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November 5, 1999

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VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Number Utilization Study: Investigation Into Number Conservation Measures, Docket No. 981444-TP

Dear Ms. Bayo:

Enclosed for filing are the original and 15 copies of Florida Cellular Service, Inc. d/b/a BellSouth Mobility Inc.'s ("BMI"'s) Request for Confidential Classification of BMI's response to staff's data request in the above-referenced docket. Also enclosed are the following: (1) a separate, sealed envelope containing one copy of BMI's response to the data request on which the information for which BMI is requesting confidential classification is highlighted, and (2) two copies of BMI's response to the data request with the information for which BMI is requesting confidential classification redacted.

For our records, please acknowledge your receipt of this filing on the enclosed copy of this letter. Thank you for your consideration in this matter.

Very truly yours,

HOLLAND & KNIGHT LLP



Karen D. Walker

This request for confidentiality was filed in a docketed matter by or on behalf of a telecommunications company or Confidential Document No. ~~13044-99~~. No ruling is required unless the material is subject to a request per 19.07, FS, or has been admitted into the record per Rule 5-22.006(8)(b), FAC.

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FPSC-BUREAU OF RECORDS

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~~13044~~ NOV-5 99

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Blanca S. Bayo
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Enclosure
KDW/

cc: Walter D'Haeseleer (via hand delivery)
John Cutting (via hand delivery)
Levent Ileri (via hand delivery)
Beth Keating (via hand delivery)
Diana Caldwell (via hand delivery)
All Parties of Records (via U.S. Mail)
William H. Brown (via fax)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Number Utilization Study: Investigation
Into Number Conservation Measures

Docket No. 981444-TP
Filed: November 5, 1999

REQUEST FOR CONFIDENTIAL CLASSIFICATION

Florida Cellular Service, Inc. d/b/a BellSouth Mobility Inc. ("BMI"), by and through undersigned counsel, pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, requests that the Florida Public Service Commission (the "Commission") classify as confidential certain proprietary confidential business information contained in BMI's response to Commission staff's data request made in connection with the Commission's number utilization study. In support of its request, BMI states:

1. By letter dated September 24, 1999, Commission staff requested that BMI complete the two spreadsheets attached to the letter to assist the Commission in its study of number utilization of all area codes in Florida in an attempt to determine whether numbering resources are being used in an efficient manner.

2. BMI's response to the Commission staff's data request contains proprietary confidential business information as that term is defined in Section 364.183(3), Florida Statutes. Specifically, BMI's response to the data request reveals the identity of BMI's number blocks, the number of active numbers in each NXX, and BMI's projected growth of numbers.

3. On October 15, 1999, BMI submitted its response to Commission staff's data request under cover of a Notice of Intent to Request confidential Classification

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in strict accordance with the confidentiality requirements of Rule 25-22.006, Florida Administrative Code. BMI filed under seal one copy of BMI's response to Commission staff's data request with the confidential information highlighted, together with a copy of BMI's response to the data request on diskette. In addition, BMI filed two copies of its response to the data request with the confidential information redacted.

4. This Request for Confidential Classification is being filed within 21 days of the date that BMI's response to Commission staff's data request, and BMI's Notice of Intent to Request Confidential Classification of that response, were filed with the Commission. Through this request, BMI seeks to maintain the continued confidential handling of BMI's response to Commission staff's data request.

5. BMI's response to Commission staff's data request is intended to be, and has been treated by BMI, as private and has not been disclosed unless disclosed pursuant to a statutory provision, order of a court or administrative body, or private agreement that provides that the information in BMI's response to Commission staff's data request will not be released to the public.

6. BMI's response to Commission staff's data request is entitled to confidential classification pursuant to Section 364.183(1), Florida Statutes, and is exempt from Section 119.07(1), Florida Statutes, and Article I, Section 24(a) of the Florida Constitution. Section 364.183(3) defines "proprietary confidential business information" as:

information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by

the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public.

§ 364.183(1), Fla. Stat. (1999). Section 364.183(3) further provides that "proprietary confidential business information" includes "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information." § 364.183(3)(e), Fla. Stat. (1999).

7. BMI's response to Commission staff's data request constitutes "proprietary confidential business information" within the meaning of that term as described in Section 364.183(3). BMI's response to the data request reveals the identity of BMI's number blocks, the number of active numbers in each NXX, and BMI's projected growth of numbers. Public disclosure of BMI's response to Commission staff's data request would allow competitors to determine the number of BMI's active customers in each NXX and BMI's projected customer growth. Accordingly, public disclosure of BMI's response to Commission staff's data request would irreparably harm BMI.

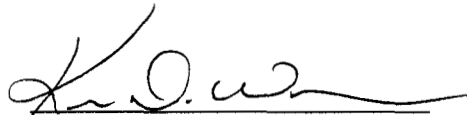
8. Attached hereto in a sealed envelope is a copy of BMI's response to Commission staff's data request on which the information for which confidential classification is requested is highlighted. Also attached hereto are two edited copies of BMI's response to Commission staff's data request on which the confidential material has been redacted. Because all of BMI's response to Commission staff's data request is confidential, with the exception of certain headings, there is no basis

for articulating a line-by-line justification for the confidential treatment of information.

9. BMI has good cause and justification for its request, and continued confidentiality of its response to Commission staff's data request will not prejudice the Commission, or any other persons or entities that may become parties to this docket. Moreover, BMI will make its response to the data request available upon execution of an appropriate protective agreement.

WHEREFORE, BMI respectfully requests that the Commission determine that BMI's response to Commission staff's data request is confidential and exempt from the Public Records Act, Chapter 119, Florida Statutes, and Article I, Section 24(a) of the Florida Constitution.

Respectfully submitted,



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**Attorneys for FLORIDA CELLULAR
SERVICE, INC. d/b/a BELLSOUTH
MOBILITY, INC.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT a true and correct copy of the foregoing was furnished by hand delivery* or United States Mail on the following this 5th day of November, 1999.

Diana Caldwell*
Florida Public Service Commission
Division of Legal Services
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A handwritten signature in black ink, appearing to read 'K. D. Walker', written over a horizontal line.

Karen D. Walker

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