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February 6, 2001

D. BRUCE MAY, JR.
850-425-5607

Internet Address:
dbmay@hklaw.com

VIA HAND DELIVERY

Blanca S. Bayo
Director, Division of Records & Reporting
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED-FPSC
 01 FEB -6 PM 2:55
 RECORDS AND REPORTING

Re: In Re: Undocketed – NXX Reclamation Process

Dear Ms. Bayo:

Enclosed for filing are the original and fifteen (15) copies of SBC National, Inc. d/b/a SBC Telecom, Inc.'s ("SBC Telecom"'s) Request for Confidential Classification of certain portions of SBC Telecom's response to a December 11, 2000 letter from Walter D'Haeseleer, Director of the Florida Public Service Commission's ("FPSC"'s) Division of Competitive Services, regarding FPSC's administration of the NXX reclamation process for the State of Florida. Also enclosed are the following: (1) a separate, sealed envelope containing one copy of SBC Telecom's response to the December 11, 2000 letter on which the information for which SBC Telecom is requesting confidential classification is highlighted, and (2) two copies of SBC Telecom's response to the December 11, 2000 letter with the information for which SBC Telecom is requesting confidential classification redacted.

This request for confidentiality was filed by or on behalf of a telecommunications company for undocketed Confidential Document No. 016856-01. No ruling is required unless the material is subject to a request per 119.07, FS. Your division director must obtain written permission from the EXD/Tech for you to access the confidential material. (x-ref. 00634-01)

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Max
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DOCUMENT NUMBER-DATE

01685 FEB-6 01

FPSC-RECORDS/REPORTING

Blanca Bayo
February 6, 2001
Page 2

For our records, please acknowledge your receipt of this filing on the enclosed copy of this letter. Thank you for your consideration.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May

KDW:kjg

Enclosures

cc: Walter D'Haeseleer
Robert J. Casey

TAL1 #230260 v1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In Re: Undocketed - NXX)
Reclamation Process)
_____ /

Filed: February 6, 2001

REQUEST FOR CONFIDENTIAL CLASSIFICATION

SBC National, Inc. d/b/a SBC Telecom, Inc. ("SBC Telecom"), by and through undersigned counsel, pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, requests that the Florida Public Service Commission (the "Commission") classify as confidential certain specified proprietary confidential business information contained in SBC Telecom's response to a December 11, 2000 letter from Walter D'Haeseleer, Director of the Commission's Division of Competitive Services, regarding the Commission's administration of the NXX reclamation process for the State of Florida. In support of its request, SBC Telecom states:

1. By letter dated December 11, 2000, the Commission notified SBC Telecom that it would instruct the North American Numbering Plan Administrator to reclaim NXX Code 317 assigned to SBC Telecom unless SBC Telecom submitted a written request for an extension of time in which to activate the NXX code. The letter instructed SBC Telecom to include in any such request for an extension the reason for its failure to activate the NXX code, including circumstances beyond SBC Telecom's control. The letter further instructed SBC Telecom to identify the customer or other carrier causing the delay. The letter specifically states that SBC Telecom "may avail itself of the statutory confidentiality provisions of Section

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364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code" A copy of the December 11, 2000 letter is attached as Exhibit "A."

2. SBC Telecom responded to the Commission's December 11, 2000 letter by letter dated January 16, 2001 to Robert J. Casey, Regulatory Analyst Supervisor for the Commission's Division of Competitive Services. SBC Telecom's January 16, 2001 letter to Mr. Casey was filed under cover of a Notice of Intent to Request Confidential Classification because the letter includes certain proprietary confidential business information as that term is defined in Section 364.183(3), Florida Statutes. This request is being filed within 21 days of the date that the Notice of Intent to Request Confidential Classification of information contained in the January 16, 2001 letter was filed with the Commission. Through this request, SBC Telecom seeks to maintain the continued confidential handling of the specified proprietary confidential business information contained in its January 16, 2001 letter to Mr. Casey.

3. The specified proprietary confidential business information in SBC Telecom's January 16, 2001 letter to Mr. Casey is intended to be, and has been treated by SBC Telecom, as private and has 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 in the January 16, 2001 letter will not be released to the public.

4. The specified proprietary confidential business information contained in SBC Telecom's January 16, 2001 letter to Mr. Casey is entitled to confidential

classification pursuant to Section 364.183(1), Florida Statutes, and is 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. (2000). Section 364.183(3) further provides that "proprietary confidential business information" includes "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information." § 364.183(3)(e), Fla. Stat. (2000).

5. SBC Telecom's January 16, 2001 letter to Mr. Casey contains "proprietary confidential business information" within the meaning of that term as described in Section 364.183(3). The information for which confidential classification is requested relates to SBC Telecom's relationships with its customers, other telecommunications companies, and business entities involved in SBC Telecom's provision of telecommunications service within the State of Florida. If disclosed, this information could cause harm to SBC Telecom's business operations. A line-by-line justification for confidential treatment of this information is attached as Exhibit "B."

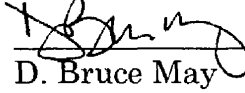
6. A copy of SBC Telecom's January 16, 2001 letter to Mr. Casey with the information for which SBC Telecom is requesting confidential classification highlighted is attached to this Request for Confidential Classification in a sealed envelope. Also attached are two edited copies of SBC Telecom's January 16, 2001 letter with the information for which SBC Telecom is requesting confidential classification redacted.

