Lisa S Foshee Senior Corporate Counsel - Regulatory

BellSouth Telecommunications, Inc 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (404) 335-0754

July 8, 2002

Mrs. Blanca S. Bayó
Director, Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: 960786A-TL (Section 271)

Dear Mrs. Bayó:

Enclosed is the original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for its Exhibits to Supplemental Affidavit of Elizabeth A. Stockdale (ES-3, ES-4, ES-5) which we ask that you file 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 to the parties by Federal Express as shown on the attached Certificate of Service.

 $\mathcal{J}$ 

₋isa S. Foshee

**Enclosures** 

cc: All Parties of Record Marshall M. Criser III Fred J. McCallum

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Consideration of BellSouth	)	
Telecommunications, Inc.'s entry into	)	Docket No. 960786A-TL
interLATA services pursuant to Section	)	
271 of the Federal Telecommunications	)	
Act of 1996.	)	
	Ĺ	Filed: July 8, 2002

# BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION

BellSouth Telecommunications, Inc. ("BellSouth" or "Company"), hereby files, pursuant to Rule 25-22.006, Florida Administrative Code, its Request For Confidential Classification, and states the following:

- 1. On June 17, 2002, BellSouth Telecommunications, Inc. filed its Supplemental Affidavit of Elizabeth A. Stockdale with Exhibits ES-1, ES-2, ES-3, ES-4 and ES-5 along with a Notice of Intent to Request Confidential Classification for information contained in the Exhibits ES-3, ES-4, and ES-5. These Exhibits contain customer-specific pricing information that is considered confidential and proprietary to BellSouth.
- 2. Pursuant to Rule 25-22.06(3)(a), BellSouth is now filing a Request for Confidential Classification for the subject information because this information contains customer-specific pricing information that BellSouth is required to treat as proprietary and confidential business information. Additionally, this information is valuable and BellSouth strives to keep it secret. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary confidential business information. A more specific description of this information

is contained in Attachment A. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

- 3. BellSouth has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed.
- 4. Appended hereto as Attachment B is two copies of the requested documents with the confidential information deleted.
- 5. Appended hereto as Attachment C is a sealed envelope containing one copy of the documents including the material which is confidential and proprietary.

WHEREFORE, based on the foregoing, BellSouth moves the Commission to enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 8th day of July, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

NANCY B. WHITE

JAMES MEZA III

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, Florida 32301

(305) 347-5558

ISAS FOSHEE

FRED J. MCCALLUM

675 W. Peachtree Street

**Suite 4300** 

Atlanta, Georgia 30375

(404) 335-0754

# CERTIFICATE OF SERVICE DOCKET NO. 960786A-TL

# I HEREBY CERTIFY that a true and correct copy of the foregoing was served by

### Federal Express this 8th day of July, 2002 to the following:

Mr. Brian Sulmonetti (+)
LDDS WorldCom Communications
Suite 3200
6 Concourse Parkway
Atlanta, GA 30328
Tel. No. (770) 284-5493
Fax. No. (770) 284-5488
brian.sulmonetti@wcom.com

Floyd R. Self, Esq. (+)
Messer Law Firm
215 South Monroe Street
Suite 701
P.O. Box 1876
Tallahassee, FL 32302-1876
Tel. No. (850) 222-0720
Fax. No. (850) 224-4359
Represents LDDS/ACSI
fself@lawfla.com

Vicki Gordon Kaufman (+)
Joseph A. McGlothlin (+)
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
Tel. No. (850) 222-2525
Fax. No. (850) 222-5606
Represents FCCA
Represents NewSouth
Represents KMC
Represents NuVox Comm.
Represents ACCESS
Represents XO
vkaufman@mac-law.com

Charles J. Beck
Office of Public Counsel
111 W. Madison Street
Suite 812
Tallahassee, FL 32399-1400
Tel. No. (850) 488-9330
Fax No. (850 488-4992
Beck.Charles@leg.state.fl.us

