

ORIGINAL

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RECEIVED-FPSC
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RECORDS AND REPORTING

July 18, 2000

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 990649-TP (UNE Docket)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for Staff's Sixth Request for Production of Documents (Nos. 21, 22 and 27), which we ask that you file in the captioned matter.

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,

Michael P. Goggin
Michael P. Goggin

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

This confidentiality request was filed by or for a "telco" for DN 08684-00. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

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Blackhand
FPSC-BUREAU OF RECORDS

(x-ref. 07823-00)
DOCUMENT NUMBER-DATE

08683 JUL 18 8

FPSC-RECORDS/REPORTING

**CERTIFICATE OF SERVICE
Docket No. 990649-TP**

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

U.S. Mail this 18th day of July, 2000 to the following:

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(+) Signed Protective Agreement

219337

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into pricing of unbundled) Docket No.: 990649-TP
network element)
_____) Filed: July 18, 2000

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

BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 25-22.006, *Florida Administrative Code*, hereby files this Request for Specified Confidential Classification, and states:

1. On June 27, 2000, BellSouth filed its Responses to Staff's Sixth Request for Production of Documents, along with a Notice of Intent to Request Specified Confidential Classification. Some of the information responsive to Production Request Nos. 21, 22, and 27 is confidential and proprietary under Florida Statutes, Section 364.183 and Rules 25-22.006, Florida Administrative Code.
2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in BellSouth's responses to Staff's Production Request Nos. 21, 22 and 27 includes competitive business information, competitive marketing information, vendor-specific pricing information and cost study information that could cause competitive harm to BellSouth and is clearly confidential and proprietary under Florida Statutes, Section 364.183.
3. Attachment A to BellSouth's Request for Confidential Classification contains an explanation of the proprietary information along with a list that identifies the location of the information designated by BellSouth as confidential.

DOCUMENT NUMBER-DATE

08683 JUL 18 8

FPSC-RECORDS/REPORTING

4. Attachment B to BellSouth's Request for Confidential Classification contains two copies of the documents with the confidential information redacted.

5. Attachment C to BellSouth's Request for Confidential Classification is a sealed envelope containing one copy of the documents including those portions that are confidential and proprietary.

6. The information contained in BellSouth's response to Staff's Production Request Nos. 21, 22 and 27 contain competitive business information, competitive marketing information, vendor-specific pricing information and cost study information. Public disclosure of this information would provide competitors with an unfair advantage in future negotiations. This same information on competitors is not available to BellSouth. The information discussed in this Request for Confidential Classification is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

7. 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.

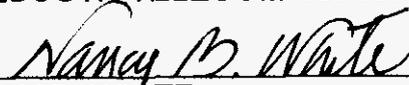
8. The original of this Request was filed today with the Division of Records and Reporting, and a copy was served on the Parties.

WHEREFORE, based on the foregoing, BellSouth respectfully requests that the Commission enter an order declaring the information described above to

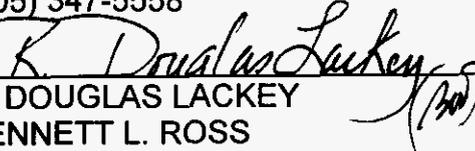
be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 18th day of July, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.



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ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 990649-TP
Request for Confidential Classification
Page 1 of 7
7/18/00**

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S RESPONSE TO STAFF'S SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOs. 21, 22 and 27) FILED JUNE 27, 2000 IN FLORIDA DOCKET NO. 990649-TP

Explanation of Proprietary Information

1. The information requested concerns competitive business information and/or includes the average call volume per customer. If this information were disclosed publicly, it would damage the competitive interests of BellSouth. Accordingly, this information is entitled to confidential classification pursuant to Florida Statutes Section 364.183(3)(e).
2. This information reflects BellSouth's business strategies. BellSouth's competitors can use this information to develop their own business strategies. Thus, the disclosure of this information to BellSouth's competitors would impair BellSouth's ability to compete and is entitled to confidential classification pursuant to Section 364.183(3)(a) and (3)(e), Florida Statutes. In addition, this information is valuable as it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, this information is a trade secret which should be classified as proprietary, confidential business information exempt from the Open Records Act.
3. This subject information includes BellSouth's business plans, forecasts and other confidential business information of BellSouth. If this information were disclosed publicly, it would damage the competitive interests of BellSouth. Accordingly, this information is entitled to confidential classification pursuant to Florida Statutes Section 364.183(3)(e).

