

ORIGINAL
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Legal Department

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November 12, 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. 920260-TL

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
(AW)

Nancy B. White

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
LIN _____
OPC _____
RCH _____
SEC 1 _____
WAS _____
OTU all to matilda

Enclosures

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

DOCUMENT NUMBER-DATE

11995 NOV 12 1996

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of the)
Revenue Requirements and Rate) Docket No. 920260-TL
Stabilization Plan of Southern Bell)
Telephone and Telegraph Company) Filed: November 12, 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 Data Requests of Palm Beach Newspaper filed on October 15, 1996 in Docket 920260-TL.

1. BellSouth is filing its Request for Confidential Classification for the Data Requests because it deems the information requested to be confidential and proprietary business information in that it reflects cost studies of various elements of N11 service. Since competitors can offer this service, they can use this information as a resource, disclosure of this information would impair BellSouth's ability to compete.

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 information with the confidential information deleted.

4. Attached as Attachment C is a sealed envelope containing one copy of the information with the material which is confidential and

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

proprietary. Copies of Attachment C are not being served on the other parties in this proceeding.

5. Regarding these Data Requests, 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 N11 service. 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 these Data Requests, 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 Data Requests to be confidential proprietary business information, and thus not subject to public disclosure.

Respectfully submitted this 12th day of November, 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

Robert G. Beatty

ROBERT G. BEATTY

J. PHILLIP CARVER

c/o Nancy Sims

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R. Douglas Lackey

R. DOUGLAS LACKEY

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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 12th day of November, 1996 to:

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Nancy B. White (M)

Attachment A

FPSC DOCKET 920260-TL PALM BEACH NEWSPAPER'S DATA REQUEST

Dated September 25, 1996

Filed October 15, 1996

NOVEMBER 12, 1996

BST PROPRIETARY COST INFORMATION

Explanation for Proprietary Information

The information contained in BellSouth's response to Palm Beach Newspaper's Data Request dated September 25, 1996 in FPSC Docket 920260-TL (Re: \$48 million Rate Refund) sent on October 15, 1996 contains proprietary confidential cost information. These cost 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.

