

James Meza III
Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

April 24, 2002

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

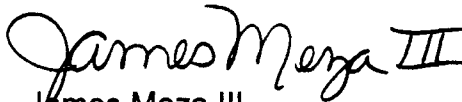
RE: Docket No. 001305-TP (Supra)

Dear Ms. Bayo:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s **Amended** Request for Specified Confidential Classification for Supra Telecommunications and Information System, Inc.'s Letter to Commissioner Palecki with Exhibits filed on April 1, 2002, 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 a copy to me. Copies have been served to the parties shown on the attached certificate of service.

Sincerely,


James Meza III
(JM)

Enclosures

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

DOCUMENT NUMBER DATE

04525 APR 24 02

FPSC-COMMISSION CLERK

JC

**CERTIFICATE OF SERVICE
Docket No. 001305-TP**

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

Electronic Mail and U.S. Mail this 24th day of April, 2002 to the following:

Wayne Knight
Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6232
Fax. No. (850) 413-6250
wknight@psc.state.fl.us

Ann Shelfer, Esq. (+)
Supra Telecommunications and
Information Systems, Inc.
1311 Executive Center Drive
Koger Center - Ellis Building
Suite 200
Tallahassee, FL 32301-5027
Tel. No. (850) 402-0510
Fax. No. (850) 402-0522
ashelfer@stis.com

Brian Chaiken
Paul Turner (+)
Kirk Dahlke
Supra Telecommunications and
Information Systems, Inc.
2620 S. W. 27th Avenue
Miami, FL 33133
Tel. No. (305) 476-4248
Fax. No. (305) 443-1078
bchaiken@stis.com
pturner@stis.com
kdahlke@stis.com


James Meza III
(2)

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of the Interconnection) Docket No. 001305-TP
Agreement Between BellSouth Telecommunications,)
Inc. and Supra Telecommunications & Information)
System, Inc., Pursuant to Section 252(b) of the)
Telecommunications Act of 1996.)
_____) Filed: April 24, 2002

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
AMENDED REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION**

BellSouth Telecommunications, Inc. ("BellSouth" or "Company"), hereby files, pursuant to Rule 25-22.006, Florida Administrative Code, its Amended Request For Specified Confidential Classification. BellSouth filed its original Request for Confidential Classification on April 23, 2002 and is filing this Amended Request for Confidential Classification in order to include paragraph 6, which was omitted from the original filing, and to correct a typographical error in paragraph 5.¹ In support of this Amended Request for Confidential Classification, BellSouth states the following:

1. At the close of business on April 1, 2002, Supra Telecommunications & Information Systems, Inc. ("Supra") filed a Letter to Commissioner Palecki with exhibits in the above-captioned docket. On April 2, 2002, a Notice of Intent to Request Specified Confidential Classification was filed for the proprietary information.

¹ In this Amended Request for Confidential Classification, BellSouth added the word "a" in the first sentence of paragraph 5.

2. Supra gave BellSouth no notice of its filing of this confidential information. Thus, it was only upon reviewing the subject document that BellSouth first discovered that it contained confidential information. BellSouth filed its notice promptly after making this discovery.

3. Several portions of Supra's letter as well as certain exhibits to that letter contain substantive references to the private commercial arbitration proceeding between the parties. Both BellSouth and Supra are contractually bound under a previous and now-expired Interconnection Agreement to keep the proceedings of the private arbitration confidential. Since the public release of this information is contractually prohibited, it is entitled to confidential classification pursuant to § 364.183, Florida Statutes.

4. Contrary to Supra's statements in its letter, BellSouth has not waived any of its rights regarding the confidentiality of the commercial arbitration proceedings.

5. While BellSouth is considering its options in other forums as a result of Supra's violation of the confidentiality requirement set forth in a previous and now expired agreement, the fact that BellSouth may have such options does not nullify BellSouth's right to protect such information from disclosure under Florida law.

6. In addition, the confidential nature of the commercial arbitration proceedings has been confirmed by the Federal District Court for the Southern District of Florida, in Civil Action No. 01-3365. As the court found in its October

31, 2001 Order, the parties are required under the previous and now-expired agreement to keep all information related to the commercial arbitration proceedings confidential.

The exception to the confidentiality provision does not permit the parties to disclose information and evidence produced during the arbitration proceedings and other related matters (including an arbitration award), beyond a judicial proceeding or unless by order of a court or a governmental body. Further, the Arbitral Tribunal, in its Order dated July 20, 2001, concluded that the arbitration award may contain proprietary or confidential information, which the parties agreed to be held in confidence in accord with the terms of the Agreement. Therefore, to unseal the filings in this case would contravene the confidentiality provision with which the parties agreed.

See October 31, 2001 Order at pp. 5-6.

7. BellSouth is now filing a Request for Confidential Classification for the subject information because several portions of Supra's letter as well as certain exhibits contain information that is confidential and proprietary to both BellSouth and Supra. This information includes, among other things, contractual information, customer specific information, and confidential business information. Pursuant to Section 364.183, Florida Statutes, such information is considered proprietary confidential business information.

8. A more specific description of this information is contained in Attachment A. This information is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as proprietary, confidential business information pursuant to Sections 364.183(3)(e), Florida

Statutes. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

9. 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.

10. Appended hereto as Attachment B are two copies of the requested documents with the confidential information deleted.

11. Appended hereto as Attachment C is a sealed envelope containing one copy of the documents including the material, which is confidential and proprietary.

WHEREFORE, based on the foregoing, BellSouth 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 24th day of April, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White

NANCY B. WHITE (22)

JAMES MEZA III

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, Florida 32301

(305) 347-5558

R. Douglas Lackey

R. DOUGLAS LACKEY (22)

675 W. Peachtree Street

Suite 4300

Atlanta, Georgia 30375

(404) 335-0747

443420 v1A