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June 25, 1993

Mr. Steve C. Tribble
Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

RE: Docket No. 910163-TL 920260 - TL

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Request for Confidential Classification. Please file these documents in the above-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 on the parties shown on the attached Certificate of Service.

Sincerely,

Sidney J. White, Jr.
Sidney J. White, Jr. (2)

Enclosures

cc: All Parties of Record
A. M. Lombardo
H. R. Anthony
R. D. Lackey

RECEIVED & FILED

J. S.
EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

06914 JUN 25 93

EPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE

Docket No. 920260-TL

Docket No. 900960-TL

Docket No. 910163-TL

Docket No. 910727-TL

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by United States Mail this 25th day of June, 1993 to:

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Sidney J. White, Jr.
(2)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on Behalf of)
Citizens of the State of Florida) Docket No. 910163-TL
to Initiate Investigation into)
Integrity of Southern Bell) Filed: June 25, 1993
Telephone and Telegraph Company's)
Repair Service Activities and)
Reports.)
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION

COMES NOW, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files pursuant to Rule 25-22.006, Florida Administrative Division Code, its Request for Confidential Classification for certain information contained in documents produced in response to Staff's Thirty-Fourth Request for Production of Documents dated April 30, 1993.

1. On April 30, 1993, Staff served its Thirty-Fourth Request for Production of Documents on Southern Bell. Certain of the documents, or portions thereof, sought by Staff contained proprietary confidential business information.

2. On June 4, 1993, Southern Bell filed its Notice of Intent to Request Confidential Classification ("Notice") for certain documents, or portions thereof, on the grounds that such documents contained proprietary confidential business information.

3. Southern Bell is now filing its Request for Confidential Classification for documents or portions of documents produced for Staff which contain vendor-specific contract-related information including vendor manuals and specific pricing and communications between the Company and its vendors relating to such contracts and their terms.

DOCUMENT NUMBER-DATE

06914 JUN 25 83

1700-RECORDS/REPORTING

4. Southern Bell has appended to this Request for Confidential Classification as Attachment A listing showing the location in the documents of the information designated by Southern Bell as confidential.

5. Appended hereto in a package designated as Attachment B are two edited copies of the documents with the confidential information deleted.

6. Attached as Attachment C is a sealed package containing copies of the documents with the material which is confidential and proprietary highlighted. Copies of Attachment C are not being served on the other parties in this proceeding.

7. With respect to the documents, or portions thereof, produced for Staff in response to Request No. 1 and specifically referenced in Attachment A as containing vendor-specific product user manuals and contractual information, this information is specifically included in § 364.183(3) and 3(d), Florida Statutes, as proprietary confidential business information exempt from the public inspection and examination provisions of § 119.07(1), Florida Statutes. When Southern Bell enters into contracts with its vendors, the products provided by such vendors are typically accompanied by user manuals which allow the Company to properly operate and use the products acquired. These manuals are provided to the vendors' customers pursuant to the sale of products and are not generally available to the public. Southern Bell receives these manuals with the contractual understanding that they are proprietary to the vendors and thus Southern Bell is not at liberty to further copy or publicly disclose these manuals to others without the express permission of

the vendors. Further, as envisioned in Section 364.183(3) and (3)(d), the manuals are provided to Southern Bell by its vendors only because of the existence of contractual arrangements between the parties, and it is understood that they will be used only by Southern Bell. If these documents are compelled to be publicly disclosed, this fact could impair Southern Bell's future ability to contract for products on favorable terms.

8. Southern Bell has opportunities to negotiate bulk discounts or other favorable pricing with its vendors. In the Data Star Manual and proposal, for example, actual vendor prices charged to Southern Bell were included for ease of reference. These vendors require that the terms of these contractual arrangements be kept confidential in order to avoid undue pressure from other customers to reduce prices. Through public disclosure of such contractual information, these vendors providing crucial products and services to Southern Bell would likely react by increasing Southern Bell's prices rather than lowering all other potential customers' prices for similar services or products. Also, if vendor-specific information were subject to public disclosure, these vendors may withhold valuable information regarding proprietary product capabilities which must be available for evaluation by Southern Bell to fully analyze proposals from vendors in future negotiations. This could lead to delays in deploying vendor products in Southern Bell's network. Either result would cause harm to Southern Bell in delayed operational efficiency and could tend to increase the Company's cost of doing business which, in turn, would be harmful to Southern Bell ratepayers.

