

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

701 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Sara F. Leibman

202 434 7300
202 434 7400 fax

Direct dial 202 434 7327
sleibman@mintz.com

September 24, 2001

Florida Public Service Commission
Division of Communications
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

011237-TK

Re: Calpoint (Florida), LLC's Petitions for Certification to Provide Alternative Local Exchange Telecommunications Services

To Whom It May Concern:

Calpoint (Florida), LLC ("Calpoint"), by undersigned counsel and pursuant to Fla. Stat. ch. 364.183, hereby respectfully requests proprietary confidential treatment of the financial statements of Calpoint's parent company, Calpoint LLC, which are included as Attachment B to the above-referenced Applications. These documents contain proprietary, sensitive, commercial and financial information that is not publicly available and, if released, could be used by competitors of Calpoint or its parent, Calpoint LLC, to cause competitive and/or financial harm. As such, the documents fall within the scope of ch. 364.183 and should be afforded protection from public inspection. Accordingly, the documents have been filed in a sealed envelope attached to the original Application and have been omitted from the six copies of the Application accompanying the original. At the completion of the Application process, Calpoint respectfully requests that the Commission return or destroy the information provided under seal and any copies made by staff for its use.

In the event that this request for proprietary confidential treatment is denied, please provide the undersigned with advance notice of that determination. Calpoint further requests that the Commission stay the release of the documents until such time as an application for review of the determination is resolved. Disclosure of these documents without affording Calpoint an opportunity to contest a finding against confidentiality would prejudice it and render moot any successful appeal.

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 12031-01. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must obtain written EXD/Tech permission before you can access it.

Washington Boston New York Reston New Haven

DOCUMENT NUMBER-DATE

12030 SEP 25 01

FPSC-COMMISSION CLERK

Florida Public Service Commission

Page 2

Please contact the undersigned counsel if you have any questions concerning this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sara F. Leberman", written over a horizontal line.

Sara F. Leberman

Counsel for Calpoint (Florida), LLC

Enclosures

cc: Samuel Surloff

WDC 223437v1