

JAMES MEZA III
Senior Regulatory Counsel

BellSouth Telecommunications, Inc
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0769

March 1, 2005

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: 041114-TP – Complaint of XO Florida, Inc. Against
BellSouth Telecommunications, Inc. for Refusal to Convert
Circuits to UNEs and for Expedited Processing**

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification for Responses to Staff's Second Set of Interrogatories and Second Request for Production of Documents, which we ask that you file in the captioned docket.

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

Enclosures

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

DOCUMENT NUMBER-DATE

02130 MAR-1 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 041114-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Federal Express (*), Electronic Mail and First Class U.S. Mail this 1st day of March, 2005 to the following:

Jason Rojas (*)
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6179
jrojas@psc.state.fl.us

Vicki Gordon Kaufman (+)
Moyle Flanigan Katz Raymond
& Sheehan, PA
118 North Gadsden Street
Tallahassee, FL 32301
Tel. No. (850) 681-3828
Fax. No. (850) 618-8788
vkaufman@moylelaw.com
Represents XO

Dana Shaffer (+)
XO Florida, Inc.
VP, Regulatory Counsel
105 Molloy Street, Ste. 300
Nashville, TN 37201
Tel. No. (615) 777-7700
Fax. No. (615) 850-0343
dana.shaffer@xo.com


James Meza III

(+) SIGNED PROTECTIVE AGREEMENT

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Complaint of XO Florida, Inc.)	
Against BellSouth Telecommunications,)	Docket No. 041114-TP
Inc. for Refusal to Convert Circuits to)	
UNEs and for Expedited Processing)	Filed: March 1, 2005
_____)	

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

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

1. On February 8, 2005, BellSouth filed its Response to Staff's Second Set of Interrogatories (Nos. 10- 41) and Second Request for Production of Documents (Nos. 33-57), portions of which contain confidential business information.
2. In order for Staff to take immediate possession of BellSouth's responses, on February 8, 2005, BellSouth also filed a Notice of Intent, in particular, for BellSouth's Response to Staff's Second Request for Production, Nos. 33, 36, 37, 45, 50 and 55, that contain confidential business, proprietary information. BellSouth hereby withdraws from the Notice of Intent Request for Production, No. 50. A more specific description of the proprietary information is provided in Attachment A. These items 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.
3. Attachment B to BellSouth's Request for Confidential Classification is redacted copies of the documents containing the confidential information.

4. Attachment C to BellSouth's Request for Confidential Classification is proprietary highlighted copy of the confidential information.

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

6. 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 1st day of March 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

 _____

Nancy B. White

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, Florida 32301

(305) 347-5558

 _____

R. Douglas Lackey

James Meza III

BellSouth Center – Suite 4300

675 West Peachtree Street, N.E.

Atlanta, Georgia 30375

(404) 335-0769

574568

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 041114-TP
Request for Confidential Classification
Page 1 of 2
3/1/05

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE
TO STAFF'S SECOND REQUEST FOR PRODUCTION, NOS. 33, 36, 37, 45 and 55,
FILED FEBRUARY 8, 2005, IN FLORIDA DOCKET NO. 041114-TP**

Explanation of Proprietary Information

1. This information contains business information related to competitive interests of XO and is proprietary information maintained in BellSouth's systems. Disclosure of this data would impair the competitive business of and cause harm to XO. Specifically, this information relates to the XO circuits XO has requested BellSouth to convert. 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.
2. This information contains competitive business information. The subject information includes internal methods and procedures and job aids. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to maintain the confidentiality of this information. Therefore, such information is a trade secret which 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.
3. This information contains business information related to competitive interests of XO and is proprietary information maintained in BellSouth's records. Disclosure of this data would impair the competitive business of and cause harm to XO. Specifically, this information relates to XO's own *TRO* Amendment to BellSouth and XO's response to the *USTA II* Amendment. 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.

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 041114-TP
Request for Confidential Classification
Page 2 of 2
3/1/05

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE
TO STAFF'S SECOND REQUEST FOR PRODUCTION, NOS. 33, 36, 37, 45 and 55,
FILED FEBRUARY 8, 2005, IN FLORIDA DOCKET NO. 041114-TP**

<u>Location</u>	<u>Reason</u>
<u>POD NO. 33</u>	
Entire Document Bates Range STFF2POD001229 - 1259	1
<u>POD NO. 36</u>	
Entire Document Bates Range STFF2POD001261 - 1276	2
<u>POD NO. 37</u>	
Entire Document Bates Range STFF2POD001278 - 1314	2
<u>POD NO. 45</u>	
Entire Document Bates Range STFF2POD001320 - 1426	3
<u>POD NO. 55</u>	
Entire Document Bates Range STFF2POD001430-1468	1

ATTACHMENT B

**BellSouth Telecommunications, Inc.
FPSC Docket No. 041114-TP
Request for Confidential Classification
Page 1 of 1
3/1/05**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE
TO STAFF'S SECOND REQUEST FOR PRODUCTION, NOS. 33, 36, 37, 45 and 55,
FILED FEBRUARY 8, 2005, IN FLORIDA DOCKET NO. 041114-TP**

2 COPIES OF PUBLIC DISCLOSURE DOCUMENT

ATTACHMENT C

**BellSouth Telecommunications, Inc.
FPSC Docket No. 041114-TP
Request for Confidential Classification
Page 1 of 1
3/1/05**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE
TO STAFF'S SECOND REQUEST FOR PRODUCTION, NOS. 33, 36, 37, 45 and 55,
FILED FEBRUARY 8, 2005, IN FLORIDA DOCKET NO. 041114-TP**

PROPRIETARY COPY