

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
TELECOPIER: (850) 224-4359
INTERNET: www.lawfla.com

July 24, 2000

ORIGINAL
RECEIVED-FPSC
00 JUL 24 PM 4:49
RECORDS AND REPORTING

BY HAND DELIVERY

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

Re: FPSC Docket No. 990649-TP

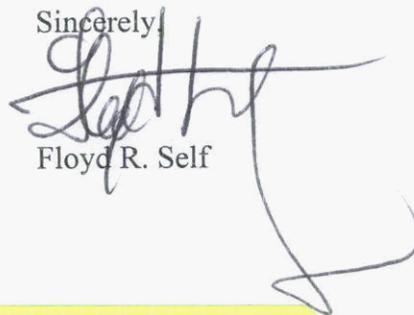
Dear Ms. Bayó:

Enclosed for filing on behalf of AT&T Communications of the Southern States, Inc. are an original and fifteen copies of AT&T's Request for Confidential Classification in the above-referenced docket.

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

Thank you for your assistance with this filing.

Sincerely,



Floyd R. Self

FRS/amb
Enclosure
cc: Marsha Rule, Esq.

This confidentiality request was filed by or for a "telco" for DN 08630-00. 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.

RECEIVED & FILED
M. Sackard
FPSC-BUREAU OF RECORDS

(per 08630-00)
DOCUMENT NUMBER-DATE
08946 JUL 24 8
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into pricing of unbundled network elements)
)
)

Docket No. 990649-TP
Filed: July 24, 2000

RECEIVED-FPSC
00 JUL 24 PM 4: 50
RECORDS AND REPORTING
ORIGINAL

AT&T's REQUEST FOR CONFIDENTIAL CLASSIFICATION

AT&T Communications of the Southern States, Inc. ("AT&T"), pursuant to section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, submits this Request for Confidential Classification of the documents and information described below which have been introduced by BellSouth Telecommunications, Inc. ("BellSouth") and identified as Hearing Exhibit 31 in connection with the Phase I hearings before the Florida Public Service Commission ("Commission") in the above captioned docket. In support of this Request for Confidential Classification, AT&T states as follows:

1. In BellSouth's First Set of Interrogatories, Numbers 7, 10, 13, 19, 22, and 25, and BellSouth's First Request for Production of Documents, Numbers 1 and 2, BellSouth sought discovery of various 1998 and 1999 depreciation lives for AT&T switching, transport, signaling, and other network assets. AT&T objected to the production of such information on confidentiality and relevancy grounds.

2. Based upon subsequent discussions between counsel for BellSouth and AT&T, AT&T agreed to produce certain information to BellSouth in a spirit of cooperation and compromise, while reserving its relevancy and admissibility objections. AT&T provided this information to BellSouth by letter dated July 14, 2000. AT&T specifically noted as part of its production that the information was being produced to BellSouth pursuant to the Protective Agreement between the parties in this proceeding. During the July 17, 2000, hearing in this docket, BellSouth introduced these AT&T confidential materials, and they were identified for the record as Hearing Exhibit 31. Later that day, AT&T filed with the Commission its Claim for

DOCUMENT NUMBER: DATE
08946 JUL 24 00
FPSC-RECORDS/REPORTING

Confidential Treatment for Hearing Exhibit 31, which included two redacted copies and one copy with the confidential information highlighted.

3. AT&T requests that Hearing Exhibit 31 continue to be classified as “proprietary confidential business information” within the meaning of Section 364.183(3), Florida Statutes. The information and documents at issue are intended to be and are treated by AT&T as private, proprietary, and confidential. This Exhibit, at pages 2-7, within the table on each page (all columns and all rows) contain the depreciation lives for AT&T network equipment and facilities. This information identifies the equipment and facilities deployed by AT&T, which would enable a competitor to ascertain the overall design of AT&T’s network, the potential capacity of such equipment as well as the network itself, and the overall financial commitment to the network. This knowledge also would enable a competitor to ascertain the strengths and weaknesses in AT&T’s network and to discern AT&T’s business strategies. This information constitutes both trade secrets and information that relates to the competitive interests of AT&T, the disclosure of which would impair the competitive business of AT&T.

