

7-11-1996
ONE COPY

NANCY B. WHITE
General Attorney

BellSouth Telecommunications, Inc.
Suite 4300
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Atlanta, Georgia 30375-0001
(404) 335-0710

September 3, 1996

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

RE: Docket No. 96-0000-TP

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification and Motion for Permanent Protective Order. Please file these documents in the above-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,

Nancy B. White (ps)
Nancy B. White

ACK _____

AFA _____

APP _____ Enclosures

CC: All Parties of Record

R. G. Beatty

A. M. Lombardo

W. J. Ellenberg

END _____

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Matter of the)
Interconnection Agreement)
Negotiations Between AT&T) Docket No. 960833-TP
Communications of The)
Southern States, Inc. and)
BellSouth Telecommunications,) Filed: September 3, 1996
Inc. Pursuant to 47 U.S.C.)
§ 252)
_____)

BELLSOUTH TELECOMMUNICATIONS, INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR PERMANENT PROTECTIVE ORDER

COMES NOW BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.006, Florida Administrative Division Code, and files its Request for Confidential Classification and Motion for Permanent Protective Order for the Exhibits to the testimony of Daonne Caldwell filed on August 12, 1996 in the above captioned matter.

1. BellSouth is filing its Request for Confidential Classification for Exhibits DDC-7 through DDC-20 to the testimony of Daonne Caldwell because it deems the information requested to be confidential and proprietary business information in that it reflects cost studies of various unbundled elements, such as loops and ports. Since competitors who will offer local services can use this information as a resource, disclosure of this information would impair BellSouth's ability to compete.

2. BellSouth has appended to this Request for Confidential Classification as Attachment A a listing showing the location in the response of the information designated by BellSouth as confidential.

3. Appended hereto in an envelope designated as Attachment

DOCUMENT NUMBER-DATE
09304 SEP-3 1996
FPSC-RECORDS/REPORTING

B is one copy of the response with the confidential information deleted.

4. Attached as Attachment C is a sealed envelope containing one copy of the response with the material which is confidential and proprietary. Copies of Attachment C are not being served on the other parties in this proceeding.

5. Regarding these testimony exhibits, this information is entitled to proprietary confidential classification for two reasons. First, the documents contain actual unit cost information for discrete cost elements. 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 and is used by BellSouth in conducting its business. Section 364.183(e), Florida Statutes, expressly considers as proprietary confidential business information any information relating to competitive business of the provider. The information contained in Exhibits DDC-7 through DDC-20 to Daonne Caldwell's testimony, as more specifically described above, meets the statutory criteria, and should therefore be afforded confidential classification.

6. Second, the documents contain vendor-specific

contractual and other information. This information is entitled to confidential classification pursuant to Section 364.183(3) and (3)(d), Florida Statutes. The workpapers contain references to vendor-specific pricing negotiated by BellSouth. Public disclosure of this information would impair the Company's ability to contract for similar goods and services in the future on favorable terms. BellSouth often has opportunities to negotiate bulk discounts or other favorable pricing with its vendors. These vendors require that the terms of these contractual arrangements be kept confidential in order to avoid undue pressure from other customers to reduce prices or to give them similar terms and conditions in their contacts. Through public disclosure of such contractual information, these vendors providing crucial products and services to BellSouth could likely react by increasing BellSouth's prices or adversely changing favorable terms and conditions rather than lowering all other potential customers' prices for similar services or products or providing similar contractual arrangements enjoyed by BellSouth. Also, if vendor-specific information were subject to public disclosure, these vendors may withhold valuable information regarding proprietary product or service capabilities which must be available for proper evaluation by BellSouth to fully analyze proposals from vendors in future negotiations. Moreover, if other vendors had access to the prices BellSouth is currently paying for its services, such vendors would be in an unfair bargaining position relative to BellSouth in future contract

negotiations. Any of these results would cause harm to BellSouth in its operations and could tend to increase the Company's cost of doing business which, in turn, would be harmful to BellSouth's ratepayers. Thus, Section 364.183(3)(d), Florida Statutes provides that this information is proprietary confidential business information exempt from the public inspection and examination provisions of Section 119.07(1), Florida Statutes. Finally, pursuant to private agreements entered into with its vendors, BellSouth is under an obligation not to release this information to the public. Section 364.183(3), Florida Statutes, specifically provides that proprietary confidential business information includes information possessed by the Company which is subject to existing non-disclosure agreements with third parties, which if released, could be harmful to the Company.

7. BellSouth has treated and intends to continue to treat the material for which confidential classification is sought as private, and this information has not been generally disclosed.

WHEREFORE, based on the foregoing, BellSouth moves the Commission to enter an order declaring the information described above and contained in the indicated portions of Exhibits DDC-7 through DDC-20 to the testimony of Daonne Caldwell to be confidential proprietary business information, and thus not subject to public disclosure.

