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March 24, 2004

BY HAND DELIVERY

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

Re: Docket No. 030852-TP

Dear Ms. Bayó:


ICMC (14)

Enclosed for filing on behalf of ~~MCI Metro Access~~ Transmission Services, LLC and ~~MCI~~ WorldCom Communications, Inc. (hereinafter "MCI") are an original and fifteen copies of MCI's Request for Confidential Classification for information provided in the Joint Supplemental Testimony of Orville D. Fulp and John White in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,

RECEIVED & FILED

FPSC-BUREAU OF RECORDS



Floyd R. Self

FRS/amb
Enclosures
cc: Parties of Record

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL
- OPC _____
- MMS _____
- SEC
- OTH *conf records*

This confidentiality request was filed by or for a "telco" for DN 00420-04. 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.

Verizon
(00420-04)
DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission) Docket No. 030852-TP
triennial UNE review: For DS1, DS3, and Dark)
Fiber Loops and Route-Specific Review for) Filed: March 24, 2004
DS1, DS3, and Dark Fiber Transport)
_____)

**KMC TELECOM III, LLC'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

KMC Telecom III, LLC. (hereinafter, "KMC"), pursuant to section 364.183, Florida Statutes, and Rule 25-2.006, Florida Administrative Code, requests confidential classification of certain data previously filed in this docket pursuant to a claim for confidentiality. In support of this request KMC hereby states:

1. On January 9, 2004, Verizon Florida, Inc. (hereinafter "Verizon") filed in the above-captioned proceeding the Joint Supplemental Testimony of Orville D. Fulp and John White. Fulp and White's Joint Supplemental Testimony contained testimony and had attached exhibits that contained confidential proprietary business information about KMC; namely, Exhibits F1 through F5. When Verizon filed Fulp and White's Joint Supplemental Testimony, it filed the appropriate corresponding Claim for Confidential Treatment, in accordance with Rule 25-22.006(5) and section 364.183(1), Florida Statutes.

2. KMC hereby files this Request for Confidential Classification, in accordance with Rule 25-22.006(4), Florida Administrative Code, for Confidential Exhibit GJB-5A. The public and redacted copies required by Rule 25-22.006(4) are not being filed at this time as they were filed with the claim filed on January 9, 2004.

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

3. The information for which confidential classification is requested reveals confidential and proprietary business information. Specifically, the information includes:

(a) Exhibit F1 identifies direct routes meeting the FCC's self-provider trigger for dark fiber;

(b) Exhibit F2 identifies direct routes meeting the FCC's self-provider trigger for DS2;

(c) Exhibit F3 identifies direct routes meeting the FCC's wholesale provider trigger for DS1 and DS3;

(d) Exhibit F4 identifies direct routes meeting the FCC's wholesale provider trigger for dark fiber; and

(e) Exhibit F5 identifies Florida customer locations meeting the FCC's loop triggers.

4. The information contained in the foregoing exhibits provide detailed specific information on whether CLECs, such as KMC, have met various FCC triggers and to what extent. KMC considers such information to be trade secrets and proprietary, confidential business information which, if disclosed, would be of benefit to competitors and cause harm to KMC and its customers. Such information provides KMC an economic benefit, and is not known or readily ascertainable to other persons. Such information is economically valuable to KMC and its competitors, and KMC treats such information as confidential and maintains many processes and procedures to maintain its secrecy.

5. A trade secret is defined in section 688.002(4), Florida Statutes, the Uniform Secrets Act, to mean:

[I]nformation, including a formula, pattern, compilation, program, devise, method, technique, or process that:

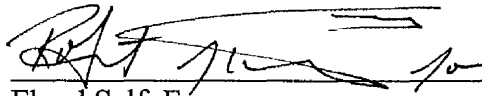
(a) Derives independent economic value, actual or potential, from not being generally known to, and not be readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The information at issue fits plainly in this definition as set forth above. Accordingly, the Commission should grant the request for confidential treatment and find in the information contained in exhibits F1 through F5 of the Joint Supplemental Testimony of Fulp and White to be confidential and exempt from section 119.071(1), pursuant to section 364.183(3)(a) and (e).

WHEREFORE, based on the foregoing, KMC 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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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Hand Delivery (*), electronic mail, and/or U. S. Mail this 24th day of March, 2004.

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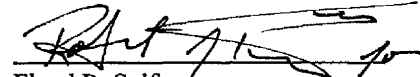
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