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October 5, 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. 920260-TL

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Nineteenth Request for Production of Documents and Motion for Temporary Protective Order. Please file these documents 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 ✓  
AFA 3  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMI \_\_\_\_\_

Sincerely,

*Sidney J. White, Jr.*  
Sidney J. White, Jr. *02*

Enclosures

cc: All Parties of Record

LE 1/AM M. Lombardo

H. R. Anthony

LE 6 R. D. Lackey

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RECEIVED & FILED

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WTS \_\_\_\_\_  
OTH \_\_\_\_\_  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11607 OCT-5 1992

FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE**  
**Docket No. 920260-TL**

I HEREBY CERTIFY that a copy of the foregoing has been furnished  
by United States Mail this 5th day of October, 1992 to:

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*Sidney J. White, Jr.*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of )  
the Revenue Requirements and Rate ) Docket No. 920260-TL  
Stabilization Plan of Southern )  
Bell Telephone and Telegraph ) Filed: October 5, 1992  
Company (Formerly FPSC Docket )  
Number 880069-TL) )  
\_\_\_\_\_)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S  
NINETEENTH REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, its Response and Objections to the Office of Public Counsel's ("Public Counsel") Nineteenth Request for Production of Documents dated September 4, 1992.

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell objects to Public Counsel's proposed "Instruction" relating to details of privileged documents. To the extent a document responsive to any of the requests is subject to an applicable privilege, some of the information requested by Public Counsel would be similarly privileged and therefore not subject to discovery.
2. Southern Bell objects to Public Counsel's definition of "document" or "documents". Public Counsel's definition of these terms is overly broad and is objectionable pursuant to standards adopted in *Caribbean Security Systems v. Security Control Systems, Inc.*, 46 So.2d 654 (Fla. App. 3rd Dist. 1986).

3. Southern Bell objects to Public Counsel's definition of "you" and "your" as well as the definition of "BellSouth Telecommunications, Inc." It appears that Public Counsel, 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. Interrogatories may only be directed to parties, and any attempt by Public Counsel 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).

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

5. Southern Bell objects to Public Counsel's requests on the basis that certain classes of documents requested are not relevant to the subject matter of this proceeding. Rule 1.280, Florida Rules of Civil Procedure, state that "parties may obtain discovery regarding any matter, not privileged, that is relevant to the subject matter of the pending action." At this point, the issues which may exist in this docket relate solely to Southern Bell's regulated earnings in Florida. Therefore, any and all data regarding Southern Bell's operations in other states as well as information concerning other companies (which, in addition to

being irrelevant may also be proprietary) is not relevant to this proceeding and therefore is not the proper subject of discovery. Also, any and all data regarding Southern Bell's unregulated services, including inside wire, are not relevant to this proceeding and are not the proper subject of discovery.

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

SPECIFIC RESPONSES

7. In response to Request No. 270, Southern Bell has no documents that have not already been produced in this docket.

8. In response to Request No. 271, Southern Bell has already produced the documents responsive to this request in response to Public Counsel's Fourteenth Request for Production of Documents, Request No. 192.

9. In response to Request No. 272, 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. 273, Southern Bell has no documents that have not already been produced in this docket.

11. In response to Request No. 274, Southern Bell has no documents that have not already been produced in this docket.

12. In response to Request No. 275, Southern Bell will produce responsive documents in its possession, custody, or control at a mutually convenient time and place.

13. In response to Request No. 276, Southern Bell will produce responsive documents in its possession, custody, or control at a mutually convenient time and place.


14. In response to Request No. 277, Southern Bell objects to this request on the basis that it does not sufficiently identify the timeframe from which responsive documents should be sought. Notwithstanding this objective, Southern Bell will produce any responsive documents that have been created since the Company's last production of the same documents in this docket.

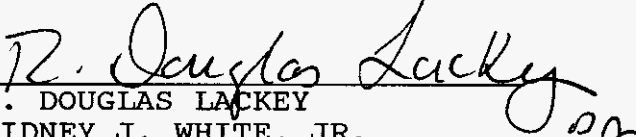
15. In response to Request No. 278, Southern Bell will produce responsive documents in its possession, custody, or control at a mutually convenient time and place.

16. In response to Request No. 279, Southern Bell will produce responsive documents in its possession, custody, or control at a mutually convenient time and place.

Respectfully submitted this 5th day of October, 1992.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY

  
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