

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by MCImetro
Access Transmission Services LLC
and MCI WorldCom Communications,
Inc. for arbitration of certain
terms and conditions of a
proposed agreement with
BellSouth Telecommunications,
Inc. concerning interconnection
and resale under the
Telecommunications Act of 1996.

DOCKET NO. 000649-TP
ORDER NO. PSC-00-1809-CFO-TP
ISSUED: October 3, 2000

ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF DOCUMENTS NOS. 10090-00 AND 11099-00

On September 7, 2000, BellSouth filed a Request for Confidential Classification of Exhibit DDC-1, Document No. 10090-00 and cross referenced Document No. 11099-00, which was attached to the direct testimony of D. Daonne Caldwell in the above-referenced case. BellSouth asserts that this exhibit contains cost studies that include vendor-specific pricing information, as well as other confidential business information. BellSouth states that it treats this information as private and that it has not been generally disclosed.

BellSouth seeks confidential classification of the specific information contained in Exhibit DDC-1, Documents No. 10090-00 and cross referenced Document No. 11099-00, as identified in Attachment A, which is attached and incorporated by reference in this Order. BellSouth argues that disclosure of this information would provide BellSouth's competitors with an unfair advantage. In addition, BellSouth asserts that this information is valuable and used by the company in conducting its business and it strives to keep it confidential. Thus, BellSouth believes it should be classified as confidential business information pursuant to Section 364.183(3)(e), Florida Statutes.

Florida law presumes that documents submitted to governmental agencies shall be public records. The only exceptions to this presumption are the specific statutory exemptions provided in the law and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision. This presumption is based on the concept that government should operate in the "sunshine." Rule 25-22.006(4)(c), Florida Administrative Code, provides that it is the Company's burden to demonstrate that the documents fall into one of the statutory examples set out in Section 364.183, Florida

DOCUMENT NUMBER-DATE

12515 OCT-38

FPSC-RECORDS/REPORTING

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Statutes, or to demonstrate that the information is proprietary confidential information, the disclosure of which will cause the Company or its ratepayers harm.

Based on the definition of proprietary confidential business information in Section 364.183(3), Florida Statutes, it appears that the information for which BellSouth seeks confidential classification is information that if disclosed, would cause harm to BellSouth or its ratepayers by impairing BellSouth's ability to compete. Disclosure of this detailed information would impair BellSouth's ability to contract with its vendors. Thus, this information qualifies as proprietary business information under Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. As such, BellSouth's request for confidential treatment is hereby granted.

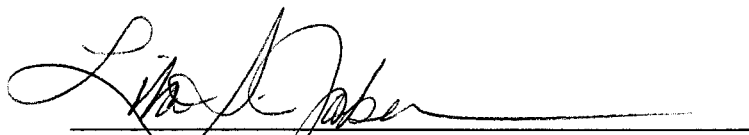
Based on the foregoing, it is therefore

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that BellSouth Telecommunications, Inc.'s September 7, 2000, Request for Confidential Classification of Exhibit DDC-1, Document No. 10090-00 and cross referenced Document No. 11099-00, is granted. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidentiality granted to the material specified herein shall expire eighteen (18) months from the date of the issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183, Florida Statutes. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

By ORDER of Commissioner Lila A. Jaber as Prehearing Officer, this 3rd day of October, 2000.



LILA A. JABER
Commissioner and Prehearing Officer

(S E A L)
PAC

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Number of Originals 3 Date 10/3/00
Requested By Ruth Copies Per Original 16

Item Presented

Agenda For (Date) _____ Order No. 00-1809 In Docket No. 000649
Notice of _____ For (Date) _____ In Docket No. _____
Other _____

Special Handling Instructions

Distribution/Mailing

Number	Distributed/ Mailed To	Number	Distribution/Mailed To
<u>16</u>	<u>Commission Offices</u>	_____	_____
<u>1</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
<u>6</u>	<u>Docket Mailing List - Faxed</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 73 Verified By Michael
Date and Time Completed 10/4 Job Checked For Correctness and Quality (Initial) "

Mail Room Verification

Date Mailed _____ Verified By _____

MEMORANDUM

October 2, 2000

✓ RECEIVED-FPSC

00 OCT -3 AM 10:41

RECORDS AND REPORTING

RHR

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (Christensen)

RE: DOCKET NO. 000649-TP - PETITION BY MCIMETRO ACCESS TRANSMISSION SERVICES LLC AND MCI WORLDCOM COMMUNICATIONS, INC. FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. CONCERNING INTERCONNECTION AND RESALE UNDER THE TELECOMMUNICATIONS ACT OF 1996.

1809 - CFJ

Attached is an ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF DOCUMENTS NOS. 10090-00 AND 11099-00 with attachment, which is ready for issuance.

(Number of pages in order - 5)

*** ATTACHMENTS NOT ONLINE ***

PAC/lw

Attachment

I:000649CO.PAC

MUST GO TODAY

*faxed - 6/1
mailed - 6/1*