

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

ORIGINAL

-M-E-M-O-R-A-N-D-U-M-

DATE: October 21, 2005

TO: Adam J. Teitzman, Senior Attorney, Office of the General Counsel
Della E. Fordham, Administrative Assistant II - SES, Division of Competitive Markets & Enforcement
Andrea N. Cowart, Executive Secretary to General Counsel

FROM: Michael C. Barrett, Regulatory Analyst III, Division of Competitive Markets & Enforcement

RE: Recommendation concerning a Request for Confidential Classification in Docket No. 041269-TP.

RECEIVED - FPSC
OCT 21 PM 3:42
COMMISSION CLERK
mcb

ITC DeltaCom has a pending Request for Confidential Classification, as summarized below:

<u>Requesting Party</u>	<u>Document Description</u>	<u>Compliance with Rule¹</u>	<u>Specific Information and Justification</u>
ITC DeltaCom	Document No. 09329-05 (The NOI for this document was filed by CompSouth on September 30, 2005; the RCC was filed by ITC DeltaCom, which is a member of CompSouth, on October 19, 2005.) CompSouth's Response to BellSouth's 1 st Request for Production of Documents, Item No. 1.	YES, Rule 25-22.006, FAC	CompSouth's Response to BellSouth's 1 st Request for Production of Documents, Item No. 1 included information regarding a portion of ITC DeltaCom's proprietary network configuration. This information is known to BellSouth, but has not been shared with ITC DeltaCom's competitors or with the general public. This information was developed by, and is the exclusive property of, ITC DeltaCom. ITC DeltaCom regards this information as confidential business information which could harm their competitive interests if disclosed.

CMP _____

COM I believe the Request for Confidential Classification should be granted.

CTR _____

ECR _____

GCL _____

OPC _____

RCA _____

SCR _____ ¹ Rule 25-22.006(4), FAC addresses requests for confidential classification. Rule 25-22.006(5), FAC addresses claims of confidential treatment pursuant to Section 364.183(1), Florida Statutes.

SGA _____

SEC 1

OTH Locked

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK