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January 31, 1991

Mr. Steve C. Tribble  
Director, Division of Records  
Florida Public Service Commission  
101 E. Gaines Street  
Tallahassee, FL 32301

Re: Docket No. 891194-TL

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Reply to Public Counsel's Response to Order No. 23995 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 on the parties shown on the attached Certificate of Service.

Very truly yours,

*David M. Falgoust*

David M. Falgoust *m/f*

ACK ✓

AFA \_\_\_\_\_

APP \_\_\_\_\_

CSE \_\_\_\_\_

CSJ \_\_\_\_\_

ENC \_\_\_\_\_ Enclosures

EVG \_\_\_\_\_ cc: All parties of Record

LEP 1 \_\_\_\_\_ A. M. Lombardo

LN 6 \_\_\_\_\_ H. R. Anthony

OPD \_\_\_\_\_ R. D. Lackey

PTD \_\_\_\_\_

SEC 1 \_\_\_\_\_

WAT \_\_\_\_\_

WTT \_\_\_\_\_

CLB \_\_\_\_\_

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*Leu*

FPSC BUREAU OF RECORDS

A BELL SOUTH Company

DOCUMENT IDENTIFICATION

01020 JAN 31 1991

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filings by )  
Southern Bell Telephone and Telegraph ) Docket No. 891194-TP  
Company clarifying when a nonpublished ) Filed: January 31, 1991  
number can be disclosed and introduc- )  
ing Caller ID to TouchStar Service )  
\_\_\_\_\_ )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
REPLY TO PUBLIC COUNSEL'S RESPONSE TO ORDER NO. 23995

COMES NOW Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), pursuant to Commission Order No. 23995, and files its Reply to the Office of Public Counsel's ("Public Counsel") Response to Commission Order No. 23995 filed on January 25, 1991.

1. By Order No. 23995 issued January 16, 1991, the Commission required Public Counsel to prepare a list which would (1) identify each document that Public Counsel plans to utilize at the upcoming limited hearing in this docket, (2) identify the issue to which each document relates, and (3) specify how the document relates to the particular issue. On January 25, 1991, Public Counsel filed its Response to Order No. 23995 containing a list purporting to provide that information.

2. Public Counsel requested and the Commission granted an additional limited hearing in this docket in order to consider "new information concerning issues in this docket" (Order No.

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REGISTRY/REPORTING

23995 at p. 2) generated by the BellSouth Corporation documents produced by Southern Bell on December 4, 1990. Nevertheless, Public Counsel has listed several documents that either present no new information at all or that present information not reasonably related to the issues enumerated in Order No. 23791 (the Prehearing Order) dated November 21, 1990.

3. The documents identified by Public Counsel in Items 5 and 10, respectively, "Letter dated December 12, 1989 from Terry Lane, Manager - Security, to Janet Bernstein, Staff Manager - LOB Network" and "Letter dated September 20, 1989 from P. H. Casey, Vice President and Comptroller, BSC, to Don Strohmeyer, Vice President - Marketing, SCB," are documents that were produced to Public Counsel by Southern Bell in July, 1990 in response to Public Counsel's First and Second Requests for Production of Documents. Because these documents have been produced previously, they contain no new information, Public Counsel could have used them, if he so desired, in the first hearings, and they should therefore be stricken from Public Counsel's list.

4. The documents identified by Public Counsel in Items 14 and 15, respectively, "AIN Released 0 Business Case dated March, 1990, pages 50-51 and 123-124," and "TouchStar Implementation Meeting Minutes dated September 10, 1990," are both documents that, for the purposes cited by Public Counsel, deal with Southern Bell's future business plans. Future business plans are

in no way related to the issues in this docket, as the Hearing Officer properly held in denying Public Counsel's Motion to Compel with respect to services the Company "plans to offer." (Order No. 23995 at p. 2) For these reasons, the documents identified by Public Counsel as Items 14 and 15, respectively, should be stricken from Public Counsel's list.

5. The document identified by Public Counsel as Item 1, "Memorandum dated August 6, 1990 from Gary J. Dennis to Tom Hamby and Ernest Bush," does not present any new information concerning issues in this docket and should, therefore, be stricken from Public Counsel's list. This memorandum contains nothing more than one person's opinion with respect to the fundamental issue in this docket - whether Caller ID should be approved without universally available free blocking. The record in this proceeding amply demonstrates that there are differences of opinion among reasonable people on this issue; however, the sole witness who represented Southern Bell and presented its corporate position on this issue was Ms. Sims, who more than adequately explained that position. (Tr. Sims, pp. 62-63) The document listed by Public Counsel as Item 1 would add nothing new for the Commission's consideration.

