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January 30, 1998

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

In re: Docket No. 970808-TL
Petition of BellSouth Telecommunications, Inc. to remove interLATA access
subsidy received by St. Joseph Telephone & Telegraph Company

Dear Ms. Bayo:

Enclosed please find GTC, Inc.'s objections to BellSouth Telecommunications, Inc. First
Set of Interrogatories and First Request for Production of Documents in the above captioned
docket. Copies have been provided to parties of record.

Sincerely,



David B. Erwin

ACK _____
AFA 2
APP _____
CAF _____
CMU _____
CTR _____
EAD _____
LED 1
FV 5
FCC _____
SCT _____
WCS 1
OTH Key?

DBE:akh

Enclosures

Enclosed please find the

RECEIVED & FILED

FLORIDA BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01613 JAN 30 1998

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of BellSouth)
Telecommunications, Inc. to)
remove interLATA access)
subsidy received by St. Joseph)
Telephone & Telegraph Company)
_____)

Docket No.: 970808-TL

Filed: January 30, 1998

GTC, INC.'S OBJECTIONS TO BELLSOUTH
TELECOMMUNICATIONS, INC.'S FIRST SET OF
INTERROGATORIES AND FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS

GTC, Inc., formerly named St. Joseph Telephone & Telegraph Company, pursuant to Rule 25-22.034, F.A.C., Rules 1.280 and 1.350 of the Florida Rules of Civil Procedure and Order No. PSC-97-1584-PCO-TL, Docket No. 970808-TL, files objections to BellSouth Telecommunications, Inc.'s First Set of Interrogatories and First Request for Production of Documents, dated January 20, 1998, and states as follows:

1. GTC, Inc. objects to each of the 142 interrogatories for the reasons given below.
2. GTC, Inc. objects to each of the 59 requests for production of documents, along with their many subparts for the reasons given below.
3. The BellSouth Telecommunications, Inc.'s First Set of Interrogatories violates the discovery rules set forth in Order No. PSC-97-1584-PCO-TL, which limit the number of interrogatories to 100, including subparts.
4. The BellSouth Telecommunications, Inc.'s First Request for Production of Documents violates the discovery rules set forth in Order No. PSC-97-1584-PCO-TL, which limit the number of requests for documents to 100, including subparts.
5. GTC, Inc. objects to both the First Set of Interrogatories and the First Request for Production of Documents to the extent that each seek to impose an obligation on GTC, Inc. to

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respond on behalf of affiliates or other persons or entities that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive and not permitted by applicable discovery rules. There are such requests and interrogatories among the excessive number of requests of BellSouth Telecommunications, Inc.

6. GTC, Inc. objects to all interrogatories and requests for production of documents that request information outside of Florida intrastate operations of GTC, Inc. that are subject to the jurisdiction of the Commission, since such requests are irrelevant, overly broad, unduly burdensome and oppressive. There are such requests and interrogatories among the excessive number of requests of BellSouth Telecommunications, Inc.

7. GTC, Inc. objects to all interrogatories and requests for production of documents that are not reasonably calculated to lead to the discovery of admissible evidence. There are such requests and interrogatories among the excessive number of requests of BellSouth Telecommunications, Inc.

8. GTC, Inc. objects to the interrogatories and requests for production of documents as being unduly burdensome, as creating unnecessary expense and as being intended to harrass, burden and annoy GTC, Inc. Discovery is being used as a sword, not a tool. BellSouth Telecommunications, Inc. has demanded that GTC, Inc. agree to discontinue the subsidy and has threatened extensive discovery if GTC, Inc. failed to agree. This discovery is the result. It is fashioned after the discovery received by BellSouth Telecommunications, Inc. from the Public Counsel in Docket No. 920260-TL, which was intended to establish the earnings of BellSouth Telecommunications, Inc. BellSouth Telecommunications, Inc. apparently did not review this set of discovery to determine whether information sought on a question by question basis is appropriate for this case. The information sought is oppressive. The interrogatories and requests

for production of documents seek information which is difficult to retrieve, time consuming to review for confidentiality and is not relevant under any theory of the case. For example, production of documents request number 6 asks for all documents pertaining to the last two rate cases of St. Joseph Telephone & Telegraph Company. The previous rate case occurred a quarter of a century ago. We have not yet attempted to search for a prior rate case, if there ever was one.

9. Information sought by BellSouth Telecommunications, Inc. is obviously for the purpose of providing the means to calculate the earnings of GTC, Inc. on a traditional rate base, rate of return basis. Section 364.052(2), F.S., specifically exempts a small LEC that has elected price regulation from rate of return regulation by the Commission. Therefore, the information sought through discovery cannot form the basis for the Commission's action in this proceeding. The information sought is, therefore, irrelevant.

10. The information sought is the equivalent of a full rate case investigation of GTC, Inc. As a price regulated company there is no statutory authority for the Commission to conduct such an investigation. The cost to GTC, Inc. of complying with the discovery request is burdensome and oppressive and out of proportion to the amount of the subsidy received.

Respectfully submitted this 30th day of January, 1998,



David B. Erwin
Young, van Assenderp & Varnadoe, P.A.
P. O. Box 1833
Tallahassee, FL 32302

Attorneys for
GTC, Inc.
502 Fifth Street
Port St. Joe, Florida 32456


CERTIFICATE OF SERVICE
DOCKET NO. 970808-TL

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail or by hand delivery this 30th day of January, 1998 to the following:

Beth Culpepper
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Nancy B. White
Robert G. Beatty
BellSouth Telecommunications
150 S. Monroe St.
Tallahassee, FL 32301

Jack Shreve
Charles Beck
Office of Public Counsel
111 W. Madison St.
812 Claude Pepper Bldg.
Tallahassee, FL 32399-1400



David B. Erwin

tlh\gtc\petition

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DBE:akh

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