ANDREW D. SHORE Attorney

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (404) 335-0711

January 10, 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)

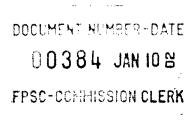
Dear Mrs. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification, 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, And New D. Shore Andrew D. Shore (14)

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



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 10th day of January, 2002 to the following:

Wayne D. Knight Staff Counsel Florida Public Service Commission Division of Legal Services 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 Tel. No. (850) 413-6216 Fax. No. (850) 413-6217 wknight@psc.state.fl.us

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Andrew D. Shore

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into Pricing of Unbundled Network Elements

Docket No.: 990649A-TP

Filed: January 10, 2002

BELLSOUTH TELECOMMUNICATIONS, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

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BellSouth Telecommunications, Inc., ("BellSouth") pursuant to Rule 25-22.006, Florida Administrative Code, hereby files this Request for Confidential Classification, and states the following:

1. On January 7, 2002 BellSouth Telecommunications, Inc. filed its Response to Staff's First Request for Production of Documents, Item No. 1, Attachment 1 and 2 that includes proprietary information. At the same time, BellSouth filed a Notice of Intent to Request Confidential Classification.

2. BellSouth hereby files this Request for Confidential Classification because the information contained in BellSouth's Response to Staff's First Request for Production of Documents, Item No. 1, Attachment 1 and 2 includes practices/procedures utilized by BellSouth to conduct business and vendorspecific pricing information, confidential business information and customer proprietary information. Attachment "A" to BellSouth's Request for Confidential Classification contains the specific justification for the request for confidential classification along with a list that identifies the location of the information designated by BellSouth as confidential. 3. Attachment "B" to BellSouth's Request for Confidential Classification contains two copies of the documents with the confidential information redacted.

4. Attachment "C" to BellSouth's Request for Confidential Classification is a sealed envelope containing one copy of the documents including those portions that are confidential and proprietary.

5. The information contained in BellSouth's Response to Staff's First Request for Production of Documents, Item No. 1, Attachment 1 and 2 includes information containing practices/procedures utilized by BellSouth to conduct business and vendor-specific pricing information, confidential business information and customer proprietary information that is considered proprietary to BellSouth. Public disclosure of this information would provide competitors with an unfair advantage in future negotiations. This same information on competitors is not available to BellSouth. Therefore, such information should continue to 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 Records and Reporting, and a copy was served on the Parties.

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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 10th day of January, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

NANCY B. WHITE ((A) MICHAEL P. GOGGIN c/o Nancy Sims 150 South Monroe Street, Suite 400 Tallahassee, FL 32301 (305) 347-5558

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R. DOUGLAS LACKEY ANDREW D. SHORE Suite 4300 675 W. Peachtree St., NE Atlanta, GA 30375 (404) 335-0743

ATTACHMENT A

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BellSouth Telecommunications, Inc. FPSC Docket No. 990649A-TP Request for Confidential Classification Page 1 of 2 01/28/02

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS, ITEM 1, ATTACHMENT ONE AND TWO, FILED JANUARY 7, 2002, IN FLORIDA DOCKET NO. 990649A-TP

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Explanation of Proprietary Information

- The information requested contains practices/procedures utilized by BellSouth to conduct business. This information, if released, would allow BellSouth's competitors to have free access to certain intellectual property which was developed at significant expense to BellSouth. BellSouth's competitors can use this information to develop their own strategies without the burden and expense of developing this property for themselves. Thus, the disclosure of this information to BellSouth's competitors would impair BellSouth's ability to compete and the information is entitled to confidential classification pursuant to Section 364.183, Florida Statutes. In addition, this information, which BellSouth keeps as trade secrets, is valuable because it is used by BellSouth in conducting its business. Therefore, this information should be classified as proprietary, confidential business information exempt from the Open Records Act.
- This information reflects vendor specific pricing negotiated by BellSouth. Public disclosure of this information would impair BellSouth's ability to contract for goods and/or services on favorable terms. Pursuant to Section 364.183, Florida Statues such information is classified as proprietary, confidential business information which is exempt from the Open Records Act.

ATTACHMENT A

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BeilSouth Telecommunications, Inc. FPSC Docket No. 990649A-TP Request for Confidential Classification Page 2 of 2 1/28/02

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS, ITEM 1, ATTACHMENT ONE AND TWO, FILED JANUARY 7, 2002, IN FLORIDA DOCKET NO. 990649A-TP

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<u>POD NO. 1</u>

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Location	<u>Reason</u>
Attachment 1	1
Attachment 2	2

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