

NANCY B. WHITE
General Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0710

October 28, 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. 960833-TP; 960846-TP; 960916-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 (AW)

- 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
[Signature]
EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11446 OCT 28 96

FPSC-RECORDS/REPORTING

ORIGINAL
FILE COPY

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: October 28, 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 Staff's Second Request for Production of Documents in the above captioned dockets.

1. BellSouth is filing its Request for Confidential Classification for Staff's Second Request for Production of Documents filed on October 7, 1996 because it deems the information requested to be confidential and proprietary business information in that it reflects vendor specific prices and revenue and cost data. 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.

DOCUMENT NUMBER-DATE
 11446 OCT 28 8
 FPSC-RECORDS/REPORTING

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. This information is entitled to proprietary confidential classification for two reasons. First, this information reflects vendor specific prices negotiated by BellSouth. Public disclosure of this information would impair BellSouth's ability to contract for goods and services on favorable terms. 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.

6. Second, this information contains revenue and cost data which reflects BellSouth's long run incremental cost of providing service on a going forward basis. Public disclosure of this information would provide BellSouth's competitors with an advantage.

The cost data is valuable to competitors and potential competitors in formulating plans for entry, pricing, marketing and overall business strategies. 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. This information meets the statutory criteria, and should therefore be afforded confidential classification.

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 this information to be confidential proprietary business information, and thus not subject to public disclosure.

Respectfully submitted this 28th day of October, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty (pro)

ROBERT G. BEATTY

J. PHILLIP CARVER

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, Florida 32301

(305) 347-5555

R. Douglas Lackey (pro)

R. DOUGLAS LACKEY

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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 28th day of October, 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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Donna Canzano
Florida Public Service
Commission
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(904)222-8611

Richard D. Melson, Esq.
Hopping Green Sams & Smith
123 South Calhoun Street
Tallahassee, FL 32314
(904)222-7500



Nancy B. White

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 28th day of October, 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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Brad Mutschelknaus
Kelley Drye & Warren, L.L.P.
Suite 500
1200 19th Street, N.W.
Washington, D.C. 20036

Nancy B. White (ps)

M E M O R A N D U M

October 28, 1996

TO: _____ DIVISION OF APPEALS
_____ DIVISION OF AUDITING AND FINANCIAL ANALYSIS
XX _____ DIVISION OF COMMUNICATIONS
_____ DIVISION OF ELECTRIC AND GAS
_____ DIVISION OF RESEARCH
_____ DIVISION OF WATER AND WASTEWATER
_____ DIVISION OF LEGAL SERVICES

FROM: DIVISION OF RECORDS AND REPORTING (SANDERS)

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 11447-96

DESCRIPTION: Response to staff's 2nd production of documents

SOURCE: BellSouth Telecommunications, Inc.

DOCKET NO.: 960833-TP

The above material was received with a request for confidentiality (attached). Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of Records and Reporting and to the Division of Appeals.

Please read each of the following and check if applicable.

_____ The document(s) is (are), in fact, what the utility asserts it (them) to be.

_____ The utility has provided enough details to perform a reasoned analysis of its request.