

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Discovery for Study on Fair & Reasonable Rates and on Relationships Among Costs and Charges Associated with Certain Telecommunications Services Provided by LECs, as Required by Chapter 98-277.

Docket No.: 980733-TL
Special Project No.: 980000A - SP

Filed: August 21, 1998

BELLSOUTH TELECOMMUNICATIONS, INC.'s REQUEST FOR CONFIDENTIAL CLASSIFICATION

BellSouth Telecommunications, Inc. ("BellSouth" or "Company") hereby files, pursuant to Rule 25-22.006, Florida Administrative Code, its Request for Confidential Classification for information produced in response to the fair and reasonable rates data requests served by the Public Service Commission, Division of Communications.

1. In a Memorandum re: 980000A-SP Undocketed Special Project, dated June 19, 1998, the Florida Public Service Commission ("Commission"), Division of Communications, requested that BellSouth provide it with certain contribution analyses and supporting cost studies based on the total service long-run incremental cost standard or a reasonably comparable measure for use in providing a report to the Legislature regarding "the relationships among the costs and charges associated with

- CK providing basic local service, intrastate access, and other services provided by local
FA
APP exchange telecommunications companies," and the Commission's "conclusions as to
JAF
CMU the fair and reasonable Florida residential basic local telecommunications service
CTR rate. . . ."
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2. In Item Nos. 1(b), (d), (f), (h) and (j), 2(b), 3(b), and 4(b), the Commission requested the cost studies and associated work papers and related documentation which resulted in the contribution analyses that were requested in other portions of those data requests. In Item No. 1(e), the Commission requested a contribution analysis for ESSX/Centrex service.

3. In Item No. 5(a) and (b), the Commission requested various marketing studies, reports, and analyses concerning the relationship between the price and quantity demanded for various services offered by BellSouth, consumption patterns of Florida consumers, and other marketing information.

4. The documents provided in response to Item Nos. 1(b), (d), (e), (f), (h), and (j), 2(b), 3(b), 4(b), and 5(b) and some of those provided in response to Item No. 5(a) are proprietary, confidential business information that should not be publicly disclosed. This information falls within Florida Statutes § 364.183 (3)(e), which defines the terms "proprietary confidential business information" to include "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of that information." In a competitive business, any such knowledge obtained about a competitor can be used to the detriment of the entity to which it pertains. This unfair advantage skews the operation of the market to the ultimate detriment of the consumer.

5. On August 3, 1998, BellSouth filed its Responses to the Division of Communications' Data Requests and a Notice of Intent to Request Specified

**Confidential Classification for certain confidential documents provided in response to Data Requests 1(b), (d), (e), (f), (h) and (j), 2(b), 3(b), 4(b), 5(a) and (b).**

**6. BellSouth is filing a Request for Confidential Classification for the subject documents because they contain confidential and proprietary business information developed at BellSouth's costs.**

**7. BellSouth has appended to this Request for Confidential Classification as Attachment A a description of the documents designated by BellSouth as confidential.**

**8. Appended hereto as Attachment B are two copies of the requested documents with the confidential information deleted.**

**9. Appended hereto as Attachment C is a sealed envelope containing one copy of the documents including the material which is confidential and proprietary.**

**10. The requested documents contain information considered to be confidential and proprietary to BellSouth and includes cost studies and associated work papers and related documentation which resulted in the contribution analyses requested in the Commission's Data Requests, as well as various marketing studies, reports, and analyses concerning the relationship between the price and quantity demanded for various services offered by BellSouth, consumption patterns of Florida consumers, other marketing information, and contractual vendor information. Public disclosure of this information provides BellSouth's competitors with an unfair advantage and would allow them to benefit from the time and money expended by BellSouth in developing the information contained in the subject documents. This same information from 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 should be classified as proprietary, confidential business information pursuant to Florida Statutes, Section 364.183, including but not limited to Sections 364.183(3)(d) and (e). Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

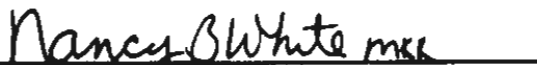
7. BellSouth has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed.


8. The original of this Request has been filed with the Division of Records and Reporting, and a copy has been served on the Division requesting the information.

WHEREFORE, based on the foregoing, BellSouth moves the Commission to enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 21st day of August, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
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**CERTIFICATE OF SERVICE**  
**Docket No. 980733-TP**  
**Special Project No. 980000A-SP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Hand-Delivery this 21st day of August, 1998, to the following:

Division of Communications  
Walter D'Haeseleer  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

  
Mary K. Keyer