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December 23, 1999

**KAREN D. WALKER**  
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Internet Address:  
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**RECEIVED-FPSC**  
**RECORDS AND REPORTING**  
**9 DEC 23 PM 12: 25**

VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Number Utilization Study: Investigation Into Number Conservation Measures, Docket No. 981444-TP

Dear Ms. Bayo:

Enclosed for filing are the original and 15 copies of Florida Cellular Service, Inc. d/b/a BellSouth Mobility Inc's Response to Petition to Inspect and Examine Material Claimed To Be Confidential.

For our records, please acknowledge your receipt of this filing on the enclosed copy of this letter. Thank you for your consideration in this matter.

Very truly yours,

HOLLAND & KNIGHT LLP



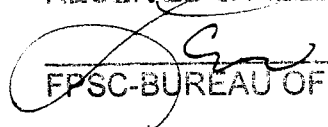
Karen D. Walker

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU Heri
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- MAS \_\_\_\_\_
- OPC \_\_\_\_\_
- RPR \_\_\_\_\_
- SEC \_\_\_\_\_
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- OTH \_\_\_\_\_

Enclosure  
KDW/

cc: Diana Caldwell (w/enclosure via hand delivery)  
All Parties of Records (w/enclosure via U.S. Mail)

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DOCUMENT NUMBER-DATE  
**15694 DEC 23 99**  
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ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Number Utilization Study: Investigation  
Into Number Conservation Measures

Docket No. 981444-TP  
Filed: December 23, 1999

BELLSOUTH MOBILITY INC'S RESPONSE TO PETITION TO  
INSPECT AND EXAMINE MATERIAL CLAIMED TO BE CONFIDENTIAL

Florida Cellular Service, Inc. d/b/a BellSouth Mobility Inc ("BMI"), by and through undersigned counsel, pursuant to Rule 25-22.006(5)(c)2., Florida Administrative Code, hereby files its response to the Petition to Inspect and Examine Material Claimed To Be Confidential filed by the Office of Public Counsel ("OPC") with the Florida Public Service Commission (the "Commission") on December 13, 1999, and states:

1. By letter dated September 24, 1999, Commission staff requested that members of the telecommunications industry provide data to assist the Commission in its study of number utilization of all area codes in Florida.

2. Although BMI is a commercial mobile radio service provider not subject to the Commission's jurisdiction, BMI complied in good faith with Commission staff's data request by filing two spreadsheets with the Commission under cover of a Notice of Intent to Request Confidential Classification on October 15, 1999. In order to maintain confidential treatment of its response to staff's data request, BMI subsequently refiled the two spreadsheets under cover of a Request for Confidential Classification on November 5, 1999.

3. BMI was one of only twelve members of the telecommunications industry to respond to Commission staff's data requests in this docket. The vast

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majority of the industry never responded. Because Commission staff received responses from only twelve members of the telecommunications industry, all twelve responses taken together cannot present a meaningful picture of number utilization in Florida and cannot form the basis for a determination as to what number conservation measures would be feasible and most effective.

4. Due to the proprietary nature of the information requested in staff's data requests, all twelve of the industry members that submitted responses requested confidential treatment of such responses.

5. On December 13, 1999, the Citizens of Florida (the "Citizens"), by and through the OPC, filed a petition to inspect the confidential information filed in this matter by BMI and the eleven other members of the industry that submitted responses to Commission staff's data requests. The Citizens' petition indicates that the Citizens do not object to inspecting and examining the documents for which confidential treatment has been requested subject to a protective order issued by the Commission.

6. Notwithstanding BMI's non-jurisdictional status, and without waiving the confidentiality of the information filed by BMI with the Commission on October 15, 1999 and November 5, 1999, BMI does not object to permitting the OPC to inspect the confidential information of BMI identified in the Citizens' petition, provided that an appropriate protective order is first entered.

7. BMI hereby requests that prior to releasing any of the documents filed by BMI with the Commission in this docket under cover of its Notice of Intent to

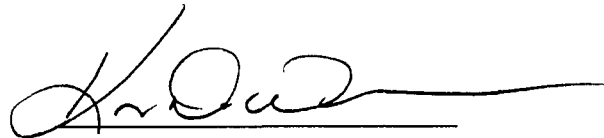
Request Confidential Classification or its Request for Confidential Classification to OPC, the Commission issue a protective order:

- (a) permitting OPC to inspect the documents filed by BMI identified in the Citizens' petition solely for purposes of this docket;
- (b) providing that the documents filed by BMI under its Notice of Intent to Request Confidential Classification or its Request for Confidential Classification shall be kept confidential and exempt from disclosure under Section 119.07, Florida Statutes;
- (c) restricting access to BMI's confidential information to those individuals employed by OPC who are actively involved in this docket;
- (d) requiring that each individual who will inspect and examine BMI's confidential information review the protective order prior to receiving access to such information, and execute a form acknowledging that the individual has read and understands the protective order and agrees to be bound by its terms;
- (e) requiring OPC to retain copies of all such executed acknowledgement forms;
- (f) requiring OPC, upon the completion of its review of the documents, to notify BMI of the specific information, if any, that OPC intends to use in this proceeding;

- (g) requiring OPC, upon the completion of its review of the documents, to return to BMI any documents that it does not intend to use in this proceeding; and
- (h) requiring OPC, at the conclusion of this proceeding, to return to BMI or destroy any document, including notes or other documents created by OPC and used in this proceeding, that incorporates or includes any of BMI's confidential information.

8. Absent entry of a protective order as described in paragraph 6 above, BMI does not consent to the OPC inspecting and examining its confidential information filed in this docket.

Respectfully submitted,



D. Bruce May  
Florida Bar No. 354473  
Karen D. Walker  
Florida Bar No. 982921  
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(904) 224-7000

**Attorneys for BellSouth Mobility Inc.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via hand-delivery\* or U.S. mail this 23<sup>rd</sup> day of December 1999 to the following:

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100 West Lucerne Circle, #100  
Orlando, Florida 32801  
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Fax: 407/481-2560

AT&T Communications of the  
Southern States, Inc.  
Tracy Hatch  
Marsha Rule  
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Tallahassee, Florida 32301-1549  
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Fax: 850/425-6361

AT&T Wireless Services of Florida,  
Inc.  
William Higgins  
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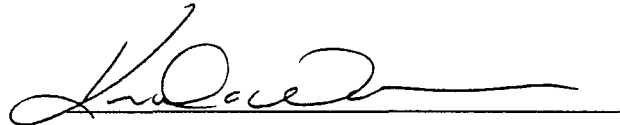
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A handwritten signature in black ink, appearing to read 'Karen D. Walker', is written over a solid horizontal line.

Karen D. Walker

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