

J. Phillip Carver
General Attorney

Southern Bell Telephone
and Telegraph Company
c/o Marshall M. Criser III
Suite 400
150 So. Monroe Street
Tallahassee, Florida 32301
Phone (305) 530-5558

January 19, 1994

Mr. Steve C. Tribble
Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

Re: Docket No. 921193-TL - Palm Beach County EAS

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Request for Specified Confidential Classification, which we ask that you file in the above-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 to the parties shown on the attached Certificate of Service.

Sincerely yours,
J. Phillip Carver (2)
J. Phillip Carver

Enclosures

cc: All Parties of Record
A. M. Lombardo
Harris R. Anthony
R. Douglas Lackey

(x-ref 00307-94)

J. P. Carver

A BELL SOUTH Company

DOCUMENT NUMBER-DATE

00611 JAN 19 94

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 921193-TL

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by United States Mail this 19th day of January, 1994
to:

Staff Counsel
Division of Legal Services
Florida Public Svc. Commission
101 East Gaines Street
Tallahassee, FL 32399-0863

Alan N. Berg
Senior Attorney
United Telephone Co. of Florida
Post Office Box 5000
Altamonte Spgs, FL 32715-5000

Michael W. Tye
AT&T Communications of the
Southern States, Inc.
106 East College Avenue
Suite 1410
Tallahassee, Florida 32301

J. Phillip Conner (9)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Palm Beach) Docket No. 921193-TL
County Board of County)
Commissioners for Extended Area)
Service Between all Exchanges)
in Palm Beach County)
_____) Filed: January 19, 1994

**SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION**

COMES NOW BellSouth Telecommunications, Inc. d/b/a/ Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), pursuant to Rule 25-22.006, Florida Administrative Code, and files its Request for Specified Confidential Classification for certain information included in Southern Bell's Modification to Traffic Studies filed on January 10, 1994 in the above-referenced docket.

1. On January 6, 1993, the Florida Public Service Commission ("Commission") issued Order No. PSC-93-0029-PCO-TL, which required Southern Bell to file traffic studies. By Order No. PSC-93-0764-PCO-TL, issued May 20, 1993, the time for filing these studies was extended until June 5, 1993.¹ In response to the Commission's Order, Southern Bell filed traffic studies on routes that contain traffic information that is proprietary

¹ Since June 5, 1993 fell on a Saturday, the due date was the next business day thereafter, June 7, 1993. See, Rule 1.090, Florida Rules of Civil Procedure.

DOCUMENT NUMBER-DATE
00611 JAN 19 94
FPSC-RECORDS/REPORTING

confidential business information. This information is comprised of Southern Bell's intraLATA traffic data regarding routes in Palm Beach County. With the advent of intraLATA competition on January 1, 1992, these routes are subject to toll competition and are thus qualified for confidential treatment. Accordingly, Southern Bell filed on June 7, 1993, its Request for Confidential Classification of this information.

2. Southern Bell recently discovered that some of the information provided to the Commission in these traffic studies is incorrect. Specifically, the amount of revenue per message for traffic between three specific routes² was calculated using the toll rate that would normally apply. These three routes, however, were subject to an EOEAS plan at the time the studies were conducted. Therefore, the revenue should have been calculated by making an adjustment for the effect of the EOEAS plan.

3. For this reason, Southern Bell filed on January 10, 1994 a Notice that it was modifying the traffic studies by providing the correct revenue per message figures for these three routes. This modification contained information that is proprietary, confidential business information, which is

² Belle Glade-West Palm Beach, Delray Beach-West Palm Beach, and Pahokee-West Palm Beach.

protected from public disclosure by Section 364.183, Florida Statutes. Accordingly, Southern Bell also filed on January 10, 1994 a Notice of its intent to seek confidential classification of this information.

4. In accord with Rule 25-22.006, Florida Administrative Code, the modified traffic information that Southern Bell considers proprietary has been highlighted for identification purposes and appended hereto as Exhibit "A". Southern Bell has also appended hereto as Exhibit "B" two edited copies of the modified portions of the traffic studies with the confidential information removed. Finally, Southern Bell has appended as Exhibit "C" a listing of the page and line of the traffic studies at which the modified information that is confidential appears.

5. Commission Rule 25-22.006(4)(a) provides that a utility may satisfy its burden of proving that information is entitled to confidential treatment by demonstrating how the information qualifies under one of the statutory examples designated therein. In the alternative, if no statutory example is available, the utility may satisfy its burden by including a justifying statement to indicate how Southern Bell or its ratepayers or its business operations will be harmed by public disclosure.

6. The corrected traffic data for the routes at issue in this proceeding essentially provide a blueprint of the toll usage

over these various routes. This information is maintained by Southern Bell on a proprietary and confidential basis in order that Southern Bell may accurately plan its network deployment based on actual and perceived traffic demand over the respective toll routes.

7. Although the corrected traffic information is clearly necessary for a full examination of the merits of the extended area service request in this case, such information also contains data that indicates which routes at issue in this case contain the most concentrated traffic. With the advent of intraLATA toll competition effective January 1, 1992, this information could now subject Southern Bell to competitive harm if it were made public. The disclosure of such traffic patterns to the public would make available to Southern Bell's competitors highly valuable competitive information that such competitors could use to target the most lucrative routes.

8. The information for which confidential treatment is requested is intended to be and is treated as confidential by Southern Bell and has not been disclosed to the public.

WHEREFORE, Southern Bell respectfully requests that the Commission enter an order classifying the above-described corrected traffic data as proprietary confidential business information pursuant to Rule 25-22.006, Florida Administrative

Code, that is exempt the from public disclosure requirement of
Section 119.07, Florida Statutes.

Respectfully submitted,

SOUTHERN BELL TELEPHONE AND
TELEGRAPH COMPANY

Harris R. Anthony (s)

HARRIS R. ANTHONY
General Counsel-Florida
c/o Marshall M. Criser III
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5555

J. Phillip Carver (s)

J. PHILLIP CARVER
General Attorney
c/o Marshall M. Criser III
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

FPSC DOCKET NO. 921193-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY
REQUEST FOR CONFIDENTIAL CLASSIFICATION

JUSTIFICATION FOR CONFIDENTIALITY REQUEST

The following information identified by page and line numbers is considered confidential and proprietary:

Attachment	PAGE NOS.	LINE NOS.	REASON PROPRIETARY
D	1D	1-3	1

Reason 1: These traffic data relate to toll usage over the various routes at issue. This is proprietary information maintained by Southern Bell on a confidential basis to plan its network deployment based on traffic demand over the respective toll routes. The disclosure of this information would allow Southern Bell's competitors in the intraLATA toll market to target the most lucrative routes and would thereby competitively harm Southern Bell.