

LAW OFFICES  
**MESSER, CAPARELLO & SELF**  
A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701  
POST OFFICE BOX 1876  
TALLAHASSEE, FLORIDA 32302-1876  
TELEPHONE: (904) 222-0720  
TELECOPIERS: (904) 224-4359; (904) 425-1942

September 15, 1997

**BY HAND DELIVERY**

Ms. Blanca Bayo, Director  
Division of Records and Reporting  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 960786-TL

Dear Ms. Bayo:

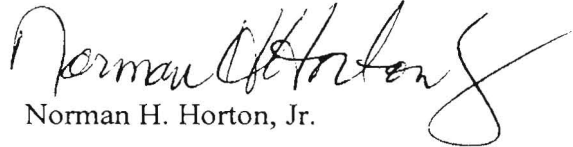
Enclosed are an original and fifteen copies of American Communications Services of Jacksonville, Inc. Notice of Intent to Request Confidential Classification and Late-Filed Hearing Exhibit Nos. 74 and 75 in the above referenced docket. A copy of the confidential material has been provided to Staff and to BellSouth Telecommunications, Inc.

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIV \_\_\_\_\_
- CRP \_\_\_\_\_
- REL \_\_\_\_\_
- SCJ \_\_\_\_\_
- MAS \_\_\_\_\_
- JTH \_\_\_\_\_

Please indicate receipt of this document by stamping the enclosed extra copy of this letter.


Thank you for your assistance in this matter.

Sincerely,

  
Norman H. Horton, Jr.

NHH:amb  
Enclosures  
cc: James C. Falvey, Esq.

This Notice of Intent was filed with Confidential Document No. 09382-97. The document has been placed in the confidential files pending receipt of a request for confidential treatment.

RECEIVED & FILED  
  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
**09381 SEP 15 97**  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

FILE COPY

In Re: Consideration of BellSouth )  
Telecommunications, Inc.'s entry into )  
InterLATA services pursuant to Section )  
271 of the Federal Telecommunications )  
Act of 1996. )  
\_\_\_\_\_ )

Docket No. 960786-TL  
Filed: September 15, 1997

**NOTICE OF INTENT TO REQUEST  
CONFIDENTIAL CLASSIFICATION**

Now comes American Communications Services of Jacksonville, Inc. ("ACSI-Jacksonville") and files this Notice of Intent to request Confidential Classification pursuant to Rule 25-22.006, Florida Administrative Code.

1. The Staff of the Florida Public Service Commission has requested ACSI to provide Late-Filed Hearing Exhibit No. 75 in connection with the above-captioned matter regarding the status of ACSI resale orders.

2. Late-Filed Hearing Exhibit No. 75 includes proprietary confidential business information which is exempt from public disclosure under Sections 119.07 and 364.183, Florida Statutes. The information is confidential because it reveals customer and access line data and relates to competitive activity. The public disclosure of this information would impair competitive business.

3. The information contained in Late-Filed Hearing Exhibit No. 75 is the same type of information covered by the Protective Order granted by the Prehearing Officer by Order No. PSC-97-1008-CFO-TL, August 22, 1997. To the extent that Late-Filed Hearing Exhibit No. 75 updates information covered by the Protective Order, ACSI believes the update would likewise be covered.

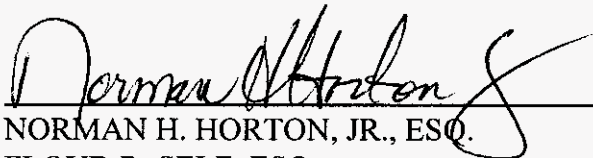
DOCUMENT NUMBER-DATE

09381 SEP 15 97

FPSC-RECORDS/REPORTING

However, ACSI will seek continued confidential classification and treatment of this information by filing a Request for Confidential Classification within 21 days.

Respectfully submitted this 15th day of September, 1997.

A handwritten signature in cursive script, appearing to read "Norman H. Horton, Jr.", written over a horizontal line.

NORMAN H. HORTON, JR., ESQ.

FLOYD R. SELF, ESQ.

Messer, Caparello & Self, P.A.

P. O. Box 1876

Tallahassee, Florida 32302

(904) 222-0720

Attorneys for American Communications Services,  
Inc.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of ACSI's Notice of Intent to Request Confidential Classification in Docket No. 960786-TL have been served upon the following parties by Hand Delivery (\*) and/or U.S. Mail this 15th day of September, 1997.