4. The redacted and unredacted copies of Hearing Exhibit 31 were provided with the Claim for Confidential Treatment that was filed with the Commission on July 17th, and AT&T requests that those copies be incorporated into this Request without providing additional, duplicate redacted and unredacted copies. Further, the copies distributed by BellSouth at the hearing on Monday were not redacted copies and did not have the confidential information highlighted. While BellSouth did not distribute copies to the parties, copies were distributed to the Commissioners, the Staff, and the Court Reporter. If any of these copies remain, AT&T requests that they be collected and either added to the confidential file within the Commission’s

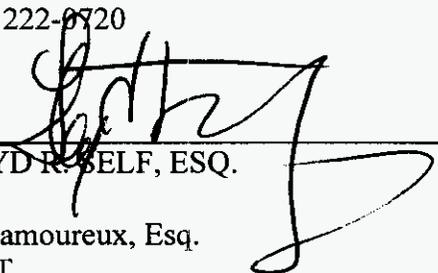
Records and Reporting Division or the materials should be returned to undersigned counsel for AT&T.

5. AT&T requests that the information for which it seeks confidential classification remain confidential for a period of at least 18 months as provided in Section 364.183(4), Florida Statutes. The time period requested is necessary given the competitively sensitive nature of the information.

WHEREFORE, for the foregoing reasons, AT&T respectfully requests that its Request for Confidential Classification be granted.

Dated this 24th day of July, 2000.

MESSER, CAPARELLO & SELF, P.A.
215 S. Monroe Street, Suite 701
Post Office Box 1876
Tallahassee, FL 32302-1876
(850) 222-0720



FLOYD R. SELF, ESQ.

Jim Lamoureux, Esq.
AT&T
1200 Peachtree St., Suite 8068
Atlanta, GA 30309

and

Marsha Rule
AT&T
Suite 700
101 North Monroe Street
Tallahassee, FL 32301
850/425-6365

Attorneys for AT&T Communications of the
Southern States, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of AT&T Communications of the Southern States, Inc.'s Request for Confidential Classification in Docket No. 990649-TP has been furnished by Hand Delivery (*) and/or Overnight Delivery to the following parties of record this 24th day of July, 2000:

Donna M. Clemons, Esq.*
Wayne D. Knight, Esq.
Division of Legal Services
Room 370, Gunter Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Nancy B. White
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, FL 32301

Mark E. Buechele
Supra Telecommunications & Information
Systems, Inc.
Koger Center-Ellis Building, Suite 200
1311 Executive Center Drive
Tallahassee, FL 32301-5027

Mr. Scott Sappersteinn
Intermedia Communications, Inc.
3625 Queen Palm Drive
Tampa, FL 33619-1309

Angela Green, Esq.
Florida Public Telecommunications Association
125 S. Gadsden St., Suite 200
Tallahassee, FL 32301

Patrick Wiggins, Esq.
Charles Pellegrini, Esq.
Wiggins and Villacorta, P.A.
P.O. Drawer 1657
Tallahassee, FL 32302

Catherine Boone, Esq.
Covad Communications Company
10 Glenlake Parkway, Suite 650
Atlanta, GA 30328

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

Christopher Goodpastor, Esq.
Covad Communications Co.
9600 Great Hills Trail, Suite 150W
Austin, TX 78759

Charles A. Hudak, Esq.
Jeremy D. Marcus, Esq.
Gerry, Friend & Sapronov, LLP
Three Ravina Drive, Suite 1450
Atlanta, GA 30346-2131

Monica M. Barone
Sprint Communications Company Limited Partnership
Mailstop GAATLN0802
3100 Cumberland Circle
Atlanta, GA 30339

