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September 25, 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 Specified Confidential Classification for our response to Staff's Eighth Set of Interrogatories, Interrogatory No. 145, and Ninth Request for Production, Nos. 78, 81 and 85, which we ask that you file 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 to the parties shown on the attached Certificate of Service.

Sincerely,

*Michael P. Goggin*  
Michael P. Goggin

(M)

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 12002-00. 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

*LCM*  
FPSO BUREAU OF RECORDS

(x-ref. 10917-00)  
DOCUMENT NUMBER - DATE

12001 SEP 25 8

FPSO-RECORDS/REPORTING

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

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Electronic Mail and Federal Express this 25th day of September, 2000 to the following:

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**(+) Signed Protective Agreement**

219337

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into )  
Pricing of Unbundled Network ) Docket No.: 990649-TP  
Elements )  
\_\_\_\_\_ ) Filed: September 25, 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 1, 2000, BellSouth Telecommunications, Inc. ("BellSouth") filed its responses to Staff's Ninth Request for Production of Documents and Eighth Set of Interrogatories. BellSouth's responses to Request for Production Nos. 81 and 85 and Interrogatory No. 145 include proprietary information. At the same time, BellSouth filed a Notice of Intent to Request Confidential Classification of its responses to Interrogatory No. 145 and Request for Production Nos. 78, 81 and 85. BellSouth is hereby withdrawing its response to Request for Production No. 78 from its Request for Confidential Classification.

2. BellSouth hereby files this Request for Confidential Classification because the information contained in its responses to Request for Production Nos. 81 and 85 and Interrogatory No. 145 includes 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 responses to Staff's Request for Production Nos. 81 and 85 and Interrogatory No. 145 includes 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 25th day of September, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.



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## **ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649-TP  
Request for Confidential Classification  
Page 1 of 4  
9/22/00**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S  
RESPONSE TO THE STAFF'S EIGHTH SET OF INTERROGATORIES (ITEM  
NO. 145) AND NINTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD  
NOS. 81 AND 85) FILED SEPTEMBER 1, 2000 IN FLORIDA DOCKET NO.  
990649-TP**

### **Explanation of Proprietary Information**

1. 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.
2. 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.
3. 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.

**ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649-TP  
Request for Confidential Classification  
Page 2 of 4  
9/22/00**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S  
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NO. 145) AND NINTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD  
NOS. 81 AND 85) FILED SEPTEMBER 1, 2000 IN FLORIDA DOCKET NO.  
990649-TP**

**Interrogatory No. 145**

<u>Location</u>	<u>Reason</u>
RESPONSE Lines a and b	1

**POD NO. 81**

**Attachment No. 1**

<u>Page No.</u>	<u>Location</u>	<u>Reason</u>
Pgs 1-17	Entire Page	3
Page 21-23	Residence, Business Total Columns	2

## ATTACHMENT A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649-TP  
Request for Confidential Classification  
Page 3 of 4  
9/22/00

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S  
RESPONSE TO THE STAFF'S EIGHTH SET OF INTERROGATORIES (ITEM  
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NOS. 81 AND 85) FILED SEPTEMBER 1, 2000 IN FLORIDA DOCKET NO.  
990649-TP**

Attachment No. 2

<u>Page No.</u>	<u>Location</u>	<u>Reason</u>
Pgs 1-2	Entire Page	1
Pg 3	Space marked Redacted	1
Pgs 4-5	All Prices	1
Pg 6	Price/Description Col	1
Pgs 9-13	All Prices	1
Pgs 14-16	Description/Price Col	1
Pgs 17-23	All Prices	1

Attachment No. 9

<u>Page No.</u>	<u>Location</u>	<u>Reason</u>
Pgs 4-6	Entire Page	2
Pg 8	Contractor Hrly Rate	2
Pgs 32-34	Entire Page	2
Pgs 36-38	Entire Page	2
Pg 40	Contractor Hrly Rate	2
Pg 65	Jan Column	2

## ATTACHMENT A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649-TP  
Request for Confidential Classification  
Page 4 of 4  
9/22/00

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S  
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NO. 145) AND NINTH REQUEST FOR PRODUCTION OF DOCUMENTS (POD  
NOS. 81 AND 85) FILED SEPTEMBER 1, 2000 IN FLORIDA DOCKET NO.  
990649-TP**

Attachment No. 15

<u>Page No.</u>	<u>Location</u>	<u>Reason</u>
Pg 2	Lines 4-8	1

**POD NO. 85**

<u>Location</u>	<u>Reason</u>
Entire Document	1,2 and 3

STATE OF FLORIDA

Commissioners:  
J. TERRY DEASON, CHAIRMAN  
E. LEON JACOBS, JR.  
LILA A. JABER



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770

Public Service Commission

ACKNOWLEDGMENT

DATE: 9/25/00

TO: M. Gössin

FROM: L. Williams, Division of Records and Reporting

RE: Acknowledgment of Receipt of Confidential Filing

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

990649-TP or (if filed in an undocketed matter) concerning Response  
to Staff's 8<sup>th</sup> Set Int. #145, 9<sup>th</sup> PODs #s 78, 81 & 85  
and filed on behalf of BellSouth.

The document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6744.