

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for certificate )  
to provide interexchange )  
telecommunications service by )  
Bell Atlantic Network Data, Inc. )

Docket No. 000789-TL

Filed: June 29, 2000

REQUEST FOR CONFIDENTIAL CLASSIFICATION

Bell Atlantic Network Data, Inc. ("BAND"), by and through undersigned counsel, pursuant to Section 364.183, Florida Statutes, and Florida Administrative Code Rule 25-22.006, requests that the Florida Public Service Commission (the "Commission") classify as confidential the unaudited balance sheets and income statements contained in Composite Exhibit "D" to BAND's application for authority to provide interexchange telecommunications service within the state of Florida (the "IXC Application"). In support of its request, BAND states:

1. BAND is filing contemporaneously herewith its IXC Application. Section 364.337, Florida Statutes, states that: "The [C]ommission shall grant a certificate of authority to provide intrastate interexchange telecommunications service upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service in the geographic area proposed to be served . . . ." § 364.337(3), Fla. Stat. (1999) (emphasis added). Thus, BAND is required to show that it has the financial capability to provide interexchange telecommunications service in Florida before the Commission can grant it a certificate of authority to provide such service. For financial purposes, BAND is

This confidentiality request was filed by or for a "telco" for DN 07977-00. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

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relying on Bell Atlantic Financial Services, Inc. ("BAFSI"), a wholly-owned subsidiary of BAND's parent company, Bell Atlantic Corporation.

2. Composite Exhibit "D" to the IXC Application contains BAFSI's unaudited balance sheets and income statements, which constitute proprietary confidential business information. Therefore, BAND requests that the Commission treat as confidential the unaudited balance sheets and income statements in Composite Exhibit "D".

3. The unaudited balance sheets and income statements in Composite Exhibit "D" are entitled to confidential classification pursuant to Section 364.183(1), Florida Statutes, and are 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]nternal auditing controls and reports of internal auditors" and "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information." § 364.183(3)(b), (e), Fla. Stat. (1999).

4. The unaudited balance sheets and income statements in Composite Exhibit "D" to BAND's IXC Application constitute "proprietary confidential business information" within the meaning of that term as described in Section 364.183(3). The unaudited balance sheets and income statements are internal reports describing BAFSI's operating revenues, operating expenses, net income and cash flow. These documents are intended to be, and have been treated by BAFSI and BAND, as private and have 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 will not be released to the public. Public disclosure of the unaudited balance sheets and income statements would allow competitors to have access to information about the financial resources and stability of BAFSI and BAND. Accordingly, public disclosure of the unaudited balance sheets and income statements would irreparably harm BAFSI and BAND.

5. Attached hereto is: (a) a separate, sealed envelope containing one copy of Composite Exhibit "D" with the information for which confidential classification is requested highlighted; and (b) two edited copies of Composite Exhibit "D" on which the confidential material has been redacted. Only the redacted copies may be made available for public inspection.

6. Because all of the information on the unaudited balance sheets and income statements in Composite Exhibit "D" is confidential, with the exception of the heading, there is no basis for articulating a line-by-line justification for the confidential treatment of the information. BAND, however, has summarized the

confidential information contained in Composite Exhibit "D" in this Request for Confidential Classification.

7. BAND has good cause and justification for its request. Furthermore, confidential treatment of the unaudited balance sheets and income statements in Composite Exhibit "D" will not prejudice the Commission, or any other persons or entities that may become parties to this docket.

WHEREFORE, BAND respectfully requests that the Commission determine that the unaudited balance sheets and income statements in Composite Exhibit "D" to BAND's IXC Application are 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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D. Bruce May  
Florida Bar No. 854473  
Karen D. Walker  
Florida Bar No. 0982921  
HOLLAND & KNIGHT LLP  
P.O. Drawer 810  
Tallahassee, FL 32302  
(904) 224-7000

**Attorneys for Bell Atlantic Network  
Data, Inc.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by United State Mail to Jack Shreve, Office of Public Counsel, 111 W. Madison Street, Suite 812, Tallahassee, Florida 32399 this 29<sup>th</sup> day of June, 2000.

  
\_\_\_\_\_  
D. Bruce May

TAL1 #219826 v1



ASSETS

ACTUAL

CURRENT ASSETS

[REDACTED]

[REDACTED]

TOTAL CURRENT ASSETS

NON CURRENT ASSETS

[REDACTED]

[REDACTED]

TOTAL NON-CURR ASSETS

TOTAL ASSETS

[REDACTED]

ACTUAL

LIABILITIES

CURRENT LIABILITIES

[REDACTED]

[REDACTED]

TOTAL CURRENT LIABILITIES

NON CURRENT LIABILITIES

[REDACTED]

[REDACTED]

TOTAL NON-CURR LIABILITIES

TOTAL LIABILITIES

[REDACTED]

[REDACTED]

EQUITY

[REDACTED]

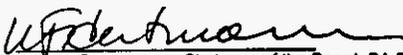
[REDACTED]

TOTAL EQUITY

TOTAL LIAB & EQUITY

[REDACTED]

I hereby affirm that this statement is true and correct.

