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January 17, 2002

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 Motion for Extension of Duration of Order No. PSC-00-1286-CFO-TP Granting Confidential Classification, 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,

E. Earl Edenfield, Jr.
E. Earl Edenfield, Jr. (EA)

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

DOCUMENT NUMBER DATE
00637 JAN 17 02
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
Federal Express this 17th day of January, 2002 to the following:

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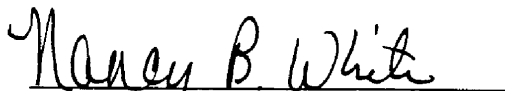

E. Earl Edenfield, Jr. (EA)

(+) Signed Protective Agreement

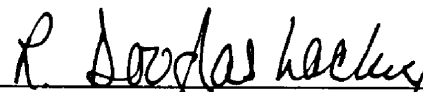
4. For the reasons set forth above, and in BellSouth's original Requests for Confidential Classification, BellSouth hereby requests that the Commission enter an order extending the period of confidential classification for an additional 18 months, or for any longer period of time that the documents remain within the possession of Staff.

Respectfully submitted this 17th day of January 2002.

BELLSOUTH TELECOMMUNICATIONS, INC



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into pricing of unbundled network elements.

DOCKET NO. 990649-TP
ORDER NO. PSC-00-1286-CFO-TP
ISSUED: July 17, 2000

ORDER GRANTING REQUESTS FOR CONFIDENTIAL TREATMENT
OF DOCUMENTS NOS. 04659-00, 05741-00, 05385-00, 06296-00,
05929-00, 06769-00, 08203-00, 06591-00, 07508-00
07252-00 AND 08048-00

On December 10, 1998, in Docket No. 981834-TP, the Florida Competitive Carriers Association (FCCA), the Telecommunications Resellers, Inc. (TRA), AT&T Communications of the Southern States, Inc. (AT&T), MCIMetro Access Transmission Services, LLC (MCIMetro), WorldCom Technologies, Inc. (WorldCom), the Competitive Telecommunications Association (Comptel), MGC Communications, Inc. (MGC), Intermedia Communications Inc. (Intermedia), Supra Telecommunications and Information Systems (Supra), Florida Digital Network, Inc. (Florida Digital Network), and Northpoint Communications, Inc. (Northpoint) (collectively, "Competitive Carriers") filed their Petition of Competitive Carriers for Commission Action to Support Local Competition in BellSouth's Service Territory. Among other matters, the Competitive Carriers' Petition asked that this Commission set deaveraged unbundled network element (UNE) rates.

On May 26, 1999, this Commission issued Order No. PSC-99-1078-PCO-TP, granting in part and denying in part the Competitive Carriers' petition. Specifically, the Commission granted the request to open a generic UNE pricing docket for the three major incumbent local exchange providers, BellSouth Telecommunications, Inc. (BellSouth), Sprint-Florida, Incorporated (Sprint), and GTE Florida Incorporated (GTEFL). Accordingly, this docket was opened to address the deaveraged pricing of UNEs, as well as the pricing of UNE combinations and nonrecurring charges.

By Order No. PSC-99-1397-PCO-TP, issued July 20, 1999, the procedures for this docket were established and the controlling dates set. A Second Revised Order on Procedure, Order No. PSC-00-0540-PCO-TP, was issued on March 16, 2000, which set forth new filing dates and also the newly refined issues to be addressed in this proceeding. By Order No. PSC-00-2015-PCO-TP, issued June 8, 2000, the filing dates were extended and the procedure for this case was further modified. Pursuant to these Orders, Phase I is

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currently set for hearing July 17-19, 2000, and Phase II is set for hearing September 19-22, 2000.

On May 8, 2000, BellSouth filed a Request for Specified Confidential Classification of its recurring cost studies for Phase I of this proceeding, Document No. 05741-00 and cross referenced Document No. 04659-00. On May 22, 2000, BellSouth also filed a Request for Specified Confidential Classification of Exhibit DDC-2 to Daonne Caldwell's testimony, Document No. 06296-00 and cross referenced Document No. 05385-00. On June 2, 2000, BellSouth filed a Request for Specified Confidential Classification of information in a diskette filed to correct errors in its BSTLM-Loop Model, Document No. 06769-00, and cross referenced Document Nos. 05929-00 and 08203-00. Thereafter, on June 20, 2000, BellSouth filed a Request for Specified Confidential Classification of responses to Staff's discovery requests, Document No. 07508-00 and cross referenced Document No. 06591-00. On June 30, 2000, BellSouth filed another Request for Specified Confidential Classification addressing its responses to additional Staff discovery requests, Document No. 08048-00 and cross referenced Document No. 07252-00. For each of these documents, BellSouth asserts that the information contained therein is proprietary information that BellSouth treats as confidential, and that it has not otherwise disclosed.

