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Legal Department

BENNETT L. ROSS  
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00 JUL 26 PM 4:38

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
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RECORDS AND  
REPORTING

July 27, 2000

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

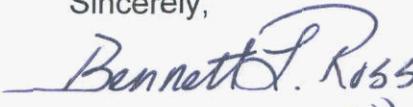
RE: Docket No. 990649-TP (UNEs)

Dear Mrs. Bayo:

Enclosed are an original and 15 copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification. Please file these documents in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

  
Bennett L. Ross (fw)

Enclosures

cc: All Parties of Record  
Nancy B. White  
Marshall M. Criser III  
R. Douglas Lackey

(x-ref. 08148-00)

This confidentiality request was filed by or for a "telco" for DN 09050-00. 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.

DOCUMENT NUMBER-DATE

09049 JUL 26 8

FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation Into )  
Pricing Of Unbundled Network ) Docket No. 990649-TP  
Elements )  
\_\_\_\_\_ ) Filed: July 26, 2000

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.006, Florida Administrative Code, hereby files its Request For Confidential Classification, and states the following:

1. On July 5, 2000, BellSouth filed its Responses to the Seventh Request for the Production of Documents filed in this docket by the Florida Public Service Commission Staff ("Staff"). Some of the information responsive to Production Requests Nos. 31 and 38 is confidential and proprietary. At the same time, BellSouth filed a Notice of Intent to Request Confidential Classification.

2. BellSouth hereby files this Request for Confidential Classification because of the confidential and proprietary nature of some of the information contained in BellSouth's response to Staff's Request for Production Nos. 31 and 38. BellSouth has appended to this Request for Confidential Classification as Attachment A an identification of the specific locations of the confidential information in the responsive documents. Attachment A also contains the specific justification for the request for confidential classification

DOCUMENT NUMBER-DATE

09049 JUL 26 8

FPSC-RECORDS/REPORTING

3. BellSouth has appended to this Request as Attachment B two redacted paper copies of the documents for which confidential classification is requested.

4. BellSouth has appended to this Request as Attachment C a highlighted paper copy of the documents for which confidential classification is requested.

5. This information reflects BellSouth's business strategies, vendor specific prices negotiated by BellSouth, and competitive business information. Public disclosure of this information would impair BellSouth's ability to compete and to contract for goods and services on favorable terms. The information discussed in this Request for Confidential Classification is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e) Florida Statutes. 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 Notice 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 information that is not subject to public disclosure.

Respectfully submitted this 26th day of July, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

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**CERTIFICATE OF SERVICE**  
**Docket No. 990649-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail this 26th day of July, 2000 to the following:

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Bennett L. Ross (A)

**(+) Signed Protective Agreement**

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## **ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649-TP  
Request for Confidential Classification  
Page 1 of 2  
7/26/00**

### **REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO STAFF'S SEVENTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD NOs. 31 and 38) FILED JULY 5, 2000 IN FLORIDA DOCKET NO. 990649-TP**

#### **Explanation of Proprietary Information**

1. This information reflects BellSouth's business strategies. BellSouth's competitors can use this information to develop their own business strategies. Thus, the disclosure of this information to BellSouth's competitors would impair BellSouth's ability to compete and is entitled to confidential classification pursuant to Section 364.183(3)(a) and (3)(e), Florida Statutes. In addition, this information is valuable as it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, this information is a trade secret which should be classified as proprietary, confidential business information exempt from the Open Records Act.
2. This information contains vendor specific information, and/or, vendor specific prices negotiated by BellSouth. Public disclosure of this information would impair BellSouth's ability to contract for goods and services on favorable terms. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, such information is a trade secret which should be classified as proprietary, confidential business information exempt from the Open Records Act.
3. This information contains competitive business information. This information if released would be unfair to BellSouth for it would allow the competition to have free access to information which was developed at an expense to BellSouth. Competitors would then have an advantage in bidding for such business since they would have few, if any, expenses such as research and development to recover, and would bid below BellSouth's cost level. Accordingly, this information is entitled to confidential classification pursuant to Florida Statutes Section 364.183.

**ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649-TP  
Request for Confidential Classification  
Page 2 of 2  
7/26/00**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S  
RESPONSE TO STAFF'S SEVENTH REQUEST FOR PRODUCTION OF  
DOCUMENTS (POD NOs. 31and 38) FILED JULY 5, 2000 IN FLORIDA  
DOCKET NO. 990649-TP**

**STAFF'S POD NO. 31**

<u>Document</u>	<u>Location</u>	<u>Reason</u>
POD No. 31	Entire Document	1

**STAFF'S POD NO. 38**

**AT&T's Fourth Request for Production of Documents**

<u>Document</u>	<u>Page/Location</u>	<u>Reason</u>
POD No. 57	Pages 5-11, Entire Page	3
	Page 16, Lines 2-8	2