



Public Service Commission

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08 JUL 30 AM 11:59
COMMISSION
CLERK
McB

DATE: July 30, 2008

TO: Lee Eng Tan, Senior Attorney, Office of the General Counsel

FROM: Michael C. Barrett, Regulatory Analyst IV, Division of Competitive Markets & Enforcement

RE: Request for confidential classification in Docket No. 070736-TP (FPSC Document No. 05180-08)

On May 28, 2008, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida or the company), filed a Notice of Intent to Request for Specified Confidential Classification for its response to Staff's First Request for Production of Documents, Item No. 1. (FPSC Document No. 04528-08) On June 18, 2008 and pursuant to Rule 25-22.006, Florida Administrative Code, AT&T filed its Request for Specified Confidential Classification for this data, which is identified as FPSC Document No. 05180-08. However, on July 3, 2008, AT&T Florida filed data as a substitute for FPSC Document No. 05180-08.¹

AT&T Florida states that the information contained in the response should be classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes, and therefore exempt from the public disclosure requirements from Section 119.07, Florida Statutes. The company asserts that public disclosure of this information would cause it competitive harm and provide competitors with an unfair advantage.

Although I believe AT&T Florida has met the requirements for confidential classification pursuant to Section 364.183(3)(e), Florida Statutes, I do not believe a ruling is needed for FPSC Document No. 05180-08, since AT&T Florida filed data as a substitute for it. I believe FPSC Document No. 05180-08 should be returned to its source (AT&T).

- COM** cc: Ann Cole, Commission Clerk-PSC, Office of Commission Clerk
- ECR** _____ Marguerite McLean, Commission Deputy Clerk II, Office of Commission Clerk
- GCL** _____
- OPC** _____
- RCP** _____
- SSC** _____

SGA _____ ¹ The substitute filing is identified as FPSC Document No. 05770-08, and effectively replaces FPSC Document No. 05180-08.

ADM _____

CLK *Marguerite*

DOCUMENT NUMBER-DATE

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