



allegiancetelecom,inc.

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DISTRIBUTION CENTER

04 MAR 24 AM 9:39

March 23, 2004

Ms. Blanca Bayó, Director  
Division of the Commission Clerk  
and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RECEIVED FPSC  
MAR 24 AM 9:43  
COMMISSION  
CLERK

Re: Docket No. 030852-TP

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of Allegiance Telecom of Florida, Inc.'s Request for Specified Confidential Classification for confidential discovery responses that were entered into the record of this docket at the hearing on March 3, 2004, together with one highlighted copy of each document containing confidential information, each in a sealed envelope, and two redacted copies of each document containing confidential information.

Also enclosed is an extra copy of this letter. Please acknowledge receipt of this transmittal by date-stamping the extra copy and returning it to the undersigned in the enclosed self-addressed stamped envelope.

Thank you for your assistance in this matter.

Very truly yours,

Charles V. Gerkin, Jr.

CVG/s

Enclosures

cc: Parties of Record (VIA e-mail)

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

Legal records

This confidentiality request was filed by or for a "telco" for DN \_\_\_\_\_. 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.

03856-04; 03858-04;  
03860-04; 03862-04;  
03864-04; 03866-04)

DOCUMENT NUMBER-DATE

03855 MAR 24 3

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

<p>In re:</p> <p>IMPLEMENTATION OF REQUIREMENTS ARISING FROM FEDERAL COMMUNICATIONS COMMISSION'S TRIENNIAL UNE REVIEW: LOCATION- SPECIFIC REVIEW FOR DS1, DS3 AND DARK FIBER LOOPS, AND ROUTE- SPECIFIC REVIEW FOR DS 1, DS3 AND DARK FIBER TRANSPORT</p>	<p>Docket No. 030852-TP</p> <p>Filed: March 24, 2004</p>
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ALLEGIANCE TELECOM OF FLORIDA, INC.'S  
REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION

ALLEGIANCE TELECOM OF FLORIDA, INC. ("Allegiance"), pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, hereby files its Request for Specified Confidential Classification.

1. On December 8, 2003, Allegiance filed its Responses to the Commission Staff's Data Request issued on November 12, 2003, in connection with the above-captioned docket and in connection with Docket No. 030851-TP. One of the Excel spreadsheets comprising Allegiance's Response to the Staff Data Request contains confidential information that is considered proprietary. Allegiance filed a Claim of Confidentiality that same day. On March 3, 2003, at the hearing in the above-captioned docket, Allegiance's Confidential Response to the Staff Data Request was entered into the record as part of Exhibit 16, identified as Document No. 12525-03.

2. On December 31, 2003, Allegiance filed its Responses to the Commission Staff's First Set of Interrogatories. Those Responses contain confidential information that is considered

DOCUMENT NUMBER-DATE

03855 MAR 24 3

FPSC-COMMISSION CLERK

proprietary. Allegiance filed a Claim of Confidentiality that same day. On March 3, 2003, at the hearing in the above-captioned docket, Allegiance's Confidential Responses to the Staff's First Set of Interrogatories were entered into the record as part of Exhibit 22, identified as Document No. 13633-03.

3. On January 21, 2004, Allegiance filed its Responses to Verizon Florida, Inc.'s First Request for Admissions, First Set of Interrogatories and First Request for Production of Documents. Those Responses contain confidential information that is considered proprietary. Allegiance filed a Claim of Confidentiality that same day. On March 3, 2003, at the hearing in the above-captioned docket, Allegiance's Confidential Responses to Verizon's First Request for Admissions, First Set of Interrogatories and First Request for Production of Documents were entered into the record as part of Exhibit 22, identified as Document No. 00853-04.

4. On March 3, 2004, Allegiance filed its Responses to the Commission Staff's Second Set of Interrogatories. Allegiance's Responses to Questions 31 and 32 of those Interrogatories contain confidential information that is considered proprietary. Allegiance filed a Claim of Confidentiality that same day. Allegiance's Confidential Responses to Questions 31 and 32 of the Staff's Second Set of Interrogatories are identified in the Commission's records as Document No. 03196-04. Allegiance has been unable to determine whether its Confidential Responses to Questions 31 and 32 of the Staff's Second Set of Interrogatories were entered into the record in this docket and is requesting confidential classification of those Confidential Responses out of an abundance of caution.

5. Also on March 3, 2004, Allegiance filed its Responses to Verizon Florida, Inc.'s Second Set of Interrogatories. Those Responses contain confidential information that is considered

proprietary. Allegiance filed a Claim of Confidentiality that same day. Allegiance's Confidential Responses to Verizon's Second Set of Interrogatories are identified in the Commission's records as Document No. 03199-04. Allegiance has been unable to determine whether its Confidential Responses to Verizon's Second Set of Interrogatories were entered into the record in this docket and is requesting confidential classification of those Confidential Responses out of an abundance of caution.

6. Also on March 3, 2004, Allegiance filed Late Filed Exhibit 1 to the Deposition of Richard Anderson. Late Filed Exhibit 1 to the Deposition of Richard Anderson contains confidential information that is considered proprietary. Allegiance filed a Claim of Confidentiality that same day. Late Filed Exhibit 1 to the Deposition of Richard Anderson is identified in the Commission's records as Document No. 03192-04. Allegiance has been unable to determine whether Late Filed Exhibit 1 to the Deposition of Richard Anderson was entered into the record in this docket and is requesting confidential classification of that Late Filed Exhibit out of an abundance of caution.

