

**ORIGINAL
FILE COPY**

Legal Department

NANCY B. WHITE
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BellSouth Telecommunications, Inc.
150 South Monroe Street
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September 23, 1996

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

RE: Docket No. 96-TP; 9608-6-TP; 960910-TP

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification and Motion for Permanent Protective Order. Please file these documents 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 on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White
Nancy B. White (22)

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

Enclosures

cc: All Parties of Record
A. M. Lombardo
R. G. Beatty
W. J. Ellenberg

RECEIVED & FILED

EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
10155 SEP 23 88
FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
DOCKET NO. 960833-TP
DOCKET NO. 960846-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Federal Express this 23rd day of September, 1996 to the following:

Tracy Hatch
AT&T Communications of the
Southern States, Inc.
101 North Monroe Street
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Tallahassee, FL 32301
(904)425-6364
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Tallahassee, FL 32314
(904)222-7500

Nancy B. White
(20)

CERTIFICATE OF SERVICE
DOCKET NO. 960916-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express this 23rd day of September, 1996 to the following:

Staff Counsel
Florida Public Service
Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Floyd R. Self, Esq.
Norman H. Horton, Jr., Esq.
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Suite 500
1200 19th Street, N.W.
Washington, D.C. 20036

Nancy B. White
(22)

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petitions by AT&T)
Communications of the Southern)
States, Inc., MCI) Docket No. 960833-TP
Telecommunications Corporation,)
MCI Metro Access Transmission)
Services, Inc., American) Docket No. 960846-TP
Communications Services, Inc.)
and American Communications)
Services of Jacksonville, Inc.) Docket No. 960916-TP
for arbitration of certain terms)
and conditions of a proposed)
agreement with BellSouth)
Telecommunications, Inc.)
concerning interconnection and) Filed: September 23, 1996
resale under the)
Telecommunications Act of 1996)
_____)

BELLSOUTH TELECOMMUNICATIONS, INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR PERMANENT PROTECTIVE ORDER

COMES NOW BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.006, Florida Administrative Division Code, and files its Request for Confidential Classification and Motion for Permanent Protective Order for the Attachments to the testimony of Robert C. Scheye (RCS-2) filed on August 30, 1996 in Docket 960833-TP and on September 9, 1996 in Docket 960916-TP.

1. BellSouth is filing its Request for Confidential Classification for the Scheye Attachments because it deems the information requested to be confidential and proprietary business information in that it reflects cost studies of various unbundled elements, such as loops and ports. Since competitors who will offer local services can use this information as a resource, disclosure of this information would impair BellSouth's ability to compete.

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10155 SEP 23 96
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2. BellSouth has appended to this Request for Confidential Classification as Attachment A a listing showing the location in the response of the information designated by BellSouth as confidential.

3. Appended hereto in an envelope designated as Attachment B is one copy of the response with the confidential information deleted.

4. Attached as Attachment C is a sealed envelope containing one copy of the response with the material which is confidential and proprietary. Copies of Attachment C are not being served on the other parties in this proceeding.

5. Regarding Scheye's Attachments, this information is entitled to proprietary confidential classification for the following reasons.

The documents contain actual unit cost information for discrete cost elements. Public disclosure of this information would provide BellSouth's competitors with an advantage in that they would know the price or rate below which BellSouth could not provide the service. The data is valuable to competitors and potential competitors in formulating strategic plans for entry, pricing, marketing, and overall business strategies concerning access services. This same information on competitors is not available to BellSouth. This information is valuable and is used by BellSouth in conducting its business. Section 364.183(e), Florida Statutes, expressly considers as proprietary confidential business information any information relating to competitive business of the provider. The information contained in

Scheye's Attachments, as more specifically described above, meets the statutory criteria, and should therefore be afforded confidential classification.

6. BellSouth 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, BellSouth moves the Commission to enter an order declaring the information described above and contained in the indicated portions of the Scheye Attachments to be confidential proprietary business information, and thus not subject to public disclosure.

Respectfully submitted this 23rd day of September, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty
ROBERT G. BEATTY (22)

J. PHILLIP CARVER

c/o Nancy Sims

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Tallahassee, Florida 32301

(305) 347-5555

Nancy B. White
R. DOUGLAS LACKEY (22)

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ATTACHMENT A
Request for Confidential Classification
Page 1
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ATTACHMENT A

FPSC DOCKET 960833-TP and 960916-TP

TESTIMONY EXHIBITS OF ROBERT SCHEYE
960833-TP RCS-6 and 960916-TP RCS-2

Explanation of Proprietary Information

This information contains actual unit cost information for discrete cost elements for the item under study. These costs reflect BellSouth's long run incremental cost of providing these elements on a going forward basis. Public Disclosure of this information would provide BellSouth's competitors with an advantage in that they would know the price or rate below which BellSouth could not provide the service. The data is valuable to competitors and potential competitors in formulating strategic plans for entry, pricing, marketing, and overall business strategies concerning access services. This same information on competitors is not available to BellSouth. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, such information is a trade secret which should be classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes and is exempt from the Open Records Act.

LOCATION OF THE PROPRIETARY INFORMATION

PAGE NO.

LINE/COL. NO.

960833-TP RCS-6 Filed 8/30/96

1 All numbers in Columns Labeled: BellSouth LRIC and Hypothetical
TELRIC plus Forward Looking Common Costs.

960916-TP RCS-2 Filed 09/09/96

1 All numbers in Columns Labeled: BellSouth LRIC and Hypothetical
TELRIC plus Forward Looking Common Costs.