6. The document identified by Public Counsel as Item 6, "Memorandum dated March 20, 1990 from D. A. Wallace, Manager - Florida Annoyance Call Center, Southern Bell, to W. J. Schultz,

Staff Manager - Security, BellSouth Corporation," does not present any new information concerning issues in this docket and should, therefore, be stricken from Public Counsel's list. The issue concerning the rate structure for Call Tracing was thoroughly addressed in the November hearings. (Tr. Sims, pp. 68-69, 72-73, 89-91, 233-238 and 343-349) Furthermore, Public Counsel submitted its own evidence with respect to this issue. Notwithstanding the internal discussions and suggestions that may have taken place prior to Southern Bell's adoption of a pricing policy for Call Tracing, Southern Bell's final policy determination and its justification have been fully explained on the record by witness Sims. Indeed, Public Counsel cross-examined Ms. Sims extensively on this issue. (Tr. Sims, pp. 234-238) More than sufficient evidence has been presented to the Commission on this issue and the document listed by Public Counsel as Item 6 would add nothing new for the Commission's consideration.

7. The document identified by Public Counsel as Item 7, "Letter dated June 1, 1990 from J. R. Monk, General Security Manager (BSC) to P. H. Casey, Vice President and Comptroller (BSC), M. E. Cox, Assistant Vice President - Security (SCB), and J. L. Schmidt, Assistant Vice President - Security (SB)" does not properly relate to any issue in this docket and should, therefore, be stricken from Public Counsel's list. Issue 6 in

this docket, as set forth on page 25 of the Prehearing Order states:

ISSUE 6: Are there any existing class services (e.g., Call Trace, Call Return, Call Block, etc.) that have similar functions and/or benefits as Caller ID; if so, what are their detriments? Is this rate structure appropriate? (emphasis added)

The document identified by Public Counsel as Item 7 deals with a suggestion from the BellSouth Corporation security department that the possibility of releasing telephone numbers to Call Tracing customers should be explored. Southern Bell's existing Call Tracing service does not, of course, release such numbers and as explained by Ms. Sims, Southern Bell has no intention of changing that policy. (Tr. Sims, p. 226) Even if Southern Bell did change its policy and desired to disclose such numbers, it would be required to obtain the Commission's approval to do so. This document is, therefore, outside the scope of Issue 6. Similarly, this document is also outside the scope of Issue 10, inasmuch as Issue 10 concerns Caller ID exclusively and not Call Tracing. For these reasons, the document identified as Item 7 should be stricken from Public Counsel's list.

8. The documents identified by Public Counsel as Items 8, 9, 12 and 13, respectively, "Letter dated June 12, 1990 from P. H. Casey, Vice President and Comptroller, to N. C. Baker, Senior Vice President - Regulatory and Pricing (BSS), and D. L.

Strohmeier, Vice President - Marketing (BSS), "Memorandum from M. E. Cox to Mr. Sanders and Mr. Casey, forwarding a copy of a presentation made to the C.M.O.C. on June 11, 1990," "Letter dated April 23, 1990 from D. L. Strohmeier, Vice President - Marketing (BSS) to P. H. Casey, Vice President and Comptroller (BSC), C. J. Sanders, Vice President and Comptroller (SCB), and L. L. Schoolar, Vice President and Comptroller (SB)," and "Letter dated September 1, 1989 from J. R. Monk, General Security Manager, to P. H. Casey, Vice President and Comptroller," are all documents that deal exclusively with the proposal by the BellSouth Corporation security department that telephone numbers be released to Call Tracing customers. Public Counsel suggests that one of these documents relates to Issue 5, and that all of them relate to Issues 6 and 10. Issue 5, however, concerns Caller ID service exclusively, to which none of these documents pertain. Furthermore, for the reasons set forth in paragraph 7 above, these documents do not relate to either Issue 6 or Issue 10. These documents should, therefore, be stricken from Public Counsel's list.

9. The document identified by Public Counsel as Item 11, "Letter dated November 7, 1989 from Richard Browne to J. R. Monk," relates purely to possible modifications to Call Tracing features. As stated in paragraph 7 above, Ms. Sims clearly stated Southern Bell's position with respect to this issue and

any future divergence from Southern Bell's present policy would require this Commission's approval. Likewise, the references to Caller ID service in this document in no way relate to any services currently existing in Florida. This document does not properly relate, therefore, to either Issue 5 or Issue 6 and should be stricken from Public Counsel's list.

WHEREFORE, Southern Bell respectfully requests that the Commission strike those documents that present no new information or that do not properly relate to the issues under consideration in this docket from the list submitted by Public Counsel and from consideration in the limited additional hearing.

Respectfully submitted,

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CERTIFICATE OF SERVICE  
Docket No. 891194-TL

I HEREBY CERTIFY that a copy of the foregoing has been  
furnished by United States Mail this 31<sup>st</sup> day of January,  
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