

ORIGINAL

Legal Department

JAMES MEZA III
Attorney

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150 South Monroe Street
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July 21, 2003

RECEIVED FPSC
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COMMISSION
CLERK

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: 030349-TP (Supra \$75 Cash Back Promotion)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for portions of the Direct Testimony of David A. Nilson along with Exhibits DAN6, DAN7, DAN8, DAN9, DAN10, DAN13, DAN14, DAN17, DAN18, DAN19 and DAN20, which we ask that you file in the captioned docket. Please note, this Request for Specified Confidential Classification also covers Supra's filing on July 14, 2003, for the same Exhibits as "Bate Stamped Replacement Exhibits."

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,

James Meza III (KA)

Enclosures

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

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

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In
FPSC-BUREAU OF RECORDS

This confidentiality request was filed by or for a "telco" for DN 0651603. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

DOCUMENT NUMBER-DATE
06515 JUL 21 03
FPSC-COMMISSION CLERK


**CERTIFICATE OF SERVICE
DOCKET NO. 030349-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and Federal Express this 21st day of July, 2003 to the following:

Linda Dodson
Staff Counsel
Florida Public Service
Commission
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James Meza III (KA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Supra Telecommunications)
and Information Systems, Inc., Against)
BellSouth Telecommunications, Inc.'s Regarding)
BellSouth's Use of Carrier to Carrier Information)
_____)

Docket No. 030349-TP

Filed: July 21, 2003

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

COMES NOW, BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.006, *Florida Administrative Code*, and Section 364.183, *Florida Statutes*, and files this Request for Specified Confidential Classification.

1. On June 30, 2003, Supra Telecommunications and Information Systems, Inc., ("Supra") filed with the Florida Public Service Commission ("FPSC") the direct testimony and Exhibits of David A. Nilson. Said Testimony and Exhibits contains information which Supra understood contained BellSouth proprietary and confidential information. On June 30, 2003 Supra filed a Letter claiming confidentiality for portions of the testimony and Exhibits DAN6, DAN7, DAN9, DAN10, DAN18, DAN 19, and DAN 20. On July 1, 2003, Supra filed Supplemental Exhibits to Supra Direct Testimony of David A Nilson. Said Exhibits contains information which Supra understood contained BellSouth Proprietary and confidential information. On July 1, 2003 Supra filed a Letter claiming confidentiality for Exhibits DAN8, DAN13, DAN14, and DAN17. On July 14, 2003, Supra filed the same Exhibits as Bate Stamped Replacement Exhibits again claiming confidentiality for these Exhibits.

2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in Supra's Direct Testimony of David A. Nilson and Exhibits DAN6, DAN7, DAN8, DAN9, DAN10, DAN13, DAN14, DAN17, DAN18, DAN19 and DAN20

includes confidential business practices/procedures utilized by BellSouth to conduct business. In addition, the subject information is confidential pursuant to the terms of a former interconnection agreement and the rules of a commercial arbitration panel. A more specific description of this information is contained in Attachment A. Public disclosure of this information would cause competitive harm to BellSouth and provide competitors with an unfair advantage in future negotiations and would impair BellSouth's ability resolve matters via the Commercial Arbitration process. The information discussed in Request for Specified Confidential Classification is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as confidential, proprietary business information pursuant to Section 364.24 and Section 364.183, *Florida Statutes*. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

3. Attachment A to BellSouth's Request for Confidential Classification contains an explanation of the proprietary information along with a list that identifies the location of the information designated by BellSouth as confidential.

4. Attachment B to BellSouth's Request for Confidential Classification is redacted copies of the document containing the confidential information.

5. Attachment C to BellSouth's Request for Confidential Classification is a highlighted copy of the document containing the confidential information.

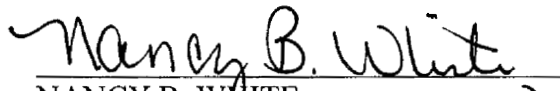
6. The information discussed in this Request for Specified Confidential Classification is valuable, BellSouth treats this information as confidential in all requests, and this information has not been generally disclosed.

