

PATRICK W. TURNER
General Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0761

September 13, 2001

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 010740-TP (IDS)

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion to Quash Subpoena Duces Tecum for Deposition or in the Alternative, Motion for Protective order, which we ask you to 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,

Patrick W. Turner

Patrick W. Turner (KA)

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

DOCUMENT NUMBER-DATE

11429 SEP 13 01

FPSC-COMMISSION CLERK

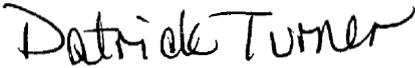
CERTIFICATE OF SERVICE
Docket No. 010740-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
by Hand Delivery (*), Electronic Mail and Federal Express this 13th day of September,
2001 to the following:

Mary Anne Helton (*)
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Te. No. (850) 413-6096
mhelton@psc.state.fl.us

Suzanne Fannon Summerlin (+) (*)
1311-B Paul Russell Road
Suite 201
Tallahassee, Florida 32301
Tel. No. (850) 656-2288
Fax No. (850) 656-5589
summerlin@nettally.com
Represents IDS

Michael Noshay, President
IDS Long Distance, Inc.
n/k/a IDS Telcom, LLC
1525 N.W. 167th Street
Second Floor
Miami, Florida 33169
Tel. No. (305) 913-4000
Fax No. (305) 913-4039
mnoshay@idstelcom.com



Patrick Turner (LA)

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning
Complaint of IDS Long Distance, Inc. n/k/a
IDS Telecom, L.L.C., Against BellSouth
Telecommunications, Inc., and
Request for Emergency Relief

DOCKET NO. 010740-TP

FILED: SEPTEMBER 13, 2001

SUBPOENA DUCES TECUM FOR DEPOSITION

TO: MARY K. BATCHER
1225 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices of Akerman, Senterfitt & Eidson, P.A., Suite 2800, One Southeast Third Avenue in Miami, Florida on September 14, 2001 at 1:00 p.m., for the taking of your deposition in this action and to have with you at that time and place all documents requested on the attached schedule "A."

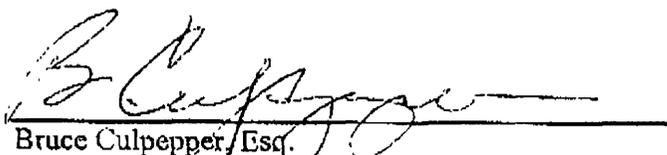
The requested documents will be inspected and may be copied at that time. You have the right to object to the production of any document(s) pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena.

If you fail to:

- (1) appear as specified;
- (1) produce responsive documents in your possession, custody or control; or
- (3) object to this subpoena,

you may be in contempt. You are subpoenaed to appear by the undersigned attorneys, and unless excused from this subpoena by these attorneys or the Florida Public Service Commission, you shall respond to this subpoena as directed.

Respectfully submitted this 13th day of September, 2001.



Bruce Culpepper, Esq.
AKERMAN, SENTERFITT & EIDSON, P.A.
301 S. Bronough Street, Suite 200
Post Office Box 10555
Tallahassee, FL 32302-2555
Phone: (850) 222-3471
Fax: (850) 222-8628

John F. O'Sullivan, Esq.
Scott B. Cosgrove, Esq.
AKERMAN, SENTERFITT & EIDSON, P.A.
SunTrust International Center, 28th Floor
One Southeast Third Avenue
Miami, FL 33131-1704
Phone: (305) 374-5600
Fax: (305) 374-5095

Schedule "A"
DOCUMENTS REQUESTED

1. All documents relating to the rebuttal testimony you filed on August 27, 2001 in the above referenced action.
2. All documents relating to communications between you and BellSouth that relates to BellSouth's request that you conduct a study to determine why local telephone customers left IDS to go to BellSouth for local telephone service.
3. All documents on which you base any opinion, or which are grounds for the preliminary or final results of the telephonic survey referenced in your rebuttal testimony.
4. All documents reviewed by you in connection with your opinion, rebuttal testimony or the telephone survey referenced in your rebuttal testimony.
5. One copy of your resume or curriculum vitae.
6. All documents which summarize, contain, reference or relate to your opinions, rebuttal testimony or the preliminary or final results of the telephone survey referenced in your rebuttal testimony.
7. All documents relating to any communication between you and BellSouth or its counsel or representatives in connection with the subject matter of this case.
8. All documents relating to the "preliminary results" of the telephone survey referenced in your rebuttal testimony.
9. All documents relating to the "script" or questions used by the surveyors to conduct the telephonic survey referenced in your rebuttal testimony.
10. All documents relating to the telephone survey referenced in your rebuttal testimony.
11. All documents relating to the final result of the telephone survey referenced in your rebuttal testimony.
12. All documents that relate to communications between you and BellSouth that relates to the results, preliminary or otherwise, of the telephone survey referenced in your rebuttal testimony.
13. All documents relating to any other surveys, studies, tests, or pre-tests covering in any way the same or similar subjects.

