

ANDREW D. SHORE  
Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(404) 335-0711

December 21, 2001

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

**Re: Docket No. 990649A-TP (UNE Docket)**

Dear Mrs. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification regarding Exhibit JCD-8 to Rebuttal Testimony of John C. Donovan, 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,

*Andrew D. Shore*  
Andrew D. Shore (KA)

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

DOCUMENT NUMBER-DATE  
15972 DEC 21 01  
FPSC-COMMISSION CLERK

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

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
FedEx. Mail this 21st day of December, 2001 to the following:

Wayne D. Knight  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
Tel. No. (850) 413-6216  
Fax. No. (850) 413-6217  
wknight@mail.psc.state.fl.us

Joseph A. McGlothlin (+)  
Vicki Gordon Kaufman (+)  
McWhirter, Reeves, McGlothlin,  
Davidson, Decker, Kaufman, Arnold,  
& Steen, P.A.  
117 South Gadsden Street  
Tallahassee, FL 32301  
Tel. No. (850) 222-2525  
Fax. No. (850) 222-5606  
Attys. For FCCA  
Atty. for BlueStar  
jmcglothlin@mac-law.com

Karen Jusevitch  
AT&T Communications  
101 North Monroe Street  
Suite 700  
Tallahassee, FL 32301  
Tel. No. (850) 425-6313  
Fax. No. (850) 425-6361  
kjusevit@att.com

Jim Lamoureux (+)  
AT&T Communications

1200 Peachtree Street, N.E.  
Room 8068  
Atlanta, Georgia 30309  
Tel. No. (404) 810-4196  
Fax. No. (404) 877-7648  
jlamoureux@att.com

Richard D. Melson (+)  
Gabriel E. Nieto  
Hopping Green Sams & Smith, P.A.  
Post Office 6526  
123 South Calhoun Street  
Tallahassee, FL 32314  
Tel. No. (850) 222-7500  
Fax. No. (850) 224-8551  
Atty. For MCI  
rmelson@hgss.com

Dulaney L. O'Roark  
MCI Telecommunications Corporation  
6 Concourse Parkway  
Suite 600  
Atlanta, GA 30328  
Tel. No. (770) 284-5498  
Fax. No. (770) 284-5488  
De.OROark@mci.com

Floyd Self  
Messer, Caparello & Self  
Post Office Drawer 1876  
215 South Monroe Street, Suite 701  
Tallahassee, FL 32302-1876  
Tel. No. (850) 222-0720  
Fax. No. (850) 224-4359  
Atty. for AT&T

**fself@lawfla.com**

**Terry Monroe**  
Vice President, State Affairs  
Competitive Telecomm. Assoc.  
1900 M Street, N.W.  
Suite 800  
Washington, D.C. 20036  
Tel. No. (202) 296-6650  
Fax. No. (202) 296-7585  
**tmonroe@comptel.org**

**Kimberly Caswell (+)**  
GTE Florida Incorporated  
One Tampa City Center  
201 North Franklin Street  
Tampa, Florida 33602  
Tel. No. (813) 483-2617  
Fax. No. (813) 204-8870  
**kimberly.caswell@verizon.com**

**Karen M. Camechis (+)**  
Pennington, Moore, Wilkinson &  
Dunbar, P.A.  
215 South Monroe Street, 2nd Flr.  
Tallahassee, Florida 32301  
Tel. No. (850) 222-3533  
Fax. No. (850) 222-2126  
Represents Time Warner  
**Karen@penningtonlawfirm.com**

**Carolyn Marek (+)**  
Vice President of Regulatory Affairs  
Southeast Region  
Time Warner Communications  
233 Bramerton Court  
Franklin, Tennessee 37069  
Tel. No. (615) 376-6404  
Fax. No. (615) 376-6405  
**Carolyn.Marek@twtelecom.com**

**Mark E. Buechele, Esquire**  
Supra Telecom  
1311 Executive Center Drive  
Koger Center - Ellis Building

Suite 200  
Tallahassee, FL 32301-5027  
Tel. No. (850) 402-0510  
Fax. No. (850) 402-0522  
**mbuechele@stis.com**

**Donna Canzano McNulty, Esq. (+)**  
MCI WorldCom, Inc.  
325 John Knox Road  
The Atrium Bldg., Suite 105  
Tallahassee, FL 32303  
Tel. No. (850) 422-1254  
Fax. No. (850) 422-2586  
**donna.mcnuity@wcom.com**