Richard D. Melson (+)
Hopping Green Sams & Smith
123 South Calhoun Street
P.O. Box 6526
Tallahassee, FL 32314
Tel. No. (850) 222-7500
Fax. No. (850) 224-8551
Represents MCI, Rhythms
RMelson@hgss.com

Susan S. Masterton (+)
Sprint Communications Co.
Post Office Box 2214 (zip 32316-2214)
1313 Blair Stone Road
Tallahassee, FL 32301
Tel. (850) 599-1560
Fax (850) 878-0777
susan.masterton@mail.sprint.com

Beth Keating, Staff Counsel (\*)
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6212
Fax. No. (850) 413-6250
bkeating@psc.state.fl.us

Scott Sapperstein
Intermedia Comm., Inc.
One Intermedia Way
MCFLT-HQ3
Tampa, Florida 33647-1752
Tel. No. (813) 829-4093
Fax. No. (813) 829-4923
Sasapperstein@intermedia.com

Claudia E. Davant
AT&T
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
Tel. No. (850) 425-6360
Fax. No. (850) 425-6361
cdavant@att.com

Virginia C. Tate (+)
Senior Attorney
AT&T Communications of
the Southern States, Inc.
1200 Peachtree Street, N.E.
Suite 8100
Atlanta, GA 30309
Tel. No. (404) 810-4196
Fax No. (404) 877-7648

Kenneth A. Hoffman, Esq. (+)
Rutledge, Ecenia, Underwood,
Purnell & Hoffman, P.A.
215 South Monroe Street
Suite 420
P.O. Box 551
Tallahassee, FL 32302
Tel No. (850) 681-6788
Fax. No. (850) 681-6515
Represents TCG
Represents US LEC
Ken@Reuphlaw.com

John R. Marks, III
215 South Monroe Street
Suite 130
Tallahassee, FL 32301
Tel. (850) 222-3768
Fax. (850) 561-0397
Represents BellSouth
JohnM@KMRlaw.com

Kenneth S. Ruth Florida Director CWA 2180 West State Road 434 Longwood, FL 32779 Tel. (407) 772-0266 Fax. (407) 772-2516 Kruth@cwa-union.org

Marilyn H. Ash MGC Communications, Inc. 3301 N. Buffalo Drive Las Vegas, NV 89129 Tel. No. (702) 310-8461 Fax. No. (702) 310-5689

Rodney L. Joyce Shook, Hardy & Bacon, L.L.P. 600 14th Street, N.W. Suite 800 Washington, D.C. 20005-2004 Tel. No. (202) 639-5602 Fax. No. (202) 783-4211 rjoyce@shb.com Represents Network Access Solutions

Michael Gross/Charles Dudley (+) FCTA, Inc.
246 E. 6th Avenue
Suite 100
Tallahassee, FL 32303
Tel. No. (850) 681-1990
Fax. No. (850) 681-9676
mgross@fcta.com

Nanette Edwards ITC^DeltaCom 4092 South Memorial Parkway Huntsville, AL 35802 Tel. No. (256) 382-3856 Fax. No. (256) 382-3969 Represented by Hopping Law Firm Donna McNulty (+)
MCI WorldCom
325 John Knox Road.
Suite 105
Tallahassee, FL 32303-4131
Tel. No. (850) 422-1254
Fax. No. (850) 422-2586
donna.mcnulty@wcom.com

Network Access Solutions Corp. 100 Carpenter Drive Suite 206 Sterling, VA 20164 Tel. No. (703) 742-7700 Fax. No. (703) 742-7706 Represented by Shook, Hardy & Bacon

Karen Camechis (+)
Pennington Law Firm
215 South Monroe Street
2<sup>nd</sup> Floor
Tallahassee, FL 32301
Tel. No. (850) 222-3533
Fax. No. (850) 222-2126
Represents Time Warner
pete@penningtonlawfirm.com