9. With respect to the documents or portions thereof, produced for Staff in response to Request No. 2 and specifically referenced in Attachment A as containing vendor specific product pricing and technical information, and correspondence relating thereto, this information is also entitled to confidential classification pursuant to Section 364.183(3) and (3)(d). All of the documents produced in this response relate to the Craft Access System Terminals (CATs) which Southern Bell purchased from a single vendor. The prices, terms, conditions, and related contractual and technical information discussed in the documents were all communicated in confidence between the vendor and Southern Bell in conjunction with the sale of CATs terminals to Southern Bell. The public disclosure of the information contained in these documents could result in significant harm to Southern Bell in its ability to candidly discuss and resolve operational and other matters pertinent to vendor contracts. Furthermore, the public disclosure of this information could have a detrimental effect on Southern Bell's ability to contract for goods and services from vendors in the future if vendors feared that all communication relating to contractual matters with Southern Bell would be available to competitors and others. Furthermore, if this information were to be publicly disclosed, Southern Bell's vendors would likely be less inclined to respond candidly and openly to inquiries from the Company, thereby impeding Southern Bell's efforts to resolve technical and other matters in an expeditious manner. The result could be delayed resolution of issues, and attendant delays in the efficient application of these products for the service of Southern Bell's customers. Finally, for the same reasons already

stated in paragraph 8 above, the vendor-specific pricing information contained in these documents should also be afforded confidential classification.

10. Southern Bell has treated and intends to continue to treat the material for which confidential classification is sought as private, and this information has not been generally disclosed.

WHEREFORE, based on the foregoing, Southern Bell moves the Prehearing Officer to enter an order declaring the information described above and contained in the indicated portions of the attachments to be proprietary confidential business information, and thus not subject to public disclosure.

Respectfully submitted this 25th day of June, 1993.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY


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FPSC DOCKET 910163-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY
REQUEST FOR CONFIDENTIAL CLASSIFICATION

STAFF'S 34TH REQUEST FOR PRODUCTION OF DOCUMENTS

JUSTIFICATION FOR CONFIDENTIALITY REQUEST

1. This information is vendor-specific contract-related including vendor manuals and specific pricing and communications between the Company and its vendor relating to such contracts and their terms. As such, this information is confidential business information pursuant to Section 364.183, Florida Statutes, and is exempt from the requirement of public disclosure of Section 119.07, Florida Statutes.

The following information identified by page and line numbers is considered confidential and proprietary:

<u>PAGE</u> <u>No.</u>	<u>Line Nos.</u>	<u>Reason Proprietary</u>
F03B34Z-0000205	14,16,18,22,23,28	1
0000212	16,18,26	1
0000215	19	1
0000217	19	1
0000224	33,37	1
0000231	21,33,35,45	1
0000235	37	1
0000238	16,25	1
0000250	14,15	1
0000257	19,22	1
0000260	37,39	1
0000261	3,4	1
0000262	18,19,23,24	1
F03B34Z-0000280 THRU 0000309	ALL	1
F03B34Z-0000310 THRU 0000368	ALL	1
F03B34Z-0000369 THRU 0000506	ALL	1
F03B34Z-0000507 THRU 0000533	ALL	1

FPSC DOCKET 910163-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY
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<u>PAGE</u> <u>No.</u>	<u>Line Nos.</u>	<u>Reason Proprietary</u>
F03B34Z-0000534 THRU 0000555	ALL	1
F03B34Z-0000556 THRU 0000558	ALL	1
F03B34Z-0000559 THRU 0000562	ALL	1
F03B34Z-0000563 THRU 0000627	ALL	1
F03B34Z-0000628 THRU 0000663	ALL	1