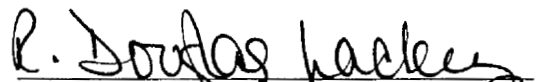
7. The original of this Request was filed today with the Division of the Commission Clerk and Administrative Services and a copy was served on the Parties.

WHEREFORE, based on the foregoing, BellSouth respectfully requests that, pursuant to Section 364.183, Florida Statutes, 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 21st day of July 2003.

BELLSOUTH TELECOMMUNICATIONS, INC.


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ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 030349-TP
Request for Confidential Classification
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07/21/03**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF PORTIONS OF SUPRA'S
DIRECT TESTIMONY AND EXHIBITS OF DAVID A. NILSON FILED IN FPSC
DOCKET 030349-TP ON JUNE 30th, JULY 1st, AND JULY 14, 2003.**

Explanation of Proprietary Information

1. This information reflects BellSouth's business strategy relating to its competitive marketing position. Specifically, this information discusses, describes and evaluates BellSouth's internal systems used in potential strategic responses to various competitive scenarios; key details relating to the substance of such systems as well as developmental time frame information and implementation information; and discusses/evaluates recommendations on these potential competitive response. BellSouth's competitors can use this information to develop their own market strategy with which to thwart BellSouth's effort in this market. Thus, the disclosure of this information to BellSouth's competitors would impair BellSouth's ability to compete and is entitled to confidential classification pursuant to Section 364.183(3)(a) and (3)(e), Florida Statutes. In addition, this information is valuable as it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, this information is a trade secret which should be classified as proprietary, confidential business information exempt from the Open Records Act.
2. The subject information contains substantive reference to, or are documents from the BellSouth/Supra Commercial Arbitrations. Both BellSouth and Supra agreed to keep the information of the Commercial Arbitrations confidential. This information is proprietary to BellSouth and includes information containing customer proprietary and business proprietary information. The Commission has always zealously protected customer proprietary and business proprietary information in order to protect the customer's privacy and prevent a competitor of the customer from obtaining an unfair advantage. This information is clearly confidential and proprietary under Florida Statutes, Section 364.24, Section 364.183 and Rule 25-22.006, Florida Administrative Code.

ATTACHMENT A

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DIRECT TESTIMONY AND EXHIBITS OF DAVID A. NILSON FILED IN FPSC
DOCKET 030349-TP ON JUNE 30th, JULY 1st, AND JULY 14, 2003.

TESTIMONY

<u>Location</u>	<u>Reason</u>
Page 12, Lines 1-24, Footnote -7	2
Page 13, Lines 1-12, 22-32	2
Page 14, Lines 11-22	2
Page 15, Lines 9-11	1
Page 16, Lines 1-7 & 9-27	2
Page 17, Lines 16-25	2
Page 18, Lines 4-19 & 24-26	2
Page 20, Lines 4-21 & 25-34	2
Page 21, Lines 2-10 & 13-25	2
Page 26, Lines 4, 5 & 19	1
Page 27, Lines 5-13 & 20-29	2
Page 28, Lines 4-15, 19-23, 28-32, & 37	2
Page 28, Lines 17, 18, 26, & 35	1
Page 29, Lines 1-5, 9-14, 22-37	2
Page 29, Lines 8 & 17	1
Page 30, Lines 1-5, 13-25, & 28-39	2
Page 30, Line 11	1
Page 31, Lines 1, 2, 10-12	2
Page 31, Lines 7 & 16	1
Page 32, Lines 10, 11, 17 & 20	1
Page 33, Line 2	1
Page 34, Lines 3, 16-23	1 & 2
Page 34, Line 15	1
Page 35, Lines 1-5, 8, 12, -14,19-22	2
Page 35, Line 11	1

ATTACHMENT A

**BellSouth Telecommunications, Inc.
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07/21/03**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF PORTIONS OF SUPRA'S
DIRECT TESTIMONY AND EXHIBITS OF DAVID A. NILSON FILED IN FPSC
DOCKET 030349-TP ON JUNE 30th, JULY 1st, AND JULY 14, 2003.**

EXHIBITS

Location	Reason
DAN6	2
DAN7	2
DAN8	1 & 2
DAN9	1 & 2
DAN10	1 & 2
DAN13	1
DAN14	1 & 2
DAN 17	2
DAN18	2
DAN19	2
DAN20	