Florida law presumes that documents submitted to governmental agencies shall be public records. The only exceptions to this presumption are the specific statutory exemptions provided in the law and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision. This presumption is based on the concept that government should operate in the "sunshine." Rule 25-22.006(4)(c), Florida Administrative Code, provides that it is the Company's burden to demonstrate that the documents fall into one of the statutory examples set out in Section 364.183, Florida Statutes, or to demonstrate that the information is proprietary confidential information, the disclosure of which will cause the Company or its ratepayers harm.

Specifically, with regard to the May 8, 2000, Request, BellSouth seeks confidential treatment of information contained in BellSouth's recurring cost study filed for Phase I of this proceeding. BellSouth contends that disclosure of this information would give its competitors an unfair advantage, because the same information on its competitors is not available to BellSouth. BellSouth explains that some of the information contained is vendor-specific information, the disclosure of which would impair

BellSouth's ability to contract for goods and services. Other information contained therein reflects actual demand data that would allow a competitor to determine what services are in demand in a particular wire center. BellSouth contends that competitors could use this information to develop a market strategy to impair BellSouth's ability to market in certain areas. Yet other information contained therein is information from the Switching Cost Information System, which is property of Telecordia Technologies, Inc., the disclosure of which would violate BellSouth's agreement with Telecordia and would impair BellSouth's ability to contract for goods and services. The specific pages and line numbers and/or file names, as well as the explanation of the basis for the request, are set forth in Attachment A, which is incorporated into this Order.

In its May 22, 2000, Request, BellSouth seeks confidential treatment of Exhibit DDC-2 to Daonne Caldwell's direct testimony. BellSouth contends that this exhibit includes vendor-specific pricing information, which would provide competitors with an unfair advantage in future negotiations with BellSouth and would impair BellSouth's ability to contract for goods and services on favorable terms. The specific pages and line numbers, as well as the explanation of the basis for the request, are set forth in Attachment B, which is incorporated into this Order.

In its June 2, 2000, Request, BellSouth seeks confidential treatment of information on a diskette filed to correct an erroneous file originally contained in its BSTLM-Loop Model. BellSouth explains that some of the information contained is vendor-specific information, the disclosure of which would impair BellSouth's ability to contract for goods and services. Other information contained therein is information from the Switching Cost Information System, which is property of Telecordia Technologies, Inc., the disclosure of which would violate BellSouth's agreement with Telecordia and would impair BellSouth's ability to contract for goods and services. BellSouth seeks confidential treatment of the entire diskette as the only file contained therein is the file for which BellSouth seeks confidential treatment.

In its June 20, 2000, Request, BellSouth seeks confidential treatment of information contained in its response to Staff's Request for Production of Documents No. 16. BellSouth maintains that its response contains very specific vendor pricing information, the disclosure of which would give its competitors an

unfair advantage in future negotiations with BellSouth and would unduly prejudice BellSouth's vendors. BellSouth contends that the response contains not only information proprietary to BellSouth, but also to its vendors. If this information were disclosed, BellSouth believes that vendors would be reluctant to provide information to BellSouth to enable it to begin its network and marketing plans. The specific pages and line numbers, as well as the explanation of the basis for the request, are set forth in Attachment C, which is incorporated into this Order.

Finally, in its June 30, 2000, Request, BellSouth seeks confidential treatment of information contained in its responses to Staff's Request for Production of Documents Nos. 12 and 13. BellSouth explains that the information contains pages from "debt rating" manuals, which include highly confidential and proprietary forecasts of debt financing. BellSouth maintains that the information is so sensitive that anyone reviewing it will be considered an "insider" as that term is construed by the Federal Securities and Exchange Commission. BellSouth contends that disclosure of this information would cause BellSouth competitive harm and thus, it should be granted confidential treatment. The specific pages and line numbers, as well as the explanation of the basis for the request, are set forth in Attachment D, which is incorporated into this Order.

Section 364.183(3), Florida Statutes, in pertinent part, provides:

The term "proprietary confidential business information" means 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.

