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ORIGINAL
FILE COPY

October 18, 1995

Mrs. Blanca S. Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RE: Docket No. 920260-TL

Dear Mrs. Bayo:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Notice of Intent to Request 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,
BELLSOUTH TELECOMMUNICATIONS, INC.

Thomas B. Alexander (BW)

Thomas B. Alexander

- ACK
- AFA 3
- APP _____
- CAF _____
- CMU Norton
- CTR _____
- EAG _____
- LEG 1
- LIN 5
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

Enclosures

cc: All Parties of Record
R. G. Beatty
A. M. Lombardo
R. Douglas Lackey

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CERTIFICATE OF SERVICE

Docket No. 920260-TL

I HEREBY CERTIFY that a copy of the foregoing has been furnished by United States Mail this 18th day of October, 1995 to:

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Thomas B. Alexander
Thomas B. Alexander (md)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of) Docket No. 920260-TL
Revenue Requirements and Rate)
Stabilization Plan of Southern) Filed: October 18, 1995
Bell Telephone and Telegraph)
Company)
_____)

BELLSOUTH TELECOMMUNICATIONS, INC.'S
NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

BellSouth Telecommunications, Inc., ("BellSouth," "Southern Bell," or "Company"), hereby files, pursuant to Rule 25-22.006, Florida Administrative Code, its Notice of Intent to Request Confidential Classification.

1. During the course of the above-styled docket, certain documents for which Southern Bell claimed privilege were provided to the Commission for in camera inspection. The particular documents for which Confidential Classification is being sought at this time include certain work notes made by BellSouth Human Resources employees, panel recommendations, statements by employees, and certain audits performed by the Company.

2. The Commission rejected a number of Southern Bell's privilege and work product claims, and Southern Bell filed several appeals to the Florida Supreme Court. The Court issued a consolidated opinion on all appeals on March 10, 1994. See, Southern Bell Telephone & Telegraph Co. v. Deason, 632 So.2d 1377 (Fla. 1994). On April 8, 1994, Southern Bell filed a motion for the return of the documents at issue in Deason, which was denied in part by the full Commission on October 17, 1994, through Commission Order No. PSC-94-1291-FOF-TL, which order affirms an order of the Commission's prehearing officer (Order No. PSC-94-

DOCUMENT NUMBER-DATE

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0672-PCO-TL). Southern Bell thereafter filed another appeal with the Florida Supreme Court seeking to overturn the Commission's denial of its motion for the return of the documents at issue in Deason. That appeal was designated as case number 84,721 before the Florida Supreme Court.

3. On October 16, 1995, the Florida Supreme Court issued its decision in case number 84,721. The Court denied Southern Bell's Motion for Rehearing and that case is now over. Therefore, Southern Bell is now seeking confidential classification for the documents which were the subject of case number 84,721 before the Supreme Court. The documents are specifically described in Commission Order No. PSC-94-0672-PCO-TL as follows:

- A. Audits (MOOSA, Kisri, Lmos, PSC Schedule 11, Network Operational Review).
- D. Panel Recommendations.
- E. Human Resources Work Notes.
- F. Employee Statements.

As Order No. PSC-94-0672-PCO-TL reflects, items "B" and "C" from that list were found to be non-discoverable work-product and, consequently, were not included in the appeals.

4. Since these documents continue to be held by the Commission, some or all of them may be deemed to be subject to the public records disclosure requirements of Chapter 119, Florida Statutes. The information contained in these documents, however, is proprietary confidential business information that is

entitled to confidential classification pursuant to the provisions of Section 364.183, Florida Statutes.

5. Accordingly, BellSouth hereby gives its notice of intent to file a request for confidential classification of these documents. The original of this notice has been filed with the Division of Records and Reporting, and a copy has been served on the Division requesting the information.

Respectfully submitted,
BellSouth Telecommunications, Inc.

Robert G. Beatty (aw)

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