

JAMES MEZA III  
Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5561

August 22, 2001

Mrs. Blanca S. Bayó  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 010098-TP (Florida Digital)**

Dear Ms. Bayó:

Enclosed is BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for Staff's request for copies of BellSouth's Responses to Florida Digital Network's Request for Production of Documents Nos. 3(a), 3(c), 3(e), 3(f), 3(g) and 3(h), 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,



James Meza III (BA)

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

DOCUMENT NUMBER-DATE

10418 AUG 22 01

FPSC-COMMISSION CLERK

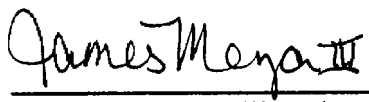
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**CERTIFICATE OF SERVICE  
DOCKET NO. 010098-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and Federal Express this 22nd day of August, 2001 to the following:

Felicia Banks  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
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Matthew Feil (+)  
Florida Digital Network  
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\_\_\_\_\_  
James Meza III (LA)

**(+) Signed Protective/Non Disclosure  
Agreement**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Petition of Florida Digital Network, ) Docket No. 010098-TP  
Inc., for Arbitration of Certain Terms and )  
Conditions of Proposed Interconnection and )  
Resale Agreement with BellSouth )  
Telecommunications, Inc. Under the )  
Telecommunications Act of 1996 )  
\_\_\_\_\_ ) Dated: August 22, 2001

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

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

1. On June 6, 2001, BellSouth Telecommunications, Inc. filed its Responses to Florida Digital Network's ("FDN") First Set of Interrogatories and First Request for Production of Documents. The Staff of the Florida Public Service Commission ("Staff") requested a copy of BellSouth's responses to Request for Production No. 3(a) thru 3(l). On August 1, 2001, BellSouth provided copies of the requested documents to Staff along with a Notice of Intent to Request Confidential Classification. BellSouth's responses to FDN's First Request for Production of Documents Nos. 3(a), 3(c), 3(e), 3(f), 3(g), and 3(h) contain competitive business information that is considered confidential and proprietary to BellSouth.

2. Pursuant to Rule 25-22.06(3)(a), BellSouth is now filing a Request for Confidential Classification for the subject information because the information

contained in BellSouth's responses to FDN's First Request for Production of Documents Nos. 3(a), 3(c), 3(e), 3(f), 3(g), and 3(h) contain competitive business information that is considered confidential and proprietary to BellSouth.

Additionally, this information is valuable and BellSouth strives to keep it secret.

Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary confidential business information. A more specific description of this information is contained in Attachment A. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

3. 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.

4. Appended hereto as Attachment B is two copies of the requested documents with the confidential information deleted.

5. Appended hereto as Attachment C is a sealed envelope containing one copy of the documents including the material which is confidential and proprietary.

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

Respectfully submitted this 22nd day of August, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B. White*

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NANCY B. WHITE (KA)

JAMES MEZA III

c/o Nancy Sims

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(305) 347-5558

*R. Douglas Lackey*

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R. DOUGLAS LACKEY (KA)

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Atlanta, Georgia 30375

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407404

## **ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
FPSC Docket No. 010098-TP  
Request for Confidential Classification  
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8/22/01**

### **REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO FLORIDA DIGITAL NETWORK'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS NOS. 3 (a), (c), (e), (f), (g) and (h) FILED JUNE 6, 2001 IN FLORIDA DOCKET NO. 010098-TP**

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

1. The subject information requested includes competitive business information. This information if released would be unfair to BellSouth for it would allow the competition to have free access to sensitive marketing information 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.
2. The subject information includes BellSouth's business plans and other confidential business information of BellSouth. If this information were disclosed publicly, it would damage the competitive interests of BellSouth. Accordingly, this information is entitled to confidential classification pursuant to Florida Statutes Section 364.183.

**ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
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8/22/01**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE  
TO FLORIDA DIGITAL NETWORK'S FIRST REQUEST FOR PRODUCTION OF  
DOCUMENTS NOS. 3 (a), (c), (e), (f), (g) and (h) FILED JUNE 6, 2001 IN FLORIDA  
DOCKET NO. 010098-TP**

**POD No. 3 (a)**

<u>Location</u>	<u>Reason</u>
Entire Document	1

**POD No. 3 (c)**

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

**POD No. 3 (e)**

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

**POD No. 3 (f)**

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

## ATTACHMENT A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 010098-TP  
Request for Confidential Classification  
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8/22/01

### REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO FLORIDA DIGITAL NETWORK'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS NOS. 3 (a), (c), (e), (f), (g) and (h) FILED JUNE 6, 2001 IN FLORIDA DOCKET NO. 010098-TP

#### POD No. 3 (g)

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

#### POD No. 3 (h)

<u>Location/Column</u>	<u>Reason</u>
Access Lines Column	2