Based on the definition of proprietary confidential business information in Section 364.183(3), Florida Statutes, it appears that all of the material described herein is proprietary business information in accordance with Section 364.183, Florida Statutes,

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and Rule 25-22.006, Florida Administrative Code. Disclosure of this information could be detrimental to BellSouth's operations, could impair BellSouth's ability to compete, and could impair BellSouth's ability to contract for goods and services. As such, BellSouth's Requests for Specified Confidential Classification regarding Document Nos. 04659-00, 05741-00, 05385-00, 06296-00, 05929-00, 06769-00, 08203-00, 06591-00, 07508-00, 07252-00 and 08048-00, are hereby granted.

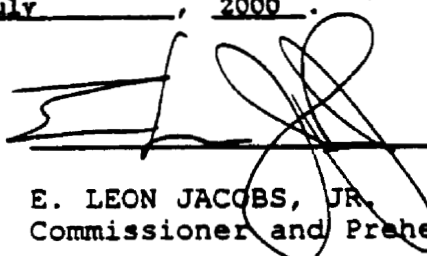
Based on the foregoing, it is therefore

ORDERED by E. Leon Jacobs, Jr., as Prehearing Officer, that BellSouth Telecommunications, Inc.'s Requests for Specified Confidential Classification filed on May 8, May 22, June 2, June 20, and June 30, 2000, addressing Document Nos. 04659-00, 05741-00, 05385-00, 06296-00, 05929-00, 06769-00, 08203-00, 06591-00, 07508-00, 07252-00 and 08048-00, are hereby granted.

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the confidentiality granted to the material specified herein shall expire eighteen (18) months from the date of the issuance of this Order, in the absence of a renewed request for confidentiality pursuant to Section 364.183, Florida Statutes. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

By ORDER of Commissioner E. Leon Jacobs, Jr. as Prehearing Officer, this 17th Day of July, 2000.



E. LEON JACOBS, JR.
Commissioner and Prehearing Officer

(S E A L)

BK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

ATTACHMENT A

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BellSouth Telecommunications, Inc.
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5/8/00

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO STAFF'S SECOND REVISED ORDER ON PROCEDURE; ORDER NO. PSC-00-0540-PCO-TP ISSUED MARCH 16, 2000 IN FLORIDA DOCKET NO. 990649-TP

Explanation of Proprietary Information

1. This information reflects vendor specific pricing negotiated by BellSouth. Public disclosure of this information would impair BellSouth's ability to contract for goods and/or services on favorable terms. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary, confidential business information which is exempt from the Open Records Act.
2. This information reflects actual demand for certain BellSouth services. If this information were given to a competitor he would know how much demand BellSouth has in a particular service in a particular wire center, thus providing the competitor with marketing and planning information. This information is valuable, and is used by BellSouth in conducting its business and BellSouth strives to keep it secret. BellSouth's competitors can use this information to develop their own market strategy with which to thwart BellSouth's efforts in these markets. Thus, the disclosure of this information to BellSouth's competitors would impair BellSouth's ability to compete. In addition, this information is valuable; it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, it is a trade secret which should be classified as proprietary, confidential business information exempt from the Open Records Act pursuant to Section 364.183, Florida Statutes.
3. This information is derived from the Switching Cost Information System (SCIS) which is the property of Telcordia Technologies, Inc (Telcordia). Public disclosure of this information would violate BellSouth's agreement with Telcordia and would impair BellSouth's ability to contract for goods and/or services in the future. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary, confidential business information which is exempt from the Open Records Act.

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BellSouth Telecommunications, Inc.
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S
RESPONSE TO STAFF'S SECOND REVISED ORDER ON PROCEDURE;
ORDER NO. PSC-00-0540-PCO-TP ISSUED MARCH 16, 2000 IN FLORIDA
DOCKET NO. 990649-TP**

APPENDIX C

<u>PAGE NO</u>	Column	BASIS
10	Node Service	2
11	Node Service	2
13	Node Service	2
14	Node Service	2
16	Node Service	2
17	Node Service	2
19	Node Service	2
21	Node Service	2
23	Node Service	2
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39	Node Service	2

ATTACHMENT A

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S
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APPENDIX C

<u>PAGE NO</u>	Column	BASIS
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BellSouth Telecommunications, Inc.
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S
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ORDER NO. PSC-00-0540-PCO-TP ISSUED MARCH 16, 2000 IN FLORIDA
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APPENDIX C

