

ORIGINAL  
FILE COPY

NANCY B. WHITE  
General Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(404)335-0710

August 5, 1996

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

ACK

AFA

APP

CAF

CMU

CTR

EAG

LEG

LIN

OPC

RCH

SEC

WAS

OTH

RE: Docket No. 960786-TL

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Objections to Florida Interexchange Carriers Association's First Request for Production of Documents. 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*  
Nancy B. White (cc)

Enclosures

cc: All Parties of Record  
A. M. Lombardo  
R. G. Beatty  
W. J. Ellenberg

RECEIVED & FILED  
*CS.*

DOCUMENT NUMBER-DATE

08181 AUG-5 96

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE  
DOCKET NO. 960786-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express this 5th day of August, 1996 to the following:

Monica Barone  
Florida Public Service  
Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Brian Sulmonetti  
LDDS Communications, Inc.  
1515 S. Federal Highway  
Suite 400  
Boca Raton, FL 33432

Tracy Hatch  
AT&T Communications of the  
Southern States, Inc.  
101 North Monroe Street, #700  
Tallahassee, FL 32301  
904-425-6364  
904-425-6343 (fax)

Martha McMillin  
MCI Telecommunications Corp.  
780 Johnson Ferry Road  
Suite 700  
Atlanta, Ga 30342  
404-843-6375  
404-250-5992 (fax)

Everett Boyd  
Ervin, Varn, Jacobs  
Odom & Ervin  
305 S. Gadsden Street  
Tallahassee, FL 32301  
904-224-9135  
904-222-9164 (fax)

Floyd Self  
Messer, Vickers, Caparello,  
Madsen, Lewis, Goldman & Metz  
215 S. Monroe Street  
Suite 701  
Tallahassee, FL 32301  
904-222-0720  
904-224-4359 (fax)

Vicki Kaufman  
McWhirter, Reeves, McGlothlin,  
Davidson & Bakas  
117 S. Gadsden Street  
Tallahassee, FL 32301  
904-222-2525  
904-222-5606 (fax)

Timothy Devine  
Metropolitan Fiber Systems  
of Florida, Inc.  
Six Concourse Parkway  
Suite 2100  
Atlanta, GA 30328  
770-390-6791  
770-390-6787 (fax)

Richard Melson  
Hopping Green Sams & Smith  
123 S. Calhoun Street  
Tallahassee, FL 32301  
904-222-7500  
904-224-8551 (fax)

Jeffrey Walker  
Preferred Carrier Services,  
Inc.  
1425 Greenway Drive  
Suite 210  
Irving, TX 75038  
214-753-1378  
214-756-6015 (fax)

Patricia Kurlin  
Intermedia Communications  
of Florida, Inc.  
9280 Bay Plaza Boulevard  
Suite 720  
Tampa, FL 33619  
813-621-0011  
813-744-2470 (fax)

Benjamin W. Fincher  
Sprint  
3100 Cumberland Circle  
Suite 802  
Atlanta, GA 30339  
404-649-5144  
404-649-5174 (fax)

Richard Rindler  
Swidler & Berlin  
3100 K Street, NW  
Suite 300  
Washington, DC 20007  
202-424-7771  
202-424-7645 (fax)

Andrew Isar  
Telecommunications  
Resellers Assn.  
4312 92nd Avenue, NW  
Gig Harbor, WA 98335  
206-265-3910  
206-265-3912 (fax)

Marsha Rule  
Wiggins & Villacorta  
501 E. Tennessee Street  
Suite B  
Tallahassee, FL 32308  
904-222-1534  
904-222-1689 (fax)

*Nancy B. White*  

---

*(2)*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of BellSouth )  
Telecommunications, Inc. entry )  
into InterLATA services pursuant )  
to Section 271 of the Federal )  
Telecommunications Act of 1996 )

Docket No. 960786-TL

Filed: August 5, 1996

ORIGINAL  
FILE COPY

BELLSOUTH TELECOMMUNICATIONS, INC.'S OBJECTIONS TO  
FLORIDA INTEREXCHANGE CARRIERS ASSOCIATION'S  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW, BellSouth Telecommunications, Inc. ("BellSouth" or "Company"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.350 and 1.280(b), Florida Rules of Civil Procedure, hereby submits the following Objections to Florida Interexchange Carriers Association's ("FIXCA") First Request for Production of Documents to BellSouth.

The Objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in Order No. PSC-96-0945-PCO-TP issued by the Florida Public Service Commission (hereinafter the "Commission") in the above-referenced docket on July 19, 1996. Should additional grounds for objection be discovered as BellSouth prepares its Responses to the above-referenced set of requests, BellSouth reserves the right to supplement, revise, or modify its objections at the time that it serves its Responses on FIXCA. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the material requested by FIXCA, BellSouth reserves the right to file a motion with the Commission seeking such an order at the time that it serves its Responses on FIXCA.

## GENERAL OBJECTIONS

BellSouth makes the following General Objections to FIXCA's First Set of Requests for Production of Documents which will be incorporated by reference into BellSouth's specific responses when its Responses are served on FIXCA.

1. BellSouth has interpreted FIXCA's requests to apply to BellSouth's regulated intrastate operations in Florida and will limit its Answers accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

2. BellSouth objects to each and every request to the extent that such request calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

3. BellSouth objects to each and every request insofar as the request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these requests. Any Responses provided by BellSouth in response to FIXCA's requests will be provided subject to, and without waiver of, the foregoing objection.

4. BellSouth objects to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will attempt to note each instance

where this objection applies.

5. BellSouth objects to FIXCA's general instructions, definitions or specific discovery requests insofar as they seek to impose obligations on BellSouth which exceed the requirements of the Florida Rules of Civil Procedure or Florida law.

6. BellSouth objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

7. BellSouth objects to each and every request, general instruction, or definition insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

8. BellSouth objects to each and every request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that FIXCA's requests seek proprietary confidential business information which is not subject of the "trade secrets" privilege, BellSouth will make such information available to counsel for FIXCA pursuant to an appropriate Protective Agreement, subject to any other general or specific objections contained herein.

9. BellSouth is a large corporation with employees located in many different locations in Florida and in other states. In the course of its business, BellSouth creates countless documents that are not subject to Florida Public Service Commission or FCC retention of records requirements. These documents are kept in numerous locations and are frequently moved from site to site as employees change jobs or as the business is reorganized.

Therefore, it is possible that not every document has been provided in response to these discovery requests. Rather, these responses provide all of the information obtained by BellSouth after a reasonable and diligent search conducted in connection with this discovery request. BellSouth has complied with FIXCA's request that a search be conducted of those files that are reasonably expected to contain the requested information. To the extent that the discovery request purports to require more, BellSouth objects on the grounds that compliance would impose an undue burden or expense.

#### OBJECTIONS TO SPECIFIC REQUESTS

Subject to, and without waiver of, the foregoing general objections, BellSouth enters the following specific objections with respect to FIXCA's requests:

REQUEST NOS. 1 and 2: Pursuant to the General Objections stated above, Bellsouth objects to these requests on the grounds that they seek information that is neither relevant nor reasonable calculated to lead to the discovery of admissible evidence related to the issue of whether BellSouth has met or will be able to meet the requirements of Section 271(c) of the Telecommunications Act of 1996. Documents concerning any long distance affiliate of BellSouth is irrelevant to this Commission's inquiry as to whether BellSouth has met or will be able to meet those requirements.

REQUEST NO. 3: Pursuant to the General Objections stated above, BellSouth objects to this request on the grounds that

the request is vague, ambiguous, and has an inappropriate time limit. Since Section 251 of the Act was not law until February 8, 1996, BellSouth has no such cost studies going back five years. Moreover, Section 251 of the Act speaks of "network features, functions or capabilities," not services, the term used in this request. FIXCA can clarify its request and limit the timeframe. BellSouth will attempt to comply.

REQUEST NO. 5: Pursuant to the General Objections stated above, BellSouth objects to this request on the grounds that this Commission has issued Order No. PSC-96-0959-FOF-TP which deals with the subject of the request. BellSouth will comply with the terms of that Order. FIXCA is merely attempting to get another "bite at the apple." Moreover, BellSouth objects to this request on the grounds that it seeks information that is neither relevant nor reasonable calculated to lead to the discovery of admissible evidence related to the issue of whether BellSouth has met or will be able to meet the requirements of Section 271(c) of the Telecommunications Act of 1996.



Respectfully submitted this 5th day of August, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Robert G. Beatty*  
\_\_\_\_\_  
ROBERT G. BEATTY (24)  
J. PHILLIP CARVER  
c/o Nancy H. Sims  
150 South Monroe Street, Room 400  
Tallahassee, Florida 32301  
(305) 347-5555

*Nancy B. White*  
\_\_\_\_\_  
WILLIAM J. ELLENBERG II (24)  
NANCY B. WHITE  
675 West Peachtree St., Room 4300  
Atlanta, Georgia 30375  
(404) 335-0710