14. All documents provided to you by BellSouth or any BellSouth agent or representative that in any way relates to the subject matter of this litigation.
15. All documents relating to fees paid to you by BellSouth during the years 2000 and 2001.

INSTRUCTIONS AND DEFINITIONS

As used herein, the singular of any word or phrase includes the plural and the plural includes the singular.

1. Documents produced in response to this Request shall be produced as they are kept in the usual course of business or shall be organized and labeled to correspond with the categories of this Request.
2. If any documents covered by this Request are withheld under a claim of privilege, state the basis on which the privilege is claimed, together with the following information as to each such document: the name and job title of the author(s); the name and job title of each recipient and person to whom the document or a copy thereof was furnished; the date of the document; the subject matter of the document; and the paragraph of this Request to which the document is responsive.
3. "Communication" or "communications" means negotiations, to confer, conferences and conversations whether oral or written.
4. "Person" includes natural persons, corporations and all other forms of organization or association as well as any government or governmental body, commission, board, agency, partnership, joint venture, trust or other form of entity.
5. "Document" means any written, printed, typed or photographed material, or other demonstrative material however produced or reproduced, of any kind or description, whether or not sent or received, including originals, copies and drafts and both sides thereof in your possession, custody or control, or of which you have knowledge. The term includes, but is not limited to originals where available or otherwise a carbon copy, photocopy or other copy, including each non-identical copy (whether different from the original because of marginal notes, or other material inserted therein or attached thereto, or otherwise) of each item of papers, books, letters, correspondence, telegrams, computer programs, source codes, object codes, specifications, computer print-outs, data processing outputs, flow charts, program structure charts, bulletins, reports, notices, announcements, instructions, orders, confirmations, charts, manuals, photographs, sketches, plans,

periodicals, publications, brochures, pamphlets, schedules, cables, telex messages, memoranda, notes, notations, accountants' working papers, financial statements, invoices, returns, account, ledgers, checks, check stubs, drafts, indexes, data sheets, commercial paper, wires, transcripts, minutes, agendas, affidavits, statements, summaries, opinions, reports, surveys, studies, work papers, analyses, evaluations, printings, graphs, charts, tables, prospectuses, tabulations, compilations, lists, diagrams, contracts, offers, agreements, journals, statistical records, desk calendars, appointment books, diaries, studies, sound recordings, recording disks or other records of oral communications, file, microfilms, microfiche, slides, other records kept by electronic, photographic or mechanical means, and things similar to any of the foregoing however and any other materials discoverable under Rule 1.350 of the Florida Rules of Civil Procedure. Moreover, the term "document" includes reports and records of telephone or other conversations or messages, or interviews, conferences or other meetings.

6. "You" and "your" refers to "Mary K. Batcher" and includes Ernest & Young, LLP, and any of its employees, agents, independent contractors, servants, associates, attorneys, investigators, representatives and all others who have obtained information for or on behalf of you.
7. "IDS" refers to "IDS Telecom, LLC" and includes any of their employees, agents, independent contractors, servants, associates, attorneys, investigators, and representatives.
8. "And" or "Or" shall include the conjunctive as well as the disjunctive.
9. As employed herein, the term "relating to," in addition to its customary and usual meanings, shall mean constituting, describing, mentioning, commenting about, referring to, reflecting, pertaining to, assessing, recording, concerning, touching upon, summarizing or in any way relevant.

CERTIFICATE OF SERVICE

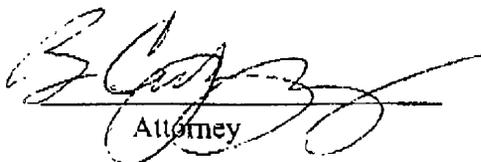
I HEREBY CERTIFY that true and correct copies of the foregoing were served via U.S. mail and facsimile this 13th day of September, 2001 to:

Nancy B. White, Esq.
James Meza, III, Esq.
BellSouth Telecommunications, Inc.
c/o Nancy H. Sims
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

R. Douglas Lackey, Esq.
Patrick W. Turner, Esq.
BellSouth Telecommunications, Inc.
Suite 4300, 675 W. Peachtree Street, N.E.
Atlanta, GA 30375

Mary Anne Helton, Esq
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Suzanne F. Summerlin
1311-B Paul Russell Rd.
Suite 201
Tallahassee, FL 32301


Attorney