

SIDNEY J. WHITE, JR.  
General Attorney

Southern Bell Telephone  
and Telegraph Company  
150 South Monroe Street  
Suite 400  
Tallahassee, Florida 32301  
(404) 529-5094

November 30, 1992

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 are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Staff's Nineteenth Request for Production of Documents and its Notice of Intent to Request Confidential Classification. Please file this document 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.

- ACK \_\_\_\_\_
- ADA \_\_\_\_\_
- ADP \_\_\_\_\_
- CAF \_\_\_\_\_
- CEP \_\_\_\_\_
- CFE \_\_\_\_\_
- ENC 1 w/m
- cc: 6 All Parties of Record
- 6 A. M. Lombardo
- H. R. Anthony
- R. D. Lackey
- STO 1
- WLD \_\_\_\_\_
- Out Ray

Sincerely,

  
Sidney J. White, Jr.

ICF

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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 30th day of November 1992 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

A handwritten signature in cursive script, appearing to read "Tracy Hatch", with a horizontal line through the middle and a period at the end.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on Behalf of )  
Citizens of the State of Florida ) Docket No. 910163-TL  
to Initiate Investigation into )  
Integrity of Southern Bell ) Filed: November 30, 1992  
Telephone and Telegraph Company's )  
Repair Service Activities and )  
Reports. )  
\_\_\_\_\_ )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO STAFF'S NINETEENTH REQUEST  
FOR PRODUCTION OF DOCUMENTS AND NOTICE OF INTENT  
TO REQUEST CONFIDENTIAL CLASSIFICATION

COMES NOW BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files (1) pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, its Response and Objections to Staff's Nineteenth Request for Production of Documents dated October 26, 1992 and (2) pursuant to Rule 25-22.006, Florida Administrative Code, its Notice of Intent to Request Confidential Classification.

NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

Some of the documents that will be produced for the Staff in response to its Nineteenth Request for Production of Documents contain information which is exempted from public disclosure pursuant to §§ 119.07 and 364.183, Florida Statutes. Specifically, some of the documents contain, among other things, customer-specific information and other proprietary confidential business information. This information is included as proprietary confidential business information under § 364.183, Florida Statutes and Rule 25-22.006, Florida Administrative Code. Because these documents contain exempt information, Southern Bell

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is filing this Notice of Intent to Request Confidential Classification, pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, in order to allow the Staff access to these documents 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.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to Staff's definition of "you" and "your." It appears that Staff, 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 may only be directed to parties, and any attempt by Staff 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).

2. Southern Bell objects to Staff's definition of "document" or "documents". Staff'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).

3. Southern Bell objects to the specific time and place designated by Staff for the production of documents for the reasons that the designation is not reasonable, but has no objection to producing the documents that are responsive and to

which no other objection is made, at a mutually agreed upon time and place.

4. Southern Bell objects to Staff's request that this discovery be "continuing" in nature. Pursuant to Rule 1.280(e), Florida Rules of Civil Procedure, a party who responds to a discovery request with a response that is complete when provided is under no obligation to thereafter supplement such response with information later acquired. Consequently, Staff's suggestion that this discovery request in continuing is improper and objectionable.

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

SPECIFIC RESPONSES

6. In response to Request No. 1, Southern Bell will produce the responsive documents for April 1992 subject to the Company's Notice of Intent to Request Confidential Classification set forth above. The customer billing records to be provided will be for the months in which the rebate was given.

7. In response to Request No. 2, see Southern Bell's response to Request No. 1.

8. In response to Request No. 3, Southern Bell will produce responsive documents in its possession, custody, or control at a mutually convenient time and place.

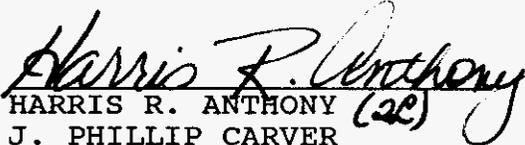
9. In response to Request No. 4, Southern Bell will produce responsive documents in its possession, custody, or control at a mutually convenient time and place.

10. In response to Request No. 5, Southern Bell will produce responsive documents in its possession, custody, or control at a mutually convenient time and place.

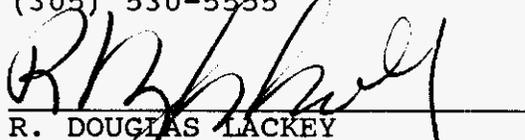
11. In response to Request No. 6, Southern Bell will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Company's Notice of Intent to Request Confidential Classification set forth above.

Respectfully submitted this 30th day of November 1992.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY



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