Respectfully submitted this 3rd day of September, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty (pd)

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CERTIFICATE OF SERVICE

DOCKET NO. 960833-TP

DOCKET NO. 960846-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Federal Express this 3rd day of September, 1996 to the following:

Tracy Hatch
AT&T Communications of the
Southern States, Inc.
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
(904)425-6364
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Donna Canzano
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Commission
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Nancy B. White (ps)

ATTACHMENT A
Request for Confidential Classifications
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ATTACHMENT A

FPSC DOCKET 960833-TP

TESTIMONY EXHIBITS OF D. CALDWELL (DDC-7 - DDC-20)

Explanation of Proprietary Information

A. 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 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.

B. 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, 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.

LOCATION OF THE PROPRIETARY INFORMATION

<u>PAGE NO.</u>	<u>LINE/COL. NO.</u>	<u>REASON</u>
Unbundled Loop (DDC-7) 8/12/96		
F23B01X000012	Cols. A-C	A
21-22	Col. L	A
24	Cols. C; Lines 16-18, 31-33	A
25	Lines 7-9,11, 13-15, 17	A
27	Cols. C; Lines 18, 23-24, 27, 30, 33	A
28	Lines 5, 8, 10-11	A
32-37	Cols. M-N	A
39	Line 11	A
42&44	Lines 117,119,121,123,125,127,130, 132,134,136,139,141,143,145,147,149, 151,153-158	A
43	Lines 13,15,17,19,21,23,26,28,30,32, 35,37,39,41,43,45,47,49-54	A
53	Cols. C&D	A
54,56,58	Cols. A, B, D-G	A
55&57	Cols. C&D	A
60	Col. B	A
63	Lines 4-6; Col. B	A
64	Cols. D-I	A
Unbundled 4-wire DS1 Digital Grade Loop (DDC-8) 8/12/96		
77	Cols. A-C	A
81&82	Cols. A-L	A&B
84&86	Cols. A-L; Lines 35-38, Cols. B-L, Lines 44-46	A&B
88&91	Cols. AA-L	A&B
89&92	Cols. A-L	A&B
94-96	Col. B	A&B
97	Cols. A,C,E,G,I	A&B
98	Cols. A-C,E,G,H,J,K,M,N,P,R,T,V	A
99,101,103	Col. B	A&B
100	Cols. A,C& Sources Col. A, Lines 68-76	A

Unbundled 4-wire DS1 Digital Grade Loop (DDC-8) 8/12/96 continued

F23B01X000102,104,	Cols. A,B,C,E,G	A&B
106,109,110	Cols. A,B,C,E,G	A
105,108	Cols. B&F	A&B
107	Cols. A,C&Sources Col. A, Lines 142-149	A
121	Cols. A&B	A
122	Cols. A,B,D-G	A
124	Lines 24-28	A

Unbundled Exchange Ports (DDC-9) 8/12/96

145,146,148	Cols. A-D	A
147	Cols. A&B	A
149	Col. A	A
155A	Col. C	A
156	Col. C, Lines 3,4,6,12,16,17,19,25,32	A&B
157	Col. C, Line 31	A&B
158-161	Cols. A-F	A
162	Col. C, Lines 2,3,9,10,13,16	B
165	Cols. A-C	A
166	Col. C, Lines 32,33	A&B
167	Col. C, Lines 2,8,12,18,26	A&B
168	Col. C	B
169	Col. C, Lines 49-51,63-87	A&B
170	Col. C, Lines 92-103, 112&113	A&B
171	Col. C	A&B
172&173	Cols. A&F	A
175	Col. C, Lines 2,3,10,11,17-27,35-45	A&B
176	Col. B, Lines 4-14; all of Col. C	A&B
177	Col. B, Lines 4-11; all of Col. C	A&B
179	Cols. A-C	A
180	Col. C	A
181	Col. C, Lines 2-5, 15	A&B
182	Col. C, Lines 3-6, 12-17, 23-25	A&B
183	Col. B, Lines 2-4; all of Col. C	A&B
184	Col. B, Lines 2-8; all of Col. C	A&B
185	Col. C	A
186&187	Cols. A&F	A&B

Unbundled Exchange Ports (DDC-9) 8/12/96 continued

F23B01X000188	Col. C, Lines 3,9,15,19	A&B
191	Cols. A-C	A
192	Col. C	A
193	Col. C, Lines 2-5,15	A&B
194	Col. C, Lines 1&7	A&B
195	Col. B, Lines 2-4; all of Col. C	A&B
196	Col. B, Lines 2-8; all of Col. C	A&B
197	Col. C	A
198&199	Cols. A&F	A&B
200	Col. C, Lines 3-9,15-19	A&B
203	Cols. A-C	A&B
204	Col. C; Lines 35&36	A&B
205	Col. C, Lines 3-8,14,18-23,29,36	A&B
206	Col. C, Lines 1&7	A&B
207	Col. C	A&B
208&209	Cols. A&F	A
210	Col. C, Lines 3-24,30-49	A&B
212	Col. C, Lines 2,3,10,11,17-27,35-45	A&B
213&214	Col. B, Lines 4-6; all of Col. C	A&B
216	Col. C	A
217	Cols. C-G	A
218	Cols. C-I	A
219	Cols. C-H	A
242	Cols. A-H	A