**Michael A. Gross (+)**  
VP Reg. Affairs & Reg. Counsel  
Florida Cable Telecomm. Assoc.  
246 East 6th Avenue  
Tallahassee, FL 32303  
Tel. No. (850) 681-1990  
Fax. No. (850) 681-9676  
**mgross@fcta.com**

Florida Public Telecomm. Assoc.  
**Angela Green, General Counsel**  
2292 Wednesday Street  
#1  
Tallahassee, FL 32308  
Tel. No. (850) 222-5050  
Fax. No. (850) 222-1355  
**abgreen@nettally.com**

Intermedia Communications, Inc.  
**Scott Sapperstein (+)**  
Sr. Policy Counsel  
One Intermedia Way  
MCFLT-HQ3  
Tampa, FL 33647  
Tel. No. (813) 829-4093  
Fax. No. (813) 829-4923  
**SASapperstein@intermedia.com**

**Charles J. Rehwinkel (+)**

1313 Blair Stone Road  
Tallahassee, FL 32301  
Tel. No. (850) 847-0244  
Fax. No. (850) 878-0777  
Counsel for Sprint  
charles.j.rehwinkel@mail.sprint.com

John P. Fons (+)  
Ausley & McMullen  
227 South Calhoun Street  
Tallahassee, FL 32301  
Tel. No. (850) 224-9115  
Fax. No. (850) 222-7560  
Counsel for Sprint  
jfons@ausley.com

Brian Sulmonetti  
MCI WorldCom, Inc.  
6 Concourse Parkway  
Suite 3200  
Atlanta, GA 30328  
Tel. No. (770) 284-5500  
Brian.Sulmonetti@wcom.com

Catherine F. Boone, Esq. (+)  
Regional Counsel  
Covad Communications Company  
10 Glenlake Parkway  
Suite 650  
Atlanta, GA 30328-3495  
Tel. No. (678) 579-8388  
Fax. No. (678) 320-9433  
cboone@covad.com

Charles J. Beck  
Deputy Public Counsel  
Office of the Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, FL 32399-1400  
Tel. No. (850) 488-9330  
Fax. No. (850) 488-4491  
beck.charles@leg.state.fl.us

Eric J. Branfman (+)

Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007-5116  
Tel. No. (202) 424-7500  
Fax. No. (202) 424-7645  
Represents Florida Digital Network, Inc.  
ejbranfman@swidlaw.com

John McLaughlin  
KMC Telecom. Inc.  
Mr. John D. McLaughlin, Jr.  
1755 North Brown Road  
Lawrenceville, GA 30043  
Tel. No. (678) 985-6261  
Fax. No. (678) 985-6213  
jmclau@kmctelecom.com

Bettye Willis (+)  
ALLTEL Communications  
Services, Inc.  
One Allied Drive  
Little Rock, AR 72203-2177  
bettye.j.willis@alltel.com

J. Jeffrey Wahlen (+)  
Ausley & McMullen  
227 South Calhoun Street  
Tallahassee, FL 32301  
Tel. No. (850) 425-5471  
Fax. No. (850) 222-7560  
Atty. for ALLTEL  
jwahlen@ausley.com

Stephen P. Bowen  
Blumenfeld & Cohen  
4 Embarcadero Center  
Suite 1170  
San Francisco, CA 94111  
Tel. No. (415) 394-7500  
Fax. No. (415) 394-7505  
stevebowen@earthlink.net

Charles J. Pellegrini  
Katz, Kutter, Haigler, Alderman, Bryant  
& Yon, P.A.

106 East College Avenue  
Suite 1200  
Tallahassee, FL 32301  
Represents Intermedia  
Tel. No. (850) 577-6755  
Fax No. (850) 222-0103  
[jpellegrini@katzlaw.com](mailto:jpellegrini@katzlaw.com)

**George S. Ford (+)**  
Chief Economist  
Z-Tel Communications, Inc.  
601 South Harbour Island Blvd.  
Tampa, FL 33602  
Tel. No. (813) 233-4630  
Fax. No. (813) 233-4620  
[gford@z-tel.com](mailto:gford@z-tel.com)


Jonathan E. Canis  
Michael B. Hazzard  
Kelley Drye & Warren, LLP  
1200 19th Street, NW, Fifth Floor  
Washington, DC 20036  
Tel. No. (202) 955-9600  
Fax. No. (202) 955-9792  
[jcanis@kelleydrye.com](mailto:jcanis@kelleydrye.com)  
[mhazzard@kelleydrye.com](mailto:mhazzard@kelleydrye.com)  
Counsel for Z-Tel Communications, Inc.