Rhythms Links, Inc. 6933 South Revere Parkway Suite 100 Englewood, CO 80112 Tel. No. (303) 476-4200 Represented by Hopping Law Firm

Benjamin Fincher
Sprint/Sprint-Metro
3100 Cumberland Circle
#802
Atlanta, GA 30339
Tel. No. (404) 649-5144
Fax. No. (404) 649-5174
Represented by Ervin Law Firm

Carolyn Marek
Time Warner
Regulatory Affairs, SE Region
233 Bramerton Court
Franklin, TN 37069
Tel. No. (615) 376-6404
Fax. No. (615) 376-6405
carolyn.marek@twtelecom.com
Represented by Pennington Law Firm
Represented by Parker Poe Adams

James Falvey
7125 Columbia Gateway Drive
Suite 200
Columbia, MD 21046-2506
Tel. No. (301) 361-4200
Fax. No. (301) 361-4277
jim.falvey@espire.net

Matthew Feil (+)
Florida Digital Network, Inc.
390 North Orange Avenue
Suite 2000
Orlando, FL 32801
Tel. No. (407) 835-0460
mfeil@floridadigital.net

Michael Sloan (+)
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007-5116
Tel. No. (202) 295-8458
Fax No. (202) 424-7645
Represents FDN
mcsloan@swidlaw.com

Katz, Kutter Law Firm (+)
Charles J. Pellegrini/Patrick Wiggins
106 E. College Avenue
Tallahassee, FL 32301
Tel. No. 850-224-9634
Fax. No. 850-224-9634
pkwiggins@katzlaw.com

Lori Reese
Vice President of Governmental Affairs
NewSouth Communications
Two Main Street
Greenville, South Carolina 29609
Tel. No. (864) 672-5177
Fax. No. (864) 672-5040
Ireese@newsouth.com

Genevieve Morelli
Andrew M. Klein (+)
Kelley Drye & Warren LLP
1200 19th Street, NW
Suite 500
Washington, DC 20036
Tel. No. (202) 887-1257
Fax. No. (202) 955-9792
AKlein@KelleyDrye.com
Represents KMC

John D. McLaughlin, Jr.
Director, State Government Affairs
KMC Telecom, Inc.
1755 North Brown Road
Lawrenceville, Georgia 30043
Tel. No. (678) 985-6262
Fax. No. (678) 985-6213
jmclau@kmctelecom.com

Suzanne F. Summerlin, Esq. 1311-B Paul Russell Suite 201
Tallahassee, Florida حكاناً Tel. No. (850) 656-2288
Fax. No. (850) 656-5589
Represents IDS Telecom

Henry C. Campen, Jr. (+)
Parker, Poe, Adams & Bernstein, LLP
P.O. Box 389
First Union Capital Center
150 Fayetteville Street Mall, Suite 1400
Raleigh, NC 27602-0389
Tel. No. (919) 890-4145
Fax. No. (919) 834-4564
Represents US LEC of Florida
Represents NuVox Comm.

Represents XO
Represents Time Warner

William H. Webber Covad Communications 1230 Peachtree Street, NE 19th Floor Atlanta, GA 30309 Tel. No. (404) 942-3494 Fax. No. (404) 942-3495 wweber@covad.com

Bruce Culpepper, Esq. Akerman, Senteriftt & Eidson 301 South Bronough Street Suite 200 Post Office Box 10555 Tallahassee, FL 32302-2555 Attys. for AT&T

Mark D. Baxter Stone & Baxter, LLP 557 Mulberry Street Suite 1111 Macon, Georgia 31201-8256 Represents ACCESS

Dana Shaffer
XO Communications, Inc.
105 Molloy Street, Suite 300
Nashville, Tennessee 37201-2315
Tel. (615) 777-7700
Fax. (615) 345-1564
dana.shaffer@xo.com
Represented by Parker Poe Adams

Lisa Fosnee

(+) Signed Protective Agreement

#### ATTACHMENT A

BellSouth Telecommunications, Inc. FPSC Docket No. 960786A-TL Request for Confidential Classification Page 1 of 3 7/08/02

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF EXHIBIT ES-3, ES-4, AND ES-5 TO THE AFFIDAVIT OF ELIZABETH STOCKDALE FILED ON JUNE 17, 2002 IN FLORIDA DOCKET NO. 960786A-TL.

