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Legal Department

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General Attorney

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Tallahassee, Florida 32301  
(404) 335-0793

RECORDS AND  
REPORTING

September 15, 2000

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

**Re: Docket No. 990649-TP (UNE Docket)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification of its Supplemental Responses to The Coalition's First Interrogatories, Item No. 2 and The Coalition's First Request for Production of Documents, Item Nos. 5 and 7, which we ask that you file in the above-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 to the parties shown on the attached Certificate of Service.

Sincerely,

*Bennett L. Ross*  
Bennett L. Ross

(2)

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

This confidentiality request was filed by or for a "telco" for DN 11628-00. 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  
*[Signature]*  
FPSC

(x-ref. 11438-00)  
DOCUMENT NUMBER-DATE  
11627 SEP 15 8  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into )  
Pricing of Unbundled Network )  
Elements )  
\_\_\_\_\_ )

Docket No.: 990649-TP

Filed: September 15, 2000

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

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

1. On September 13, 2000, BellSouth Telecommunications, Inc. filed its Supplemental Responses to The Coalition's First Interrogatories, Item No. 2 and The Coalition's First Request for Production of Documents Item Nos. 5 and 7 that include proprietary information. At the same time, BellSouth filed a Notice of Intent to Request Confidential Classification.

2. BellSouth hereby files this Request for Confidential Classification because the information contained in BellSouth's Supplemental Response to The Coalition's First Interrogatories, Item No. 2 and The Coalition's First Request for Production of Documents, Item Nos. 5 and 7 include vendor-specific pricing information, confidential business information and customer proprietary information. Attachment "A" to BellSouth's Request for Confidential Classification contains the specific justification for the request for confidential classification along with a list that identifies the location of the information designated by BellSouth as confidential.

3. Attachment "B" to BellSouth's Request for Confidential Classification contains two copies of the documents with the confidential information redacted.

4. Attachment "C" to BellSouth's Request for Confidential Classification is a sealed envelope containing one copy of the documents including those portions that are confidential and proprietary.

5. The information contained in BellSouth's Supplemental Response to The Coalition's First Interrogatories, Item No. 2 and The Coalition's First Request for Production of

DOCUMENT NUMBER-DATE

11627 SEP 15 8

FPSC-RECORDS/REPORTING

Documents, Item Nos. 5 and 7 include vendor-specific pricing information, confidential business information and customer proprietary information that is considered proprietary to BellSouth. Public disclosure of this information would provide competitors with an unfair advantage in future negotiations. This same information on competitors is not available to BellSouth. Therefore, such information should continue to be classified as confidential business information and customer proprietary information pursuant to Section 364.24 and Section 364.183(3)(e), Florida Statutes. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

6. 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.

7. The original of this Request was filed today with the Division of Records and Reporting, and a copy was served on the Parties.

WHEREFORE, based on the foregoing, BellSouth respectfully requests that the Commission enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 15th day of September, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
\_\_\_\_\_  
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MICHAEL P. GOGGIN  
c/o Nancy Sims  
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Tallahassee, FL 32301  
(305) 347-5558

  
\_\_\_\_\_  
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## ATTACHMENT A

**BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649-TP  
Request for Confidential Classification  
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9/15/00**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S  
SUPPLEMENTAL RESPONSE TO THE COALITION'S 1<sup>ST</sup> SET OF  
INTERROGATORIES (ITEM NO. 2) AND 1<sup>ST</sup> REQUEST FOR PRODUCTION  
OF DOCUMENTS (POD NOS. 5 AND 7), FILED SEPTEMBER 13, 2000 IN  
FLORIDA DOCKET NO. 990649-TP**

### **Explanation of Proprietary Information**

1. This information reflects customer 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 pursuant to Section 364.183, Florida Statutes and is exempt from the Open Records Act.
2. The information requested concerns competitive business information. This information if released would be unfair to BellSouth for it would allow the competition to have free access to intellectual property which was developed at significant expense to BellSouth. Competitors would then have an advantage in bidding for such business since they would have few, if any, expenses such as market research and market 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  
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9/15/00

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S  
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**Interrogatory No. 2**

		<u>Reason</u>
Attachment	Entire Document	2

**POD No. 5**

Entire Document	2
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**POD No. 7**

Entire Document	2
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