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CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK TALLAHASSEE, FLORIDA 32399-0850 UMMISSION

-M-E-M-O-R-A-N-D-UCMERK

DATE:

September 19, 2005

TO:

Adam J. Teitzman, Senior Attorney, Office of the General Counsel

Della E. Fordham, Administrative Assistant II - SES, Division of Competitive Markets &

Andrea N. Cowart, Executive Secretary to General Counsel

FROM:

Michael C. Barrett, Regulatory Analyst III, Division of Competitive Markets & Enforcement MCB

RE:

Recommendations for certain Requests for Confidential Classification in Docket No. 041269-TP.

Parties to Docket No. 041269-TP have pending Requests for Confidential Classification of certain documents, as noted in the following table:

	Requesting Party	Document Description	Compliance with Rule <sup>1</sup>	Specific Information and Justification
	Harbor Communications, Inc (Harbor).	Document No. 08257-05, Response to BellSouth's 1 <sup>st</sup>	YES,	Harbor's Response to BellSouth 1 <sup>st</sup> Request for Admissions appears to
	The (Harbor).	Requests for Admissions.		contain proprietary business
		-	Rule 25-	information. Competitive harm could
			22.006(5)(a),	result if such information was
			FAC	disclosed.
	FDN	Document Nos. 08260-05	YES,	FDN's Appendix ADM-1 in Response
		and 08626, Appendix		to BellSouth's 1 <sup>st</sup> Request for
		ADM-1 in Response to		Admissions contains nonpublic,
CMP		BellSouth's 1 <sup>st</sup> Request for		confidential market deployment
2014		Admissions.		business information utilized by FDN
COM			D 1 05	in Florida. Release of such
CTR			Rule 25-	information would cause substantial
	72, 110, 11	D	22.006(4), FAC	competitive harm to FDN.
ECR	BellSouth	Document No. 08613-05,	YES,	BellSouth's responses to Covad's 1 <sup>st</sup>
001		Proprietary Responses to Covad's 1 <sup>st</sup> set of		set of Interrogatories, Items 2-3 contains confidential information of
GCL	<del></del>	Interrogatories, Items 2-3.		competitive local exchange
OPC		interrogatories, items 2-3.		companies that is protected under 47
				C.F.R. § 64.2007, the FCC's
RCA				Customer Proprietary Network rules.
SCR				Specifically, Lines 1-23 of
3CR	<del> </del>			Interrogatory Response #2, and all
SGA				lines on Pages 1-11, columns B-E,
$\overline{I}$				Pages 12-14, columns B-F, and Pages
SEC _	<del> </del>		Rule 25-	15-23, columns B-E of Interrogatory
OTH Loc	bald		22.006(4), FAC	Response #3.

In each instance, I believe the Requests for Confidential Classification should be granted.

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<sup>&</sup>lt;sup>1</sup> Rule 25-22.006(4), FAC addresses requests for confidential classification. Rule 25-22.006(5), FAC addresses claims of confidential treatment pursuant to Section 364.183(1), Florida Statutes. DOCUMENT NUMBER-DATE