

ORIGINAL

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BellSouth Telecommunications, Inc.  
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(404) 335-0761

August 15, 2002

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

RECEIVED-FPSC  
02 AUG 15 PM 4:34  
COMMISSION  
CLERK

**Re: Docket No. 020129-TP (CCS7)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for responses filed to ITC^DeltaCom's First Set of Interrogatories No. 9 and First Request for Production of Documents Item Nos. 4 and 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 shown on the attached Certificate of Service.

Sincerely,

*Patrick W. Turner*

Patrick W. Turner

(2)

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
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GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC \_\_\_\_\_  
OTH \_\_\_\_\_

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 08602-02. 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.

(x-ref. 07821-02)

RECEIVED & FILED  
*RLM*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

08601 AUG 15 8

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE  
DOCKET NO. 020129-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and Overnight Federal Express this 15th day of August, 2002 to the following:

Jason Fudge  
Adam Teitzman  
Staff Counsel  
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Patrick Turner (22)

**(+) Signed Protective Agreement**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Joint Petition of US LEC of Florida, Inc., ) Docket No.: 020129-TP  
Time Warner Telecom of Florida, LP and )  
ITC^DeltaCom Communications Objecting to )  
And Requesting Suspension of Proposed )  
CCS7 Access Arrangement Tariff filed by )  
BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ ) Filed: August 15, 2002

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

COMES NOW, BellSouth Telecommunications, Inc. ("BellSouth" or "Company"), and pursuant to Rule 25-22.006, Florida Administrative Code, files its Request for Specified Confidential Classification.

1. On July 25, 2002, BellSouth filed its Responses to ITC^DeltaCom's First Set of Interrogatories and First Request for Production of Documents in the above captioned proceeding. The Attachment to Item No. 9 of BellSouth's responses to ITC^DeltaCom's First Set of Interrogatories contains company specific intrastate billing information for ITC^DeltaCom that is confidential business information. In addition, BellSouth's response to Item No. 4 of the Production of Documents contains proprietary demand forecast information for competitive BellSouth services. Also, BellSouth's response to Item No. 5 of the Production of Documents contains the price out package for BellSouth's CCS7 tariff that contains confidential business information. BellSouth filed a Notice of Intent to Request Specified Confidential Classification regarding this proprietary material on that same day.

2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in BellSouth's interrogatory and production of documents responses include projected market demand, pricing data, and other confidential business information that could cause competitive harm to BellSouth and/or to ITC^DeltaCom, and is confidential and proprietary under Florida Statutes, Sections 364.183 and 364.24.

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.

4. Attachment B to BellSouth's Request for Confidential Classification is a redacted copy of the confidential information.

5. Attachment C to BellSouth's Request for Confidential Classification is a proprietary copy of the confidential information, highlighted to clearly indicate the proprietary material.

6. Public disclosure of this information would provide competitors of BellSouth and ITC^DeltaCom with an unfair marketing advantage. Such proprietary information is not available to BellSouth or to the general public. The information discussed in this Request for Specified Confidential Classification is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as confidential business information and customer proprietary information pursuant to Section 364.24 and Section 364.183(3)(e),

Florida Statutes. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.


6. 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.

7. The original of this Request was filed today with the Division of the Commission Clerk and Administrative Services 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 15<sup>th</sup> day of August 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
NANCY B. WHITE (al)

c/o Nancy Sims  
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(305) 347-5558

  
R. DOUGLAS LACKEY (al)

PATRICK W. TURNER  
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## Attachment A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 020129-TP  
Request for Confidential Classification  
Page 1 of 3  
8/15/02

### **REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR BELL SOUTH'S RESPONSES TO ITC^DELTACOM'S FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

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

- A. This information reflects projected demand and the revenues based on that projected demand for certain BellSouth services. If this information were given to a competitor, he would know how much growth BellSouth expects in a particular service, thus providing him valuable market planning information. This information is valuable, and is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, such information is a trade secret that should be classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes. In addition, this information represents research performed by BellSouth which should not be given free of charge to entities which compete with BellSouth. BellSouth's competitors should not be allowed to benefit from research performed at BellSouth's expense.
- B. This information reflects customer specific information. Specifically, this information reflects CCS7 usage billing for ITC^DeltaCom. The Commission has always zealously protected customer specific information in order to protect the customer's privacy and to prevent a competitor of the customer from obtaining an unfair advantage. This information is also expressly deemed to be confidential pursuant to Section 364.183(3)(e), Florida Statutes.
- C. The identified information consists of a price out package that demonstrates revenue neutrality of BellSouth's CCS7 tariff, which contains competitive business information. Therefore, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(d) Florida Statutes and is exempt from the Open Records Act.

**Index of Proprietary Information**

**Attachment to Interrogatory Item No. 9**

**LOCATION**

**BASIS FOR REQUEST**

All numerical data in columns B and C.

B

**Production of Documents Item No. 4**

<b><u>PAGE NO.</u></b>	<b><u>LOCATION/COLUMNS</u></b>	<b><u>BASIS FOR REQUEST</u></b>
2	All numbers	A
3	Columns: CC64, 66, 110, 119 141, 720 & total	A
4 - 7	All numbers	A
8,9	Number	A
10-16, 18,20, 22,23,27,32,37, 38,39	All numbers	A
40	All numbers except Info from FCC Filing in QTR 4, 2000	A
41-46,48,49	All numbers	A
50-64,67,68, 71-82		
83	All numbers for PCI Update and Current Rates	A
84	All numbers for ATS Target in other Exog Total	A
87-90	All numbers	A
91	Columns A-H	A
94-99,102-105	All numbers	A
106	All numbers and nos. for VoiceGrade, Metallic, Telegraph-Special	A
107	All numbers	A
108	All numbers for Audio & Video Service Category	A
109,117	All numbers and nos. for zones 1-3	A
111-113,115	All numbers	A

<u>PAGE NO.</u>	<u>LOCATION/COLUMNS</u>	<u>BASIS FOR REQUEST</u>
114	All numbers and nos. for VoiceGrade, Metallic, Telegraph-Special	A
116	All numbers for Audio & Video Service Category	A
119-125	All numbers	A
126,134	Number for Total Special Access Basket	A
127-133,135, 136	All numbers Columns: Current Rates, Proposed Rates, Index Results and Total (a)	A A
137,145	Columns: Current Rates, Proposed Rates and Index Results	A
138,146	Column: Total (a)	A
139,142,143, 147,148,150	All numbers	A
144	Columns: Current Rates, Proposed Rates, Index Results Total (a)	A
151	Columns: LEC, FCC, Delta, Flag	A
152-156	All numbers	A

**Production of Documents Item No. 5**

<u>LOCATION</u>	<u>BASIS FOR REQUEST</u>
Entire document	C