7. Allegiance hereby files this Request for Specified Confidential Classification because the information contained in the items identified in paragraphs 1-6 contain confidential business information that is proprietary to Allegiance. A more specific description of this information is contained in Attachments A-1 through A-6. Public disclosure of this information would cause competitive harm to Allegiance and provide competitors with an unfair advantage in future negotiations. The information discussed in this Request for Specified Confidential Classification is valuable, and Allegiance strives to keep it secret. Therefore, such information should be classified as confidential business information and

customer proprietary 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.

8. Attachments A-1 through A-6 to Allegiance's Request for Confidential Classification contain explanations of the proprietary information along with lists that identify the location of the information designated by Allegiance as confidential.

9. Attachments B-1 through B-6 to Allegiance's Request for Confidential Classification are redacted copies of the documents containing the confidential information.

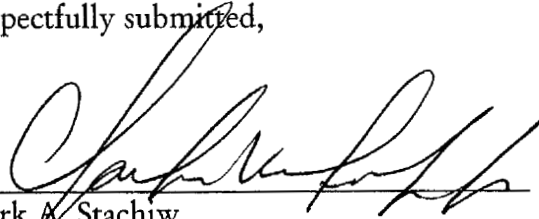
10. Attachments C-1 through C-3 to Allegiance's Request for Confidential Classification are highlighted copies of the documents containing the confidential information.

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

12. 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, Allegiance 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,



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Attorneys for ALLEGIANCE TELECOM OF  
FLORIDA, INC.

Allegiance Telecom of Florida, Inc.  
Florida PSC Docket No. 030852-TP  
Request for Confidential Classification  
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REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ALLEGIANCE'S  
RESPONSE TO STAFF DATA REQUEST  
FILED DECEMBER 8, 2003, IN FPSC DOCKET NO. 030852-TP

**Explanation of Proprietary Information**

1. This information contains business information related to competitive interests of Allegiance that is proprietary to Allegiance. Disclosure of this data would impair the competitive business and cause harm to Allegiance. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

<b>Location</b>	<b>Reason</b>
Excel Spreadsheet switching_Allegiance_Telecom_FL.xls	
Rows 4-422, columns B-AF <sup>1</sup>	1
Row 425, Column A	1

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<sup>1</sup> Allegiance requests confidential classification of cells in which there is no data, as well as cells containing data, because some of the confidential information in the cells containing data can be ascertained by analyzing the cells that do not contain data.

ATTACHMENT A-2

Allegiance Telecom of Florida, Inc.  
Florida PSC Docket No. 030852-TP  
Request for Confidential Classification  
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REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ALLEGIANCE'S  
RESPONSE TO STAFF'S FIRST SET OF INTERROGATORIES  
FILED DECEMBER 31, 2003 IN FPSC DOCKET NO. 030852-TP

**Explanation of Proprietary Information**

1. This information contains business information related to competitive interests of Allegiance that is proprietary to Allegiance. Disclosure of this data would impair the competitive business and cause harm to Allegiance. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

<b>Location</b>	<b>Reason</b>
Page 1, lines 20-21, all fields	1
Attachment 1 Rows 9-62, Columns A-H	1
Attachment 2 Rows 9-62, Columns A-I	1



ATTACHMENT A-3

Allegiance Telecom of Florida, Inc.  
Florida PSC Docket No. 030852-TP  
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REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ALLEGIANCE'S  
RESPONSES TO VERIZON FLORIDA, INC.'S FIRST REQUEST FOR ADMISSIONS,  
FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
FILED JANUARY 21, 2004 IN FPSC DOCKET NO. 030852-TP

Explanation of Proprietary Information

1. This information contains business information related to competitive interests of Allegiance that is proprietary to Allegiance. Disclosure of this data would impair the competitive business and cause harm to Allegiance. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

Location	Reason
Attachment 1 Rows 5-14, Columns A-Q	1
Attachment 2 Rows 5-13, Columns A-Q	1

Allegiance Telecom of Florida, Inc.  
Florida PSC Docket No. 030852-TP  
Request for Confidential Classification  
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REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ALLEGIANCE'S  
RESPONSES TO STAFF'S SECOND SET OF INTERROGATORIES  
FILED MARCH 3, 2004 IN FPSC DOCKET NO. 030852-TP

**Explanation of Proprietary Information**

1. This information contains business information related to competitive interests of Allegiance that is proprietary to Allegiance. Disclosure of this data would impair the competitive business and cause harm to Allegiance. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

<b>Location</b>	<b>Reason</b>
Excel spreadsheet containing responses to Questions 31 & 32 Rows 5-40, Columns A-AM <sup>2</sup>	1

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<sup>2</sup> Allegiance requests confidential classification of cells in which there is no data, as well as cells containing data, because some of the confidential information in the cells containing data can be ascertained by analyzing the cells that do not contain data.

Allegiance Telecom of Florida, Inc.  
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REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ALLEGIANCE'S  
RESPONSES TO VERIZON FLORIDA, INC.'S SECOND SET OF INTERROGATORIES  
FILED MARCH 3, 2004 IN FPSC DOCKET NO. 030852-TP

**Explanation of Proprietary Information**

1. This information contains business information related to competitive interests of Allegiance that is proprietary to Allegiance. Disclosure of this data would impair the competitive business and cause harm to Allegiance. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

<b>Location</b>	<b>Reason</b>
Response to Question 24 Lines 17-19	1
Response to Question 25 Lines 20-22	1

Allegiance Telecom of Florida, Inc.  
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REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ALLEGIANCE'S  
LATE FILED EXHIBIT 1 TO DEPOSITION OF RICHARD ANDERSON  
FILED MARCH 3, 2004 IN FPSC DOCKET NO. 030852-TP

**Explanation of Proprietary Information**

1. This information contains business information related to competitive interests of Allegiance that is proprietary to Allegiance. Disclosure of this data would impair the competitive business and cause harm to Allegiance. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

**Location**

**Reason**

Lines 11-13

1