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September 4, 2001

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

**Re: 960786-TL (Section 271)**

Dear Ms. Bayó:

Enclosed please find the original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification of its Responses to AT&T's First Request for Production of Documents Request No. 2, 14 and 36 filed August 7, 2001 which we ask that you file in the above-referenced docket.

A copy 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 by Federal Express and Hand Delivery as shown on the attached Certificate of Service.

Sincerely,

*Lisa S. Foshee*  
Lisa S. Foshee (KA)

Enclosures

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

DOCUMENT NUMBER-DATE

10996 SEP-4 01

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE  
DOCKET NO. 960786-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Hand Delivery (\*) and Federal Express this 4th day of September, 2001 to the following:

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*Lisa S. Foshee*  
\_\_\_\_\_  
Lisa S. Foshee (KA)

**(+) Signed Protective Agreement**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Consideration of )  
BellSouth Telecommunications, ) Docket No. 960786-TL  
Inc.'s entry into interLATA )  
services pursuant to Section 271 ) Filed: September 4, 2001  
of the Federal Telecommunications )  
Act of 1996 )  
\_\_\_\_\_ )

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

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

1. On August 7, 2001, BellSouth filed responses to AT&T's First Request for Production of Documents Requests No. 2, 14, and 36 along with a Notice of Intent to Request Confidential Classification for information. The information contained in the exhibits include vendor-specific pricing information, confidential business information and customer proprietary information that is considered proprietary to BellSouth.

2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in the responses include vendor-specific pricing information, confidential business information and customer proprietary information that could cause competitive harm to BellSouth

and is clearly confidential and proprietary under Florida Statutes, Sections 364.183 and 364.24.

3. Attachment A to BellSouth's Request for Confidential Classification contains an explanation of the proprietary information along with a list that identifies the location of the information designated by BellSouth as confidential.

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

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

6. The information contained in the BellSouth's Responses to Document Requests No. 2, 14 and 36 include vendor-specific pricing information, confidential business information and customer proprietary information. A more specific description of this information is contained in Attachment A. 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. The information discussed in this Request for Confidential Classification is valuable and BellSouth strives to keep it secret. Therefore, such information should 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.

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 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 4th day of September 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B. White*

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## ATTACHMENT A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 960786-TL  
Request for Confidential Classification  
Page 1 of 2  
9/04/01

### REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO AT&T'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS REQUEST NO. 2, 14 and 36 FILED AUGUST 7, 2001 IN FLORIDA DOCKET NO. 960786-TL

#### Explanation of Proprietary Information

1. This information reflects customer specific information, and network information that is commercially sensitive that should not be disclosed to the public. Public disclosure of such confidential information could substantially harm the competitive position of BellSouth by assisting competitors in analyzing market opportunities, and in preparing marketing strategies to use in direct competition with BellSouth. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary, confidential business information which is exempt from Section 119.07(1) and Section 24(a), Art.1 of the State Constitution.
2. This information is the floor plans of BellSouth central offices. These plans are considered to be proprietary and confidential business information. These offices have limited access and are the central focal point of telecommunications in their geographic location. Public disclosure of this information would impair BellSouth's ability to keep these offices and the communication network secure. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, such information is 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.
3. The information requested concerns competitive business information. This information if released would be unfair to BellSouth for it would allow competition to have free access to intellectual property which was developed at significant expense to BellSouth. Thus, the disclosure of this information to BellSouth's competitors would impair BellSouth's ability to compete and the information is entitled to confidential classification pursuant to Section 364.183, Florida Statutes. In addition, this information, which BellSouth keeps as trade secrets, is valuable because it is used by BellSouth in conducting its business. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary, confidential business information which is exempt from Section 119.07(1) and Section 24(a), Art.1 of the State Constitution.

## ATTACHMENT A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 960786-TL  
Request for Confidential Classification  
Page 2 of 2  
9/4/01

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE  
TO AT&T'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS REQUEST NO.  
2, 14 and 36 FILED AUGUST 7, 2001 IN FLORIDA DOCKET NO. 960786-TL

### POD No. 2

<u>Page No.</u>	<u>Reason</u>
Entire Documents	1

### POD No.14

<u>Page No.</u>	<u>Reason</u>
Entire Document	2

### POD No.36

<u>Page No.</u>	<u>Reason</u>
Entire Document	3