7. At this time, SBC Telecom is unable to provide a date by which the specified proprietary confidential business information contained in the January 16, 2001 letter will no longer be proprietary confidential business information.

8. SBC Telecom has good cause and justification for its request, and continued confidentiality of the specified proprietary confidential business information in SBC Telecom's January 16, 2001 letter to Mr. Casey will not prejudice the Commission, or any other persons or entities that may be interested in the Commission's NXX Code reclamation process.

WHEREFORE, SBC Telecom respectfully requests that the Commission determine that the specified proprietary confidential business information contained in its January 16, 2001 letter to Robert J. Casey is confidential and exempt from the Public Records Act, Chapter 119, Florida Statutes, and Article I, Section 24(a) of the Florida Constitution.

Respectfully submitted,

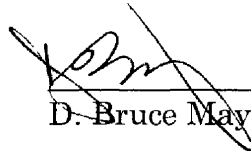


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**Attorneys for SBC National, Inc.
d/b/a SBC Telecom, Inc.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by hand delivery to Jack Shreve, Public Counsel, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-6588 on this 6th day of February, 2001.



D. Bruce May

Commissioners:
J. TERKY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ



DIVISION OF COMPETITIVE SERVICES
WALTER D'HAESLEER
DIRECTOR
(850) 413-6600

Public Service Commission

December 11, 2000

Ms. Teresa Jernagin
SBC Telecom, Inc. - FL
308 South Akard, Room 1007 B-2
Dallas, Texas 75202

Via Certified Mail
7000 0600 0026 4152 3682

Re: Reclamation of the following NXX Code:

<u>NPA</u>	<u>NXX</u>	<u>Notice Date</u>	<u>Effective Date</u>	<u>Part 4 Due Date</u>
954	317	10/27/00	04/21/00	10/18/00

Dear Ms. Jernagin:

On October 17, 2000, the Florida Public Service Commission (FPSC), at its Internal Affairs meeting, agreed to administer the NXX reclamation process for the State of Florida. Pursuant to the December, 2000 reclamation list, the North American Numbering Plan Administrator (NANPA) sent a notice to your company regarding the company's failure to activate the above NXX code, and has indicated that you have failed to file the necessary Confirmation of Code Activation Form (Part 4) within the prescribed 6-month period.

Unless a written request for extension of time in which to activate the code is received by the FPSC within 15 days of the receipt of this notice, the Commission will instruct NANPA to reclaim the above NXX Code assigned to your company.

An extension request will be considered if the reason for failure to activate the NXX code is due to reasons beyond your control, such as a delay in interconnection with another carrier, or a delay by a single customer who will be assigned the full NXX code. You must also provide verifiable details that your inability to activate the code is caused by one of the above reasons. You should identify the customer or other carrier causing the delay and specify a contact of that customer or carrier that the FPSC can communicate with to verify the information in your extension request. Your company may avail itself of the statutory confidentiality provisions of Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, if it believes it necessary in complying with this process.

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Internet E-mail: contact@psc.state.fl.us

Exhibit "A"

Ms. Teresa Jettagin
Page 2
December 11, 2000


You must also demonstrate that returning the code and reapplying at a later date would be harmful to you or the end-use customer. The burden of proof lies with the carrier requesting the extension and mere statements to that effect will not be acceptable. You must specify and justify the length of the extension of time needed to activate the code. The duration of initial Part 4 extensions will be determined on a case-by-case basis.

Requests for extension of activation dates should be sent to :

Robert J. Casey
Regulatory Analyst Supervisor
Florida Public Service Commission
Division of Competitive Services
2540 Shumard Oak Drive
Tallahassee, Florida 32399-0850

You will be notified in writing of either a grant or denial of a request for an extension within seven (7) business days of the receipt of your request for an extension. In the case of a denial of a request, NANPA will be instructed to reclaim the NXX code. In the case of a grant of a request, NANPA will be instructed to reclaim the code if the Part 4 form is not received at the end of the granted extension period without further notification by the FPSC. If you have any questions, you may contact Bob Casey at (850) 413-6974.

Sincerely,


Walter D'Haeseleer
Director

WD/rc

cc: Division of Competitive Services (B. Salak, C. Bulesza-Banks, R. Casey, L. Ileri)

EXHIBIT "B"

<u>Page</u>	<u>Paragraph</u>	<u>Sentence</u>	<u>Justification</u>
1	3	2-4	The redacted information relates to SBC Telecom's relationship with another telecommunications company involved in SBC Telecom's provision of telecommunications services in Florida. The disclosure of this information could harm SBC Telecom's business operations.
1	2	1-3	The redacted information relates to SBC Telecom's relationship with a business entity involved in SBC Telecom's provision of telecommunications services in Florida. The disclosure of this information could harm SBC Telecom's business operations.
1	3	2-8	The redacted information relates to SBC Telecom's relationships with a business entity and a telecommunications company involved in SBC Telecom's provision of telecommunications services in Florida. The disclosure of this information could harm SBC Telecom's business operations.
2	1	2-4	The redacted information relates to SBC Telecom's relationship with a customer and SBC Telecom's business plan for providing telecommunications services in

Florida. The disclosure of this information could harm SBC Telecom's business operations.

2

3

1

The redacted information relates to SBC Telecom's relationships with business entities involved in SBC Telecom's provision of telecommunications services in Florida. The disclosure of this information could harm SBC Telecom's business operations.

TAL1 #229096 v1