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ATTORNEY AT LAW

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February 14, 2003

Blanca S. Bayó, Director
Division of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

030176-7P

Re: Complaint of Davel Communications, Inc. Against BellSouth Telecommunications, Inc.
and Invocation of the Protections Afforded by Rule 25-22.032(6), F.A.C., During
Pendency of the Complaint Process

Dear Ms. Bayó:

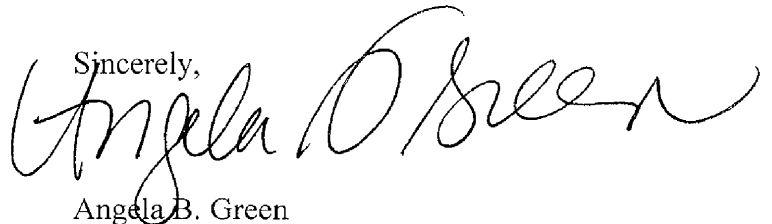
Enclosed please find the original and seven (7) copies of:

- Davel Communications, Inc.'s ("Davel's") Complaint Against BellSouth Telecommunications, Inc. and Invocation of the Protections Afforded by Rule 25-22.032(6), F.A.C., During Pendency of the Complaint Process ("Complaint"); and
- Davel's Request for Confidential Classification Pursuant to Section 364.183(1), Florida Statutes.

Davel's Complaint is a redacted document. Enclosed you will also find one Confidential Document which contains the dollar amounts which have been redacted from the Complaint. Confidential treatment is requested for this document. Redacted copies of the Confidential Document are included with the Complaint.

An extra 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,



Angela B. Green

COMPLAINT
DOCUMENT NUMBER-DATE

01554 FEB 14 8

FPSC-COMMISSION CLERK

REQUEST
DOCUMENT NUMBER-DATE

01555 FEB 14 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Davel Communications, Inc.
Against BellSouth Telecommunications, Inc.
and Invocation of the Protections Afforded by
Rule 25-22.032(6), F.A.C., During Pendency
of the Complaint Process

Docket No. 030176-TP

Filed: February 14, 2003

**REQUEST FOR CONFIDENTIAL CLASSIFICATION
PURSUANT TO SECTION 364.183(1), FLORIDA STATUTES**

Pursuant to Section 364.183(1), Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Davel Communications, Inc. ("Davel"), hereby notifies the Florida Public Service Commission ("FPSC" or "Commission") that certain information identified herein contains confidential and proprietary business information that should be held exempt from public disclosure under Chapter 119, Florida Statutes. Davel requests the Commission to issue any appropriate protective orders that might be required to protect such information from public disclosure.

On February 14, 2003, Davel filed its Complaint Against BellSouth Telecommunications, Inc. ("BellSouth") and Invocation of the Protections Afforded by Rule 25-22.032(6), Florida Administrative Code, During Pendency of the Complaint Process ("Complaint"). Included with the Complaint is one (1) Confidential Document that contains four different (4) dollar amounts. A redacted copy of that Confidential Document is also included with the Complaint. Also attached to the Complaint is a letter identified as Attachment A. Attachment A contains one (1) dollar figure that has been redacted. The redacted number on Attachment A also appears on the Confidential Document and is identified as such on Attachment A. There is no non-redacted version of Attachment A since the single dollar figure that has been redacted from it also appears on the non-redacted copy of the Confidential Document.

DOCUMENT NUMBER-DATE

01555 FEB 14 03

FPSC-COMMISSION CLERK

The information for which this Request is submitted is highly proprietary competitive information that meets the definition of confidential proprietary business information pursuant to Section 364.183(3)(a),(d), and (e), Florida Statutes. Section 364.183(3) provides, in pertinent part that:

(3) The term “proprietary confidential business information” means information, regardless of the form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person’s or company’s business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. The term includes, but is not limited to:

(a) Trade secrets.

...

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms.

(e) Information concerning bids or other contractual data, the disclosure of which would impair the competitive business of the provider of information.

The information for which this Request is submitted has not been publicly disclosed by either party. The dollar amounts listed on the Confidential Document pertain to deposit amounts that BellSouth has requested from Davel, as well as Davel’s own calculation of the maximum allowable deposit requirement under the Commission’s deposit rule. A competitor could employ these dollar figures to derive valuable information regarding how much business Davel generates in the BellSouth territory. This is valuable information to both Davel and BellSouth and impacts the competitive interests of both companies. Disclosure of this information has the potential to harm both companies. Information of this type is routinely kept confidential by companies in the normal course of business and is disclosed only under confidentiality agreements and only when

required for business purposes, and then, strictly on a “need to know” basis in furtherance of specific business activity, such as seeking a competitive bid or evaluating existing business arrangements.

For the reasons set forth, Davel requests that the Commission grant this Request for Confidential Classification, exempt the identified information from disclosure under Chapter 119, Florida Statutes, and issue any appropriate protective order, protecting the information from disclosure while it is maintained at the Commission.

Respectfully submitted this 14th day of February, 2003.

By:



ANGELA B. GREEN

Angela B. Green, P.A.
8527 S.E. 71st Avenue
Ocala, Florida 34472-3465
Tel: 352-347-9038
Fax: 352-347-9048

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Davel Communications, Inc.
Against BellSouth Telecommunications, Inc.
and Invocation of the Protections Afforded by
Rule 25-22.032(6), F.A.C., During Pendency
of the Complaint Process

Docket No. _____

Filed: February 14, 2003

CONFIDENTIAL DOCUMENT

Item Number 1 = [REDACTED]

Item Number 2 = [REDACTED]

Item Number 3 = [REDACTED]

Item Number 4 = [REDACTED]

ATTACHMENT A



December 20, 2002

Mr. John D. Chichester
Davel Communications, Inc
1001 Lakeside Ave
Northpoint Tower, 7th Floor
Cleveland, OH 44114

Dear Mr. Chichester,

BellSouth performs periodic credit reviews of its existing customers. Reviewed were:

- D&B Rating
- Number of years current management has been in place
- D&B Paydex (how Davel is paying others)
- Financial Stability (review of financials)
- Debt Compliance
- News Articles

After reviewing your account, an additional security deposit is required in the amount of * [REDACTED] based upon your average monthly billing with BellSouth Interconnection Services.

This balance can be submitted either in cash (guaranteed funds), in the form of an Irrevocable Letter of Credit or as a Surety Bond (required formats enclosed) to:

Attn: Sandra Cetti
BellSouth
1025 Lenox Park Blvd.
Room 9B24
Atlanta, GA 30319
Fax: 404.986.0166
SandrCetti@bellsouth.com

The security is to be received by January 20, 2003. If you have any questions regarding the contents of this letter, please contact Sandra Cetti or myself.

I look forward to your prompt response.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry W. Thaxton", with a long horizontal line extending to the right.

Larry W. Thaxton
LarryThaxton@bellsouth.com

***Item Number 2**
on Confidential Document

cc: Richard P. Kebert

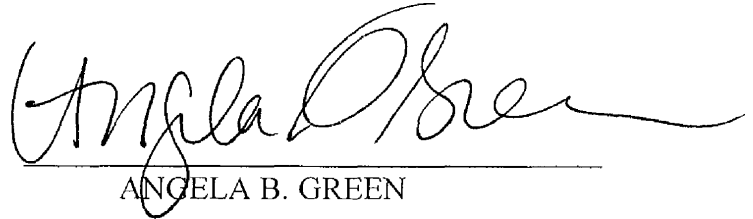
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. Mail* Overnight Mail** or Hand Delivery*** this 14th day of February, 2003, to the following:

Nancy H. Sims**
Director of Regulatory Affairs
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

Staff Counsel*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399

By:


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