

ORIGINAL

MCWHIRTER REEVES
ATTORNEYS AT LAW

TAMPA OFFICE
400 NORTH TAMPA STREET, SUITE 2450
TAMPA, FLORIDA 33602-5126
P.O. BOX 3350, TAMPA, FL 33601-3350
(813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO:
TALLAHASSEE

TALLAHASSEE OFFICE:
117 SOUTH GADSDEN
TALLAHASSEE, FLORIDA 33201
(850) 222-2525
(850) 222-5606 FAX

February 4, 2004

VIA HAND DELIVERY

Ms. Blanca S. Bayo
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Fl 32399-0850

RECEIVED-FPSC
FEB -4 PM 4:39
COMMISSION
CLERK

Re: Docket No. 030852-TP

Dear Ms. Bayo:

On behalf of Florida Competitive Carriers Association, enclosed for filing and distribution is the original and one copy of the following:

- ▶ **CONFIDENTIAL** Surrebuttal Testimony and Exhibits of Gary J. Ball; and
- ▶ Florida Competitive Carriers Association's Claim of Confidentiality

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Joseph A. McGlothlin

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL
- OPC _____
- MMS _____
- SEC
- OTH

Enclosures

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 01666-04. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must obtain written EXD/Tech permission before you can access it.

DOCUMENT NUMBER-DATE

MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN & ARNOLD, P.A.

01666 FEB-4 04

FPSC-COMMISSION CLERK

comp records

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising
From Federal Communications Commission's
Triennial UNE review; Location-Specific
Review for DS1, DS3 and Dark Fiber Loops,
And Route-Specific Review for DS1, DS3 and
Dark Fiber Transport.

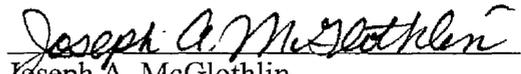
Docket No. 030852-TP

Filed: February 4, 2004

**THE FLORIDA COMPETITIVE CARRIERS ASSOCIATION'S
CLAIM OF CONFIDENTIALITY**

The Florida Competitive Carriers Association (FCCA), pursuant to Section 364.183(1), Florida Statutes, Rule 25-22.006, Florida Administrative Code, and Order No. PSC-03-1055-PCO-TP, files this Claim of Confidentiality.

Today FCCA filed the Surrebuttal Testimony and Exhibits of Gary J. Ball on behalf of the FCCA. Two of the exhibits to Mr. Ball's Surrebuttal testimony, marked preliminarily as Exhibit Nos. ___ GJB-4 (including subparts (A)-(F)) and __ GJB-5 (including (A)-(G)), contain confidential proprietary business information as defined in Section 364.183, Florida Statutes, and as protected by Order No. PSC-03-1055-PCO-TP. The subject material relates to certain CLEC-specific information, regarded by them as proprietary and confidential business information. Pursuant to this statutory section and the Commission's Protective Order Governing Handling of Confidential Information in this matter, and based on the proprietary and confidential information they contain, FCCA asserts a claim of confidentiality as to surrebuttal exhibits GJB-4 and GJB-5 in their entirety.



Joseph A. McGlothlin

Vicki Gordon Kaufman

McWhirter, Reeves, McGlothlin, Davidson,
Kaufman & Arnold, P.A.

117 South Gadsden Street

Tallahassee, Florida 32301

(850) 222-2525

(850) 222-5606 (fax)

jmcglothlin@mac-law.com

vkaufman@mac-law.com

Attorneys for Florida Competitive Carriers
Association

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Competitive Carriers Association's Claim of Confidentiality has been provided by (*) hand delivery, (**) email and U.S. Mail this 4th day of February 2004, to the following:

(*)(**) Adam Teitzman, Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

(*) (**) Nancy White
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

(**) Richard Chapkis
Verizon Florida, Inc.
201 North Franklin Street
MC: FLTC0717
Tampa, Florida 33602

(**) Susan Masterton
Sprint Communications Company
1313 Blairstone Road
Post Office Box 2214
MC: FLTLHO0107
Tallahassee, Florida 32301

(**) Donna Canzano McNulty
MCI WorldCom
1203 Governors Square Boulevard
Suite 201
Tallahassee, Florida 32301

(**) Norman H. Horton, Jr.
215 South Mornoe Street
Tallahassee, Florida 32302-1876

(**) Tracy Hatch
AT&T Communications of the
Southern States, LLC
101 North Monroe Street
Suite 700
Tallahassee, Florida 32301

(**) Michael Gross
Florida Cable Telecommunications
246 East 6th Avenue
Tallahassee, Florida 32302

(**) Matthew Feil
Florida Digital Network, Inc.
390 North Orange Avenue, Suite 2000
Orlando, Florida 32801

(**) Jeffrey J. Binder
Allegiance Telecom, Inc.
1919 M Street, NW
Washington, DC 20037

(**) Floyd R. Self
Messer, Caparello & Self
215 South Monroe Street, Suite 701
Tallahassee, FL 32301

(**) Nanette Edwards
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, Alabama 35802

(**) Jake E. Jennings
Senior Vice-President
Regulatory Affairs & Carrier Relations
NewSouth Communications Corp.
NewSouth Center
Two N. Main Center
Greenville, SC 29601

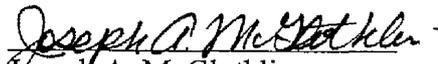
(**) Jon C. Moyle, Jr.
Moyle, Flanigan, Katz, Raymond
& Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

(**) Rand Currier
Geoff Cookman
Granite Telecommunications, LLC
234 Copeland Street
Quincy, MA

(**) Andrew O. Isar
Miller Isar, Inc.
2901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335

(**) Scott A. Kassman
FDN Communications
390 North Orange Avenue
Suite 2000
Orlando, FL 32801

(**) Bo Russell
Vice-President
Regulatory and legal Affairs
NuVox Communications, Inc.
301 North Main Street
Greenville, SC 29601


Joseph A. McGlothlin