

ORIGINAL



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November 1, 2004

BY ELECTRONIC FILING

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

RECEIVED-HPSC
NOV - 1 PM 4:43
COMMISSION
CLERK

041270-TI

Re: Request for Specified Confidential Classification for Documents Nos.
11104-04 and 11687-04.

Dear Ms. Bayó:

Enclosed for filing is an original and fifteen copies of AT&T Communications of the Southern States, LLC's Request for Specified Confidential Classification.

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.

If you have questions, please let me know. Thank you.

Sincerely yours,

Tracy W. Hatch

This confidentiality request was filed by or for a "telco" for DN 11755-04. 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.

(x-ref. 11104-04+11687-04)

- CMP _____
- COM _____
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- OPC _____ TWH/las
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- RCA _____
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- OTH 1 copy records

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
11754 NOV-1 04
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Specified Confidential Classification) Docket No.
By AT&T Communications of the Southern States, LLC))
For Response to Staff Request for Information))
Regarding Customer Complaints.) Filed: November 1, 2004

**REQUEST OF AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC
FOR
SPECIFIED CONFIDENTIAL CLASSIFICATION**

AT&T Communications of the Southern States, LLC ("AT&T") hereby files, pursuant to Rule 25-22.006, Florida Administrative Code, this Request For Specified Confidential Classification and states the following:

1. On October 14, 2004, AT&T filed its Report In Response to Complaint Inquiry ("Report"). This document was filed with a claim of confidentiality pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006(5), Florida Administrative Code. This document is identified as Document No. 11104-04 in the Commission's files.
2. On October 20, 2004, AT&T was informed by the Staff of the Florida Public Service Commission that a request had been made to inspect the Report and that the request was being treated by the Staff as a petition for inspection under Rule 25-22.006(5)(c)(2), Florida Administrative Code.
3. In order to expedite the availability of a publicly available copy of the Report, a redacted copy of the Report was created and filed on October 28, 2004. A copy of the Report highlighting the confidential information was also filed in conjunction with the redacted copy. The highlighted copy of the report is identified as Document 11687-04 in the Commission's files.

4. As required by 25-22.006(4), Florida Administrative Code, AT&T is submitting a copy of the Report with the lines numbered and confidential highlighted. This document is attached as Attachment 1.

5. This request for specified confidential treatment is directed to the information in Documents 11104-04, 11687-04 and Attachment 1 that is highlighted in Attachment 1. As noted above the two redacted copies of the Report were submitted on October 28, 2004.

6. AT&T has treated and intends to continue to treat the information for which confidential classification is sought as private and confidential, and this information has not been publicly disclosed.

7. This confidential information for which confidential treatment is sought appears on Page 7, Lines 12 – 17 and Page 8, Lines 26 – 31 of the Report. The confidential information is highlighted.

8. The information for which confidential classification is sought is highly proprietary confidential business information that meets the definition of confidential proprietary business information pursuant to Section 364.183(3), Florida Statutes.

9. Section 364.183(3), provides:

(3) The term "proprietary confidential business information" means information, regardless of 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.

(b) Internal auditing controls and reports of internal auditors.

(c) Security measures, systems, or procedures.

(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 relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

(f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

10. Furthermore, Section 688.002(4), Florida Statutes, is instructive in establishing what constitutes a trade secret. Section 688.002(4) provides:

(4) "Trade secret" means information, 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 being 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.

11. The highlighted information on pages 7 and 8, specifically identified above, involves trade secrets and security measures the disclosure of which would harm AT&T if disclosed.

12. The highlighted information on Page 7, Lines 12 – 17, describes internal processes of AT&T in dealing with customer complaints involving collect calls. This information also describes potential changes in AT&T's internal processes that, if disclosed could harm the company through increased fraud.


13. The highlighted information on Page 8, Lines 26 – 31, describes internal processes of AT&T in dealing with customer complaints involving international entertainment

calls. This information also describes potential changes in AT&T's internal processes that, if disclosed could harm the company through increased fraud.

14. The information for which confidential classification is sought is clearly within the statutory requirements for confidential treatment provided by Section 264.183.

WHEREFORE, based on the foregoing, AT&T requests the Commission to enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 1st day of November 2004.



Tracy Hatch, Esq.

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