Monica Barone, Esq.\*  
Division of Legal Services, Room 370  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Ms. Nancy White\*  
c/o Ms. Nancy Sims  
BellSouth Telecommunications, Inc.  
150 S. Monroe Street, Suite 400  
Tallahassee, FL 32301

Joseph A. McGlothlin, Esq.  
Vicki Gordon Kaufman, Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas, P.A.  
117 South Gadsden St.  
Tallahassee, FL 32301

Patrick K. Wiggins, Esq.  
Donna Canzano, Esq.  
Wiggins & Villacorta, P. A.  
501 E. Tennessee St., Suite B  
Tallahassee, Florida 32302

Patricia Kurlin, Esq.  
Intermedia Communications, Inc.  
3625 Queen Palm Drive  
Tampa, FL 33169-1309

Richard D. Melson  
Hopping Green Sams & Smith  
123 S. Calhoun St.  
Tallahassee, FL 32301

Thomas K. Bond  
MCI Telecommunications  
780 Johnson Ferry Road, Suite 700  
Atlanta, GA 30342

Tracy Hatch, Esq  
AT&T  
101 N. Monroe St., Suite 700  
Tallahassee, Florida 32301

Marsha E. Rule, Esq.  
AT&T  
101 N. Monroe St., Suite 700  
Tallahassee, Florida 32301

Benjamin Fincher  
Sprint Communications Co., L.P.  
3100 Cumberland Circle  
Atlanta, GA 30339

C. Everett Boyd, Jr.  
Ervin, Varn, Jacobs, Odom & Ervin  
305 S. Gadsden St.  
Tallahassee, FL 32301

Richard M. Rindler  
Swidler & Berlin, Chartered  
3000 K Street, N.W., Suite 300  
Washington, DC 20007

Sue E. Weiske, Esq.  
Time Warner Communications  
3rd Floor North  
160 Inverness Drive West  
Englewood, CO 80112

Peter M. Dunbar, Esq.  
Robert S. Cohen, Esq.  
Pennington, Culpepper, Moore, Wilkinson,  
Dunbar & Dunlap, P.A.  
215 S. Monroe St., 2nd Floor  
Tallahassee, FL 32301

Ms. Carolyn Marek  
Vice President Regulatory Affairs, Southeast  
Time Warner Communications  
2828 Old Hickory Blvd, S.E., Apt. #713  
Nashville, TN 37221

Kenneth A. Hoffman  
Rutledge, Ecenia, Underwood,  
Purnell & Hoffman, P.A.  
215 S. Monroe St., Suite 420  
Tallahassee, FL 32301

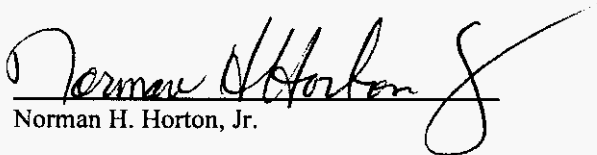
Mr. Paul Kouroupas  
TCG - Washington  
2 Lafayette Centre, Suite 400  
1133 Twenty First Street, N.W.  
Washington, DC 20036

Laura Wilson  
Charles F. Dudley  
Florida Cable Telecommunications Association  
310 N. Monroe Street  
Tallahassee, FL 32301

James C. Falvey, Esq.  
American Communications Services, Inc.  
131 National Business Parkway, Suite 100  
Annapolis Junction, MD 20701

John R. Marks, III, Esq.  
Knowles, Marks & Randolph, P.A.  
528 E. Park Avenue  
Tallahassee, FL 32301

William J. Ellenberg, II, Esq.  
J. Phillip Carver, Esq.  
BellSouth Telecommunications, Inc.  
675 West Peachtree Street, Suite 4300  
Atlanta, GA 30375

  
Norman H. Horton, Jr.

American Communications Services, Inc.

Docket No. 960786-TL

Witness: Falvey

September 8, 1997

Late-Filed Hearing Exhibit No. 74

Page 1 of 1

**REQUEST:** Status of requests for conduits, poles, attachments and rights of way in Florida.

**RESPONSE:** ACSI has an agreement with BellSouth that provides ACSI with access to BellSouth poles, conduits and rights-of-way. ACSI has not ordered use of BellSouth's poles, conduits and rights-of-way, pursuant to that agreement.

DOCUMENT NUMBER-DATE

09381 SEP 15 6

FPSC-RECORDS/REPORTING

American Communications Services, Inc.  
Docket No. 960786-TL  
Witness: Falvey  
September 8, 1997  
Late-Filed Hearing Exhibit No. 75  
Page 1 of 1

REQUEST: ACSI's status of resale orders in Florida.

RESPONSE: The information requested by this exhibit is proprietary and confidential and is being provided to Staff and BellSouth. As described at the hearing, ACSI could not verify information in Exhibit 2 but could provide numbers of customers and access lines (Tr. 2319, 2320). As of Sept. 9, ACSI served [REDACTED] customers by resale of BellSouth services, comprising [REDACTED] access lines.