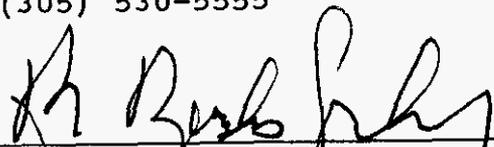
E. In response to Request No. 5, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 5. By way of further explanation, Southern Bell states that, to the best of its knowledge, there is no such thing as a "test-OK" file which is maintained on a permanent or regular basis; however, Southern Bell does have, and will provide in response to this Request, MTAS reports for the period requested for all nine wire centers in the North Dade IMC used to check OOS "test-OK". Affecting service "test-OK's" are not included in these documents.

Respectfully submitted this 4th day of September, 1991.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY



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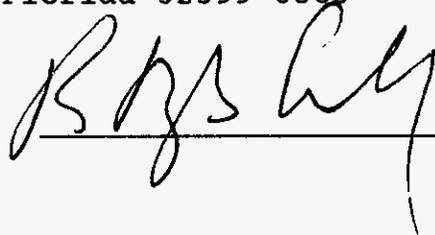
CERTIFICATE OF SERVICE  
DOCKET NO. 910163-TL

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following persons on this 4th day of September, 1991.

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  
101 East Gaines Street  
Tallahassee, Florida 32399-0863

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