

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Initiation of show cause proceedings)
against AT&T of the Southern States, Inc.)
and d/b/a/ Connect 'N Save for violation)
of Rule 25-4.118, F.A.C., Interexchange)
Carrier Selection)

Docket No. 971492-TI

Filed: October 12, 1998

RECORDS AND
REPORTING

AT&T's RESPONSE TO AMENDED SECOND MOTION TO COMPEL,
REQUEST FOR *IN CAMERA* INSPECTION
AND REQUEST FOR RULING ON FIRST MOTION TO COMPEL
FILED BY THE ATTORNEY GENERAL AND CITIZENS OF FLORIDA

Comes now AT&T Communications of the Southern States, Inc., (AT&T) and files this Response in Opposition to the Second Amended Motion to Compel Against AT&T by the Attorney General and the Citizens of Florida. For cause, AT&T shows as follows:

1. On August 21, 1998, counsel for AT&T telephoned counsel for the Office of the Public Counsel and indicated that a subpoena was required for AT&T to release the requested documents pursuant to section 364.24(b), Florida Statutes. Counsel for AT&T indicated that the documents would be produced upon receipt of such subpoena. On August 26, 1998, counsel for OPC delivered a subpoena to AT&T requiring the production of such documents on August 31, 1998. On August 31, 1998, AT&T delivered to OPC a copy of each and every document requested, with exception of certain privileged documents, discussed below. Under these circumstances, AT&T did not intend to waive any privileges and acted in good faith in producing such documents on August 31, the date specified in the subpoena.

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PPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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PPSC-RECORDS/REPORTING

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEC 2 _____
LIN _____
OPC _____
RCH _____
SEC 1 _____
WAS _____
OTH _____

2. In its Response to OPC's discovery, AT&T objected to production of documents that are exempt from discovery by virtue of the attorney-client privilege or work product privilege, and specified 26 such documents, citing the applicable privilege. AT&T will produce such documents for an *in camera* inspection at a time and place designated for the purpose of judging the applicability of such privileges.

3. AT&T renews its request for oral argument regarding its previously-filed Response in Opposition to the Motion to Compel.

Respectfully submitted this 12th day of August, 1998.



Marsha E. Rule
101 N. Monroe St.
Suite 700
Tallahassee, FL 32301
(850) 425-6364
(850) 425-6361 (fax)

**ATTORNEY FOR AT&T
COMMUNICATIONS OF THE
SOUTHERN STATES, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been furnished by U.S.
mail this 12th day of August, 1998, to:

Charles J. Beck
Office of the Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee FL 32399-1400

Michael A. Gross
Assistant Attorney General
Department of Legal Affairs
PL-101, The Capitol
Tallahassee, FL 32399-1050

Catherine Bedell
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0850



Marsha E. Rule