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Legal Department

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August 28, 1995

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

RE: Docket No. 920260-TL

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Response And Objections to Public Counsel's Eighth Post Settlement Request for Production of Documents and Motion for a 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.

Sincerely,

Nancy B. White (PW)

Nancy B. White

- ACK
- AFA 3
- APP _____
- CAF _____
- CTR _____
- EAG _____
- LEG 1
- LIN 5
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

Enclosures

cc: All Parties of Record
A. M. Lombardo
R. G. Beatty
R. D. Lackey

CML Wentzen

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DOCUMENT NUMBER-DATE

08353 AUG 28 95

FPSC-RECORDS/REPORTING

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: August 28, 1995
Company)
_____)

BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSE
AND OBJECTIONS TO PUBLIC COUNSEL'S EIGHTH POST SETTLEMENT
REQUEST FOR PRODUCTION OF DOCUMENTS
AND MOTION FOR A TEMPORARY PROTECTIVE ORDER

COMES NOW, BellSouth Telecommunications, Inc., ("BellSouth" 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 the Office of Public Counsel's ("Public Counsel") Eighth Post Settlement Request for Production of Documents dated July 27, 1995 and (2) pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, its Motion for Temporary Protective Order.

MOTION FOR TEMPORARY PROTECTIVE ORDER

Some of the documents that will be delivered to or made available for review by Public Counsel contain proprietary, confidential business information that should not be publicly disclosed. Thus, pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, BellSouth moves the Prehearing Officer to issue a Temporary Protective Order exempting these documents from § 119.07(1), Florida Statutes. These documents contain, among other things, a settlement agreement for a lawsuit which has proprietary provisions. Such information is specifically included as proprietary confidential business information pursuant to § 364.183(3)(f), Florida Statutes. If Public Counsel

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

subsequently notifies BellSouth that any of the proprietary documents are to be used in a proceeding before the Commission, BellSouth will, in accordance with Rule 25-22.006, Florida Administrative Code, file a detailed motion for protective order specifically addressing each of the documents identified.

GENERAL RESPONSE AND OBJECTIONS

1. BellSouth 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. Notwithstanding this objection, no documents have been withheld on the basis of the attorney-client privilege and work product doctrine.

2. With regard to Public Counsel's definition of "document" or "documents", BellSouth has made a diligent, good faith attempt to locate documents responsive to the scope of Public Counsel's individual requests for documents.

3. BellSouth does not believe it was Public Counsel's intent to require BellSouth to produce again the same documents previously produced in other dockets, but to the extent it does, BellSouth objects on the basis that such a request would be unduly burdensome, oppressive, and unnecessary, and for these reasons is prohibited.

4. BellSouth objects to the specific time and place designated by Public Counsel 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.

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

SPECIFIC RESPONSES

6. With respect to Request No. 93, BellSouth will produce responsive summary documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

7. With respect to Request No. 94, please refer to BellSouth's response to Item 95. BellSouth is still searching for responsive documents and when/if such documents are found will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

8. With respect to Request No. 95, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

9. With respect to Request No. 96, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

10. With respect to Request No. 97, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

11. With respect to Request No. 98, BellSouth is still searching for responsive documents and when/if such documents are found will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

12. With respect to Request No. 99, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

13. With respect to Request No. 100, please refer to BellSouth's response to Public Counsel's 6th Request for Documents Item 82.

14. With respect to Request No. 101, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

15. With respect to Request No. 102, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

16. With respect to Request No. 103, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

17. With respect to Request No. 104, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

18. With respect to Request No. 105, BellSouth objects to this request to the extent that Public Counsel is requesting copies of state tax statutes and regulations. This information is a matter of public record and equally available to Public Counsel.

19. With respect to Request No. 106, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

20. With respect to Request No. 107, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

21. With respect to Request No. 108, BellSouth will produce responsive documents that are in its possession, custody, or control at a mutually convenient time and place subject to the Motion for Temporary Protective Order set forth above.

Respectfully submitted this 28th day of August, 1995.

BELLSOUTH TELECOMMUNICATIONS, INC.

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CERTIFICATE OF SERVICE

Docket No. 920260-TL

Docket No. 900960-TL

Docket No. 910163-TL

Docket No. 910727-TL

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by United States Mail this 28th day of August, 1995 to:

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