Rodney L. Joyce  
Shook, Hardy & Bacon, LLP  
600 14th Street, N.W., Suite 800  
Washington, D.C. 20005-2004  
Tel. No. (202) 639-5602  
Fax. No. (202) 783-4211  
[rjoyce@shb.com](mailto:rjoyce@shb.com)  
Represents Network Access Solutions

Russell M. Blau  
Thomas R. Lotterman (+)  
Michael Sloan (+)  
Robert Ridings (+)  
Swidler Berlin Shereff Friedman  
3000 K Street, N.W.  
Suite 300  
Washington, D.C. 20007-5116

Tel. No. (202) 424-7755  
Fax. No. (202) 424-7643  
Attys. for Broadslate Networks, Inc.  
Attys. for Cleartel Comm.  
[MCSloan@swidlaw.com](mailto:MCSloan@swidlaw.com)  
[rmbrau@swidlaw.com](mailto:rmbrau@swidlaw.com)  
[rjridings@swidlaw.com](mailto:rjridings@swidlaw.com)  
[trlotterman@swidlaw.com](mailto:trlotterman@swidlaw.com)

John Spilman  
Director Regulatory Affairs and  
Industry Relations  
Broadslate Networks, Inc.  
675 Peter Jefferson Parkway  
Suite 310  
Charlottesville, VA 22911  
Tel. No. (804) 220-7606  
Fax. No. (804) 220-7701  
[john.spilman@broadslate.net](mailto:john.spilman@broadslate.net)

---

Andrew D. Shore (KA)

**(+) Signed Protective Agreement**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into pricing of unbundled network element )  
Docket No.: 990649A-TP )  
Filed: December 21, 2001

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

COMES NOW, BellSouth Telecommunications, Inc. ("BellSouth" or "Company"), and pursuant to Rule 25-22.006, Florida Administrative Code, files its Request for Specified Confidential Classification.

1. On December 12, 2001, AT&T Communications of the Southern States, Inc. (hereinafter "AT&T") and MCI WorldCom, Inc. (hereinafter "MCI") filed Exhibit JCD-8 which was inadvertently omitted in the original filing of the rebuttal testimony of John C. Donovan pursuant to Order No. PSC-01-2399-PCO-TP, along with a Notice of Intent. Exhibit JCD-8 contains BellSouth vendor-specific pricing information and confidential business information that is considered proprietary to BellSouth.

2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in Exhibit JCD-8 includes vendor-specific pricing information and other confidential business information that could cause competitive harm to BellSouth, and is 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 is two redacted copies of the proprietary information.

5. Attachment C to BellSouth's Request for Confidential Classification is a sealed envelope containing one copy of the documents in highlighted form which are confidential and proprietary

6. The information contained in JCD-8 includes vendor-specific pricing information and confidential business 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. Corresponding information on competitors is not available to BellSouth. The information discussed in this Request for Specified 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.

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 the Commission Clerk and Administrative Services 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 21<sup>st</sup> day of December, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.

*Nancy B. White*

---

NANCY B. WHITE (KA)  
c/o Nancy Sims  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301  
(305) 347-5558

*Andrew D. Shore*

---

ANDREW SHORE (KA)  
R. DOUGLAS LACKEY  
Suite 4300  
675 W. Peachtree St., NE  
Atlanta, GA 30375  
(404) 335-0743



# ATTACHMENT A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 990649A-TP  
Request for Confidential Classification  
Page 1 of 1  
12/21/01

## REQUEST FOR CONFIDENTIAL CLASSIFICATION OF EXHIBIT JCD-8 OF JOHN C. DONOVAN'S REBUTTAL TESTIMONY AS FILED ON DECEMBER 12, 2001 IN FLORIDA PUBLIC SERVICE COMMISSION DOCKET 990649A-TP

### Explanation of Proprietary Information

- A. This information reflects 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, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(d) Florida Statutes and is exempt from the Open Records Act.

#### PAGE NO.

#### BASIS FOR REQUEST

1, Column B, Lines 2-4; Column D, Lines 1-2, 4-5	1
2, Column D, Lines 9-10, 13-14	1
3, Column D, Lines 4-5, 8-11, 13-15, 18-20, 21	1
4, Column D, Lines 4, 7, 14-15, 19-20	1
5, Column D, Lines 17-18	1
6, Column D, Lines 2, 6-7	1
7, Column D, Lines 2, 4	1
9, Column C, Lines 9-14	1