Charles J. Rehwinkel
Sprint-Florida, Incorporated
MC FLTHO0107
P.O. Box 2214
Tallahassee, FL 32399-2214

Richard D. Melson
Gabriel E. Nieto
Hopping Green Sams & Smith, P.A.
P.O. Box 6526
Tallahassee, FL 32314

Vicki Kaufman, Esq.
Joe McGlothlin, Esq.
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 S. Gadsden Street
Tallahassee, FL. 32301

Jeremy Marcus
Kristin Smith
Blumenfeld & Cohen
1625 Massachusetts Ave., NW, Suite 300
Washington, DC 20036

Peter M. Dunbar, Esq.
Marc W. Dunbar, Esq.
Pennington, Moore, Wilkinson & Dunbar, P.A.
P.O. Box 10095
Tallahassee, FL 32302

Carolyn Marek
V.P. of Regulatory Affairs
Southeast Region
Time Warner Communications
233 Bramerton Court
Franklin, TN 37069

Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel
Florida Telecommunications Association, Inc.
310 North Monroe St.
Tallahassee, FL 32301

Kimberly Caswell
GTE Florida Incorporated
Post Office Box 110, FLTC0007
Tampa, FL. 33601-0110

Terry Monroe
CompTel
1900 M Street, NW, Suite 800
Washington, DC 20036

Mr. Brian Sulmonetti
MCI WorldCom, Inc.
6 Concourse Parkway, Suite 3200
Atlanta, GA 30328

Donna McNulty
MCI WorldCom
The Atrium Building, Suite 105
325 John Knox Road
Tallahassee, FL 32303

Genevieve Morelli
Eric D. Jenkins
Kelley Drye & Warren, LLP
1200 19th street, N.W., Suite 500
Washington, DC 20036

John McLaughlin
KMC Telecom, Inc.
Suite 170
3025 Breckinridge Boulevard
Duluth, GA 30096

Bettye Willis
ALLTEL Communications Services, Inc.
One Allied Drive
Little Road, AR 72203-2177

J. Jeffry Wahlen
Ausley & McMullen
P.O. Box 391
Tallahassee, FL 32302

BlueStar Networks, Inc.
Norton Cutler/Michael Bressman
401 Church Street, 24th Floor
Nashville, TN 37210

Broadslate Networks of Florida, Inc.
John Spilman
675 Peter Jefferson Parkway, Suite 310
Charlottesville, VA 22911

Cleartel Communications, Inc.
Hope G. Colantonio
1255 22nd Street, N.W., 6th Floor
Washington, DC 20037

Kelley Law Firm
Jonathan Canis/Michael Hazzard
1200 19th St. NW, Fifth Floor
Washington, DC 20036

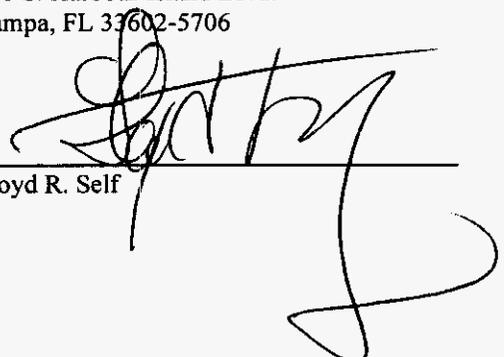
Network Access Solutions Corporation
100 Carpenter Drive, Suite 206
Sterling, VA 20164

Shook, Hardy & Bacon LLP
Rodney L. Joyce
600 14th Street, N.W., Suite 800
Washington, DC 20005-2004

Brent E. McMahan
Vice President-Regulatory and Government Affairs
Network Telephone Corporation
815 South Palafox Street
Pensacola, FL 32501

Marc B. Rothschild
Robert Ridings
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007-5116

Z-Tel Communications, Inc.
George S. Ford
601 S. Harbour Island Blvd.
Tampa, FL 33602-5706


Floyd R. Self