Andrew D. Shore Senior Regulatory Counsel

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (404) 335-0743

January 18, 2002

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

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

Dear Mrs. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for John C. Donovan, Exhibits JCD-2, JCD-4 and JCD-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,

Andrew D. Shore

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

DOCUMENT NUMBER CLATE

FPSC-COMMISSION OF FRE

CERTIFICATE OF SERVICE Docket No. 990649A-TP

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

Federal Express this 18th day of January, 2002 to the following:

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Andrew D. Shore (LA)

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

n re: Investigation into pricing of unbundled)	Docket No.: 990649A-TP
network element)	
)	Filed: January 18, 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 December 10, 2001, AT&T Communications of the Southern States, Inc. (hereinafter "AT&T") and MCI WorldCom, Inc. (hereinafter "MCI") filed its Rebuttal Testimony and Exhibits of John C. Donovan (hereinafter "Donovan") pursuant to Order No. PSC-01-2399-PCO-TP. Donovan's Rebuttal Testimony referenced exhibits JCD-2, JCD-4 and JCD-5 which contain BellSouth proprietary information, but which were not served on BellSouth until January 16, 2002. These exhibits include BellSouth vendor-specific pricing information and confidential business information that is considered proprietary to BellSouth.
- 2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in AT&T and MCI's Rebuttal testimony of John C. Donovan, exhibits JCD-2, JCD-4 and JCD-5 includes vendor-specific pricing information and other confidential business information that could cause competitive harm to BellSouth, 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 two redacted copies of the proprietary information.
- 5. Attachment C to BellSouth's Request for Confidential Classification is a sealed envelope containing one copy of the documents in highlighted form which are confidential and proprietary
- 6. The information contained in AT&T and MCI's testimony of John C. Donovan, exhibits JCD-2, JCD-4 and JCD-5 include vendor-specific pricing information and confidential business information. A more specific description of this information is contained in Attachment A. Public disclosure of this information would provide competitors with an unfair advantage in future negotiations. Corresponding information on competitors is not available to BellSouth. 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 18th day of January, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

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ATTACHMENT A

BellSouth Telecommunications, Inc. FPSC Docket No. 990649A-TP Request for Confidential Classification Page 1 of 1 1/18/02

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF REBUTTAL TESTIMONY OF JOHN C. DONOVAN EXHIBITS JCD-2, JCD-4 AND JCD-5 AS FILED ON DECEMBER 10, 2001 IN FLORIDA PUBLIC SERVICE COMMISSION DOCKET 990649A-TP

Explanation of Proprietary Information

A. 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. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. 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.

PAGE NO.	BASIS FOR REQUEST
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JCD-4	
Page 1 of 1, lines 3-10, Columns C-F	1
<u>JCD-5</u>	
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