**Unbundled Loop Channelization System & Central Office Channel Interface
(DDC-10) 8/12/96**

F23B01X000254	Cols. A-C	A
257	Col. B	A
258&259	Cols. C, E-O	A&B
261	Col. A, Lines 2,3,6,9,10,17-20,23,26, 29,30,33,36	A&B
262	Col. A, Lines 2,5,11,14,17,20,23,24,27,30	A&B
267&269	Cols. A&B	A
268&270	Cols. A,B, D-G	A

Special Access Voice Grade Service (DDC-11) 8/12/96

F23B01X000289	Cols. A&B	A
293	Col. A	A
294-299	Cols. A,B,C-I; Lines 15, 18	A
300	Cols, A,B,C,D; Line 14	A
301,303,305	Cols. A,B,C,D; Line 6	A
302&304	Cols. A,B,C,D; Line 4	A
306,308,309	Cols. A-C	A
307	Col. A	A
310&311	Col. C, Equip. Investment \$'s	A&B
315-317	Cols. A&B	A
318-320	Cols. A-D,F-M	A

Operator Provided and Fully Automated Call Handling Service (DDC-12) 8/12/96

F23B01X000340,345,348,351,	Col. A	A
346	Cols. A-F	A&B
347	Cols. A-I	A
349	Col. A, Lines 8,9,12,13,15,16,19, 26-30,51,53	B
350	Cols. A&B, Lines 8,11-13,17,19,21	B
352	Col. A, Lines 28-29,34-35,38,43-44	B
353	Col. A, Lines 14,16-17	A

Verification and Emergency Interrupt Service (DDC-13) 8/12/96

F23B01X000370,374,379	Col. A	A
375	Cols. A-G	A
376	Col. A, Lines 12,14	A
377	Col. A, Lines 9-10, 13-14,16,20, 27-31,51,53	B
378	Cols. A&B, Lines 8,13-15,19,21	B

Directory Assistance Access Service (DDC-14) 8/12/96

F23B01X000395	Col. A	A
399	Col. A, Lines 3-16,20-24	A
400	Col. A	A
401	Col. A, Lines 3-5	A
402	Col. A, Lines 2-3,5-6,8,11,18-22, 43,45	A&B
403	Col. A, Lines 2,5,9,13	A&B
404	Col A, Lines 2-3,5-6,16-24,48-49	B

Directory Assistance DataBase Service (DDC-15) 8/12/96

F23B01X000420	Col. A	A
423	Lines 10,14	A
424	Col. A, Lines 10,13,22; Col B, Lines 10,13,15,18,22-23,25	A
426	Line 7	A

Directory Access to Directory Assistance Service (DDC-16) 8/12/96

F23B01X000439	Col. A, Lines 2,5,7	A
443	Col. A, Lines 12,14,18,20,22	A
444	Col. A	A
445	Col. A, Lines 10-14,24-32, 53-54,57-58	B

DACC Access Service (DDC-17) 8/12/96

F23B01X000464	Col. A	A
467	Col. D	A
468	Col. D, Lines 3,5,9,13,15,19,21,24, 29,31,33,36	A&B
469	Col. D, Lines 4-6,10,14	A&B

Directory Transport (DDC-18) 8/12/96

F23B01X000485	Col. A	A
488	Col. C	A
489	Col. D, Lines 1-5, 13-17	A

Number Services Intercept Access Service (DDC-19) 8/12/96

F23B01X000506	Col. A	A
510	Col. C	A
511	Col. D, Lines 3,5,9,13,15,19,21, 24, 28,30,32,35	A&B
512	Col. D, Lines 1-10,14	A&B
513	Col. D, Lines 2-3,5,9,13,15,19,21, 24,29,32	A&B
514	Col. D, Lines 3,5,9,13,15,19,21, 24,29,32,	A&B
515&516	Col. D&F	A

CCS7 Signaling Transport Service (DDC-20) 8/12/96

F23B01X000533	Col. A, Lines 13-24	A
537	Col. A, Lines 14,17-18,21,25-26, 32-34,37-39,44-46	A
539	Col. A, Lines 10,17,23; Col. B, Lines 9-11,13,16-18,20,22-24,26-27, 31,35	B
540	Col. A, Lines 8,11,17-21,23,25-26, 29-30,32-34	A
541	Col. A, Lines 16-17,27; Col. B, Lines 12-17, 20-31	B
542	Col. A, Lines 16-17,27; Col. B, Lines 12-17,20-34	B
543	Col. A, Lines 10,17,23; Col. B, Lines 9-11,13,16-18,20,22-24,26-27, 31,35	B