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September 24, 1993

ORIGINAL
FILE COPY

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

Re: Docket No. 921074-TP - Intermedia's Petition

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Request for Confidential Classification, 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 yours,
J. Phillip Carver
J. Phillip Carver *AW*

Enclosures

cc: All Parties of Record
A. M. Lombardo
Harris R. Anthony
R. Douglas Lackey

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A BELL SOUTH Company

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: In the Matter of the) Docket No. 921074-TP
Petition of Intermedia Communica-)
tions of Florida, Inc. for)
Expanded Interconnection for AAVs)
within LEC Central Offices.)
_____) Filed: September 24, 1993

**SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION FOR LATE FILED EXHIBIT**

COMES NOW BellSouth Telecommunications, Inc. d/b/a/ Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), pursuant to Rule 25-22.006, Florida Administrative Code, and files its Request for Confidential Classification for Late Filed Exhibit and states as grounds in support thereof the following:

1. During the deposition in this proceeding of Southern Bell witness, David B. Denton, which was taken on August 25, 1993, the Florida Public Service Commission Staff ("Staff") requested that Southern Bell provide two late-filed exhibits to the deposition of Mr. Denton.
2. The first request was for any recent cost study that indicates that Southern Bell's incremental cost to provide basic local residential service exceeds the price charged for that service pursuant to the General Subscriber Service Tariff. Southern Bell provided the requested cost study to Staff on September 3, 1993.

3. Certain portions of Late-Filed Exhibit No. 1 contain proprietary information that is entitled to confidential classification pursuant to the terms of §364.183, Florida Statutes. Accordingly, Southern Bell also filed on September 3, 1993, as part of its Response to Staff's Request for Late-Filed Exhibits, its Notice of Intent to Request Confidential Classification for certain portions of the above-referenced document.

4. Pursuant to Rule 25-22.006, Florida Administrative Code, Southern Bell is filing as Attachment "B" a listing of the specific pages and lines of Late-Filed Exhibit No. 1 that contain proprietary confidential information. This list has been correlated so that the page and line are "identified with the specific justification proffered in support of the classification of such material". Rule 25-22.006(4)(c). Southern Bell is also filing in a sealed container as Attachment "B" a version of the exhibit in which the confidential material has been highlighted. Finally, Southern Bell is filing as Attachment "C" two redacted copies of the exhibit.

5. Some of the information identified in Attachment "B" is proprietary confidential business information that, under the express terms of §364.183(3)(e), Florida Statutes, is exempt from the requirement of public disclosure because this disclosure

would necessarily impair Southern Bell's competitive interests. This confidential information includes data from which Southern Bell's usage costs for local and switched access services can be derived on a distance sensitive and time-of-day sensitive basis. This information cannot be publically disclosed without the distinct prospect of causing damage to the competitive interests of Southern Bell. Specifically, both present and future competitors of Southern Bell could use this information to formulate strategic plans to provide competitive special access as well as to plan their potential entry into the local and switched access markets.

6. The offering of local switched services by competitors of local exchange companies is not presently authorized under the Florida Statutes. However, even if the current statutory bar on the provision of switched services by alternate access vendors ("AAVs") continues to pertain in Florida, the services that are currently provided by AAVs still constitute indirect competition to switched access services that are provided by local exchange companies. As United's witness, Ben Poag, stated in the direct testimony prefiled in Phase I of this proceeding, there is considerable cross-elasticity between switched and special access services. Specifically, he testified that a decrease in rates for special access will result in the migration of customers from

the switched access offered by LECs to special access services (Poag, Direct Testimony, p. 13). Thus, the disclosure of the subject information relating to switched access costs would provide information to parties that currently compete, albeit by way of a substitute service, with Southern Bell. Moreover, the Federal Communications Committee has authorized interconnection for switched access. Public disclosure of the data in question would allow interstate competitors to obtain an unfair advantage over Southern Bell. Therefore, this disclosure would necessarily entail the distinct prospect of immediate damage to Southern Bell's competitive interests.

7. Moreover, the second phase of this docket has been set to address specific issues relating to expanded interconnection for switched access. Given this fact, there is the definite prospect of imminent competition for switched access service as well as the possibility of eventual competition for the provision of basic local service. Southern Bell submits that, even if there were no cross elasticity of services as set forth above, these prospects are such that a very real danger of damage to Southern Bell's competitive interest exists if the subject information is publically disclosed. The data listed in Attachment "B" would provide potential competitors with valuable information for formulating strategic plans for entry into the

switched access and local market. It would be manifestly unfair to Southern Bell for the Commission to order the public disclosure of this information now on the theory that these services are not competitive when there is the distinct prospect of imminent competition. Damage to Southern Bell's competitive interests would occur if this information were publically disclosed and competition for switched services did, in fact, become a reality in the near future.

8. For these reasons, the disclosure of this information would impair both Southern Bell's present and future competitive interests. Accordingly, this information is confidential business information that, under the provisions of §364.183(3)(3), Florida Statutes, is exempt from the requirement of public disclosure of §119.07, Florida Statutes.

9. Other information identified in Attachment "B" is proprietary confidential business information pursuant to §364.183(3)(d), Florida Statutes, which protects against the disclosure of contractual data. This information includes data from which vendor-specific prices paid by Southern Bell can be derived. Line termination through the DMS-100 switch is a discreet piece of hardware. Because of its contractual relationship with Northern Telcom, Southern Bell receives certain discounts in the procurement of certain equipment. Release of

this information could render Northern Telcom less likely to provide such discounts in the future since other customers might demand equivalent discounts. For this reason, disclosure of this information would impair Southern Bell's ability to contract for goods and/or services on favorable terms. Therefore, this information is proprietary confidential business information pursuant to §364.183, Florida Statutes and is exempt from the requirement of public disclosure of §119.07, Florida Statutes.

WHEREFORE, Southern Bell requests that this Commission grant its Motion for Confidential Treatment.

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CERTIFICATE OF SERVICE
Docket No. 921074-TL

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

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