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 990649-TP
Request for Confidential Classification
Page 2 of 7
7/18/00**

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S RESPONSE TO STAFF'S SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOs. 21, 22 and 27) FILED JUNE 27, 2000 IN FLORIDA DOCKET NO. 990649-TP

Explanation of Proprietary Information

4. This information contains competitive marketing information. This information if released would damage the competitive interests of BellSouth. Accordingly, this information is entitled to confidential classification pursuant to Florida Statutes Section 364.183(3)(e).
5. This information reflects vendor specific prices negotiated by BellSouth. Public disclosure of this information would impair BellSouth's ability to contract for goods and services on favorable terms. The second category of vendor specific information constituting a trade secret is that which is proprietary to Telcordia. BellSouth is contractually bound by an agreement with Telcordia to treat it as such. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, such information is a trade secret which should be classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes and is exempt from the Open Records Act.
6. This information contains actual unit cost information for discrete cost elements for the item under study. These costs reflect BellSouth's long run incremental cost of providing these elements on a going forward basis. Public Disclosure of this information would provide BellSouth's competitors with an advantage in that they would know the price or rate below which BellSouth could not provide the service. The data is valuable to competitors and potential competitors in formulating strategic plans for entry, pricing, marketing, and overall business strategies concerning access services. This same information on competitors is not available to BellSouth. This information is valuable, it is used by BellSouth in conducting its business and classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes and is exempt from the Open Records Act.

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 990649-TP
Request for Confidential Classification
Page 3 of 7
7/18/00

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S RESPONSE TO STAFF'S SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOs. 21, 22 and 27) FILED JUNE 27, 2000 IN FLORIDA DOCKET NO. 990649-TP

STAFF'S POD NO 21

<u>Page</u>	<u>Location</u>	<u>Reason</u>
1	Line 3	1
	Total Charges Column	1
2	Total Charges Column	1
3	Line 8	1
	Columns 6210, 6220, 6230, 6724, and Total	1
4	Total Charges Column	1
5	Total Charges Column	1

STAFF'S POD NO 22

<u>Document</u>	<u>Location</u>	<u>Reason</u>
Attachment A, 1 of 5	Columns Year 1999, Year 2000, Year 2001, Year 2002	3
Attachment A, 2 of 5	Columns Year 1999, Year 2000, Year 2001, Year 2002	3
Attachment A, page 4 of 5	Columns A, B, D	3
Attachment A, page 5 of 5	Columns A, B, D	3

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 990649-TP
Request for Confidential Classification
Page 4 of 7
7/18/00

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO STAFF'S SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOS. 21, 22 and 27) FILED JUNE 27, 2000 IN FLORIDA DOCKET NO. 990649-TP

STAFF'S POD NO 27

BellSouth's Response to AT&T's 1st Set of Interrogatories

<u>Document</u>	<u>Location</u>	<u>Reason</u>
Interrogatory No. 36	RESPONSE	1
Interrogatory No. 44	Entire Document	2

BellSouth's Response to AT&T's 1st Request for Production of Documents

Please refer to the Request for Confidential Classification of BellSouth's Response to Staff's Fifth Request for Production of Documents (POD NO. 16) filed May 30, 2000 in Florida Docket No. 990649-TP.

BellSouth's Response to AT&T's 2nd Request for Production of Documents

<u>Document</u>	<u>Location</u>	<u>Reason</u>
POD No. 32	Page 2, Entire Page	3
POD No. 33	Page 5	6
	Lines 12, 13, 17 / Column C	
	Page 6	6
	Amount Column	

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 990649-TP
Request for Confidential Classification
Page 5 of 7
7/18/00

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S RESPONSE TO STAFF'S SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOS. 21, 22 and 27) FILED JUNE 27, 2000 IN FLORIDA DOCKET NO. 990649-TP

STAFF'S POD NO 27 (Cont.)

POD No. 37	Page 9 a=, b=, Columns FP Ratio, %Fiber, %Copper	4
	Page 10 Lines 2-5 Columns B-J	4
	Page 11 Columns B-I	4
	Page 12 Columns B-E	4
	Page 13 Columns B-E Note 1, Note 2	4
	Page 14 Line 1, Columns A-E Note 1	4

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 990649-TP
Request for Confidential Classification
Page 6 of 7
7/18/00

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S RESPONSE TO STAFF'S SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOS. 21, 22 and 27) FILED JUNE 27, 2000 IN FLORIDA DOCKET NO. 990649-TP

STAFF'S POD NO 27 (Cont.)

POD No. 37 (Cont.)

Page 15	4
Line 6, Columns Dt, Dm Dc, Q, R, S, T, U, IOF & Loop Note 1, Note 2	
Page 16	4
=c, =g, =s, =a, =b, =sr Columns A-F	
Page 17	4
Columns A-D, F Lines 2-7, 9-25	
Page 18	4
=c, =g, =s, =a, =b, =sr Columns A-F Lines 2-8, 10-22	
Page 19	4
=c, =g, =s, =a, =b, =sr Columns A-F Lines 2-8, 10-28	

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 990649-TP
Request for Confidential Classification
Page 7 of 7
7/18/00

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO STAFF'S SIXTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOS. 21, 22 and 27) FILED JUNE 27, 2000 IN FLORIDA DOCKET NO. 990649-TP

STAFF'S POD NO 27 (Cont.)

BellSouth's Response to AT&T's 3rd Request for Production of Documents

<u>Document</u>	<u>Location</u>	<u>Reason</u>
POD No. 50	Entire Document	1

Rhythms Links' First Request for Production of Documents

<u>Document</u>	<u>Location</u>	<u>Reason</u>
POD No. 2	Entire Document	2
POD No. 3	Entire Document	5,6
POD No. 14	Entire Document	2
POD No. 17	Entire Document	2
POD No. 32	Entire Document	2