#### **Explanation of Proprietary Information**

1. The information is proprietary to BellSouth and includes Alternate Local Exchange Company's (ALEC's) specific information. The Commission has always zealously protected customer specific information in order to protect the customer's privacy and prevent a competitor of the customer from obtaining an unfair advantage. This information is clearly confidential and proprietary under Florida Statutes, Section 364.183 and Rule 25-22.006, Florida Administrative Code. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary, confidential business information which is exempt from Section 119.07(1) and Section 24(a), Art.1 of the State Constitution. In addition, this information is protected by Order No. PSC-01-1033-PCO-TL issued on April 27, 2001 by the Prehearing Officer.

### **EXHIBIT ES-3**

PAGE NO.	<u>Column</u>	<u>LINES</u>	REASON
1	Α	1-46	1
•	В	1-46	1
	С	1-46	1
	D	1-46	1
	E	1-46	1
	F	1-46	1
	G	1-46	1
	Н	1-46	1
	1	1-46	1
	J	1-46	1
	K	1-46	1
	L	1-46	1
2	Α	47-58 & 1-33	1
	В	47-58 & 1-33	1
	Ċ	47-58 & 1-33	1
	D	47-58 & 1-33	1

#### ATTACHMENT A

BellSouth Telecommunications, Inc. FPSC Docket No. 960786A-TL Request for Confidential Classification Page 2 of 3 7/08/02

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF EXHIBIT ES-3, ES-4, AND ES-5 TO THE AFFIDAVIT OF ELIZABETH STOCKDALE FILED ON JUNE 17, 2002 IN FLORIDA DOCKET NO. 960786A-TL.

# **EXHIBIT ES-3 (Cont'd)**

PAGE NO.	<u>Column</u>	<u>LINES</u>	REASON
2 (cont'd)			
, ,	E	47-58 & 1-33	1
	F	47-58 & 1-33	1
	G	47-58	1
	Н	47-58	1
	1	47-58	1
	J	47-58	1
	K	47-58	1
	L,	47-58	1
3	Α	34-57	1
	В	34-57	1
	С	34-57	1
	D	34-57	1
	E	34-57	1
	F	34-57	1

# **EXHIBIT ES-4**

PAGE NO.	<u>Column</u>	<u>LINES</u>	REASON
1	Α	1-46	
	В	1-46	1
	С	1-46	1
	D	1-46	1
	E	1-46	1
	F	1-46	1
	G	1-46	1
	Н	1-46	1
	1	1-46	1
	J	1-46	1

## ATTACHMENT A

BellSouth Telecommunications, Inc. FPSC Docket No. 960786A-TL Request for Confidential Classification Page 3 of 3 7/08/02

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF EXHIBIT ES-3, ES-4, AND ES-5 TO THE AFFIDAVIT OF ELIZABETH STOCKDALE FILED ON JUNE 17, 2002 IN FLORIDA DOCKET NO. 960786A-TL.

## **EXHIBIT ES-4 (Cont'd)**

PAGE NO.	Column	<u>LINES</u>	REASON
2	A B C D E F	1-50 1-50 1-50 1-50 1-50	1 1 1 1 1
3	A B C D E F	51-57 51-57 51-57 51-57 51-57 51-57	1 1 1 1 1

## **EXHIBIT ES-5**

PAGE NO.	<u>Column</u>	<u>LINES</u>	REASON
1	В	1-42	1
2	В	43-83	1
3	В	84-123	1
4	В	124-131	1