

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE: (850) 222-0720
TELECOPIERS: (850) 224-4359; (850) 425-1942
INTERNET: www.lawfla.com

November 12, 1999

RECORDS AND
REPORTING

99 NOV 12 PM 4:54

RECEIVED-FPSC

ORIGINAL

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

This claim of confidentiality was filed by or on behalf of a telecommunications company for Confidential Document No. ~~3945-99~~. The document has been placed in locked storage pending staff advice on handling. Your name must be on the CASR to access the material. If it is undocketed, your division director must obtain written permission from the EXD/Tech before you can access it.

Re: Communications Division Data Request in Docket No. 981444-TP
AT&T's Second Claim for Confidential Treatment

Dear Ms. Bayo:

AT&T Communications of the Southern States, for itself and its affiliate AT&T Wireless Services (collectively hereinafter "AT&T"), pursuant to Section 364.183(1), Florida Statutes, hereby claims that certain information provided in response to Water D'Haeseleer's September 24, 1999 data request for telephone number utilization data contains confidential and proprietary business information that should be held exempt from public disclosure. Pursuant to Rule 25-22.0006(5), Florida Administrative Code, in the attached envelope identified as Exhibit "A" is one paper copy of AT&T's response (consisting of Attachments "I" and "II") with the confidential information highlighted and one electronic copy of the document as an Excel 2000 spreadsheet file on an IBM compatible 3.5" disk. Attached as Exhibit "B" are two paper copies of AT&T's response (consisting of Attachments "I" and "II") with the confidential information redacted. Also included with this letter is a document identified as "Attachment III" which contains additional information about the specific responses being made by AT&T.

AT&T's response includes information for AT&T Wireless Services ("AWS"), a cellular mobile radio service ("CMRS") provider that is not a "telecommunications company" for purposes of chapter 364, Florida Statutes. By providing this information, AWS should not be construed as a "telecommunications company" for purposes of chapter 364 nor should AWS be considered to have waived any position with respect to the Commission's jurisdiction, pursuant to the FCC's Order No. FCC 99-249, issued September 15, 1999, to obtain number utilization data from CMRS providers.

RECEIVED & FILED

M
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

73944 NOV 12 99

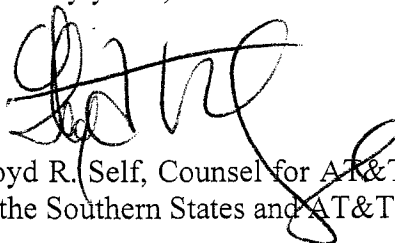
FPSC-RECORDS/REPORTING

Ms. Blanca Bayo
November 12, 1999
Page 2

Please acknowledge receipt of this letter by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Floyd R. Self". The signature is written in a cursive style with a large, sweeping flourish at the end.

Floyd R. Self, Counsel for AT&T Communications
of the Southern States and AT&T Wireless Services

FRS/amb

Enclosures

cc: Tracy Hatch, Esq.
Suzanne Toller, Esq.
Parties of Record (without confidential information)

Attachment 3

AT&T in this attachment has additional information regarding the responses of AT&T to the FPSC September 24, 1999 number utilization data request. AT&T advises the Commission that it has used its best efforts to provide timely and accurate information. However, because some of the instructions in this data request require the compilation of information in a manner that is not consistent with industry guidelines or with internal AT&T systems, for some items AT&T has been unable to provide the information in exactly the manner requested or AT&T has been required to manually compile the information which may lead to minor inconsistencies in the reported data. For future data requests, AT&T strongly encourages the Commission to require, whenever possible, the submission of data in a manner consistent with industry guidelines.

1. Columns B and H on Attachment I include information only for numbers used by customers, as is further explained in paragraph 2 below. Thus, Column B excludes other numbers that under the INC guidelines are considered unavailable for assignment, i.e., those numbers that AT&T considers "reserved" or otherwise identified as test, administrative, aging, etc. that are not currently in use by customers.
2. The response for AWS in Columns B and H on Attachment I also includes all numbers held by resellers, since these numbers are considered assigned and active in the AWS system because resellers are AWS customers and these numbers are not available to AWS for assignment to other AWS customers. It is likely, however, that not all of the numbers assigned to resellers are in use by end users
3. For Columns C and I on Attachment I, the data for AT&T's ADL and ALS operations includes information for all numbers that are unavailable for immediate assignment, such unavailable numbers include those numbers in use by end users or numbers which are designated as test, reserve, aging, etc. For AT&T's AWS operations, the AWS data includes information for all numbers that are unavailable for assignment except for numbers in aging.
4. For Columns G & K on Attachment I, AT&T's AWS operations have provided data based upon the definition of contamination in the instructions to the data request, i.e., contamination means only those numbers assigned to customers (including resellers) and excluding any aging and reserved numbers. AT&T's ADL and ALS operations have provided data in Columns G & K consistent with the INC Thousands Block Pooling Guidelines definition of a "contaminated block" which is as follows:

A contaminated block is a block of one thousand (X000-X999) TNs in which at least one TN is in any of the following categories:

Administrative Number
Aging Number
Assigned Number
Reserved Number
Wireless E911 Emergency Services Routing Digits (ESRD)

INC Thousands Block (NXX-X) Pooling Administration Guidelines, 99-0127-023 Working Document Section 14 (The *Pooling Guidelines* Working document was last updated based on agreements reached as of August 30, 1999, and was posted to the ATIS web site in September 1999). AT&T's ADL and ALS operations were unable to separate out the aging and reserved numbers, whereas AWS was able to separate out the aging and reserved numbers but only after conducting a special count. AT&T respectfully suggests that since the INC Guidelines is the basis for the industry's collection of data, and will likely be the basis for any number pooling mechanism, that future Commission data requests should request information consistent with these standards. If the INC guidelines are not used, then the true number of available NXX codes or 1000 blocks with less than 10% contamination will be overstated .

5. For AT&T's AWS operations, Column I on Attachment I includes an approximation of the number of reserved numbers since Attachment II did not require carriers to break out reserved numbers in thousands blocks.
6. Column J on Attachment I not provided because AWS does not forecast based on 1000s blocks.
7. Column C on Attachment II includes only numbers that are currently unavailable for assignment because they are in the aging pool. When the aging time has expired, these numbers will be available for assignment.
8. For Column D on Attachment II, AT&T does not compile data for numbers that would be available for "reassignment," as that term has been defined in the Commission's instructions, so that column has between left blank.
9. Column E on Attachment II includes all "reserved," as the Commission has defined that term, i.e. numbers that are reserved for customers, administrative numbers, and test numbers; this column does not include numbers in aging.

10. For Columns F to O on Attachment II, the data for AT&T's ADL and ALS operations has been compiled on the basis of the industry's meaning of the term "in use," which would include numbers active with customers as well as reserved, test, aging, and other such unavailable numbers. Thus, for AT&T's ADL and ALS operations, data that is in Columns C and E will be included in the data reported in Columns F to O. The data for AT&T's AWS operations consists solely of numbers in use by customers (including reseller numbers), per the Commission's instructions. No "reserved" (including administrative and test numbers) or aging numbers are included.