  
William F. Heitmann, Chairman of the Board, BA Financial Services, Inc.

Note: Not for use or disclosure outside the Bell Atlantic Companies except under written agreement.



**BA FINANCIAL SERVICES**  
**Balance Sheet**  
**04/30/2000**

Current Month

**ASSETS**

[REDACTED]

**Total Current Assets**

[REDACTED]

**Non-Current Assets**

[REDACTED]

**Net Fixed Assets**

[REDACTED]

[REDACTED]

**Total Non-Current Assets**

[REDACTED]

**TOTAL ASSETS**

[REDACTED]

**BA FINANCIAL SERVICES**  
**Balance Sheet**  
**04/30/2000**

Current Month

**LIABILITIES**

[REDACTED]

[REDACTED]

**Total Current Liabilities**

[REDACTED]

[REDACTED]

**Total Non Current Liabilities**

**TOTAL LIABILITIES**

[REDACTED]

**STOCKHOLDER'S EQUITY**

[REDACTED]

[REDACTED]

**TOTAL STOCKHOLDER'S EQUITY**

[REDACTED]

**TOTAL LIABILITIES & EQUITY**

[REDACTED]

I hereby affirm that this statement is true and correct.

  
William F. Heitmann, Chairman of the Board, BA Financial Services, Inc.



ASSETS

ACTUAL

CURRENT ASSETS

[REDACTED]

[REDACTED]

TOTAL CURRENT ASSETS

NON-CURRENT ASSETS

[REDACTED]

[REDACTED]

TOTAL NON-CURRENT ASSETS

TOTAL ASSETS

LIABILITIES

ACTUAL

CURRENT LIABILITIES

[REDACTED]

[REDACTED]

TOTAL CURRENT

NON-CURRENT LIABILITIES

[REDACTED]

[REDACTED]

TOTAL NON-CURRENT

TOTAL LIABILITIES

[REDACTED]

[REDACTED]

EQUITY

[REDACTED]

[REDACTED]

TOTAL EQUITY

TOTAL LIAB & EQUITY

I hereby affirm that this statement is true and correct.

*Robert S. Fitzmire*  
Robert S. Fitzmire, Chief Financial Officer, BA Financial Services, Inc.

**BA FINANCIAL SERVICES**  
**Income Statement**  
04/30/2000

Year to Date  
Actual

**Revenue**

[REDACTED]

[REDACTED]

**Total Revenue**

[REDACTED]

**Expenses**

[REDACTED]

[REDACTED]

**Total Operating Expense**

**Other Income & Expense**

[REDACTED]

[REDACTED]

**Total Other (Income) & Expense**

[REDACTED]

[REDACTED]

**Net Income/(Loss) Before Taxes**

[REDACTED]

**Corporate Income Taxes**

[REDACTED]

[REDACTED]

**Total Income Taxes**

[REDACTED]

**Net Income/(Loss)**

[REDACTED]

I hereby affirm that this statement is true and correct.

  
Robert S. Fitzmire, Chief Financial Officer, BA Financial Services, Inc.

**BA FINANCIAL SERVICES**  
**Balance Sheet**  
**04/30/2000**

Current Month

ASSETS

[REDACTED]

[REDACTED]

**Total Current Assets**

**Non-Current Assets**

[REDACTED]

[REDACTED]

**Net Fixed Assets**

[REDACTED]

[REDACTED]

**Total Non-Current Assets**

**TOTAL ASSETS**

[REDACTED]

**BA FINANCIAL SERVICES**  
**Balance Sheet**  
**04/30/2000**

Current Month

LIABILITIES

[REDACTED]

[REDACTED]

**Total Current Liabilities**

**Non-Current Liabilities**

[REDACTED]

[REDACTED]

**Total Non Current Liabilities**

**TOTAL LIABILITIES**

STOCKHOLDER'S EQUITY

[REDACTED]

[REDACTED]

**TOTAL STOCKHOLDER'S EQUITY**

**TOTAL LIABILITIES & EQUITY**

[REDACTED]

I hereby affirm that this statement is true and correct.

*Robert S. Fitzmire*

Robert S. Fitzmire, Chief Financial Officer, BA Financial Services, Inc.