<u>PAGE NO</u>	Column	BASIS
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121	Vend "A" Material Cost	1
121	Vend "B" Material Cost	1
122	Vend "A" Material Cost	1
122	Vend "B" Material Cost	1
123	Vend "A" Material Cost	1
123	Vend "B" Material Cost	1

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
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ORDER NO. PSC-00-0540-PCO-TP ISSUED MARCH 16, 2000 IN FLORIDA
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APPENDIX C

<u>PAGE NO</u>	Column	BASIS
124	Vend "A" Material Cost	1
124	Vend "B" Material Cost	1
127	Vend "A" Material Cost	1
127	Vend "B" Material Cost	1
128	Vend "A" Material Cost	1
128	Vend "B" Material Cost	1
129	Vend "A" Material Cost	1
129	Vend "B" Material Cost	1
130	Vend "A" Material Cost	1
130	Vend "B" Material Cost	1
132	Vend "A" Material Cost	1
132	Vend "B" Material Cost	1
133	Vend "A" Material Cost	1
133	Vend "B" Material Cost	1
134	Vend "A" Material Cost	1
134	Vend "B" Material Cost	1
135	Vend "A" Material Cost	1
135	Vend "B" Material Cost	1
137	Material Cost	1
138	Material Cost	1
139	Material Cost	1
140	Material Cost	1
143	Material Cost	1
144	Material Cost	1
145	Material Cost	1

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APPENDIX C

<u>PAGE NO</u>		Column	BASIS
146	Material Cost		1
147	Material Cost		1
148	Material Cost		1
149	Material Cost		1
150	Material Cost		1
156	Material Cost		1
200	Material Cost		1
201	Material Cost		1
209	Material Cost		1

COMPACT DISKS

PROPRIETARY COST STUDY FILING CD

<u>FILE NAME</u>	<u>BASIS</u>
dsl_calc.xls	1
Mdf_fund.xls	3
Mouser.dbf	3
FL_010010.MDB	3

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COMPACT DISKS

PROPRIETARY COST STUDY FILING CD

<u>FILE NAME</u>	<u>BASIS</u>
FL_0100LC.MDB	3
SS&FUND.xls	1
FLDE_SST_P.xls	1 and 3
FLDe_SST_U.xls	1 and 3
FLST_SST_P.xls	1 and 3
FLST_SST.xls	1 and 3
99mattable.xls	1
Housing.xls	1
FL-USL.xls	1
FLNID.xls	1
Flinbc2w.xls	1
Flinbc4w.xls	1
FLUNTW.xls	1
FLSt_Sst_P.xls	1 and 3
FLSt_SST_U.xls	1 and 3
IO_VG2.xls	1
IO_VG4.xls	1
800_FL.xls	1
LIDB_FL.xls	1
CCS7_FL.xls	1
Flcnam.xls	1
Flscr.xls	1

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PROPRIETARY COST STUDY FILING CD

<u>FILE NAME</u>	<u>BASIS</u>
FLNPRCF.xls	1
FLNPDID.xls	1
FLRIPH.xls	1
Dkfbri1.xls	1
Dkfbefof.xls	1
FLLQDB.XLS	1
LineShFl.xls	1
DS1DS3FL.xls	1
Smsaccfl.xls	1
Tolkitfl.xls	1
ADUF.xls	1
CD2.xls	1
Eoduf.xls	1
Odufamaf.xls	1
Oduf.xls	1
CD.xls	1
FLDe_Sst_P.xls	1 and 3
FLDe_SST_U.xls	1 and 3

BSTLM CDs 1, 2 and 3:

These CDs are intergrated in such manner
that individual file identification is not meaningful.

1 and 3

Switching Cost Information System (SCIS) CD

3

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SCIS MODEL OFFICE

SYSTEM USER GUIDE

<u>LOCATION</u>	<u>BASIS</u>
Entire Document	3

COMPACT DISC

Telcorida Switching Cost Information System
SCIS/MO and SCIS/IN for BellSouth

<u>FILE NAME</u>	<u>BASIS</u>
Entire CD	3

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF DDC-2, D. DAONNE
CALDWELL'S TESTIMONY, FILED MAY 1, 2000 IN FLORIDA DOCKET NO.
990649-TP**

Explanation of Proprietary Information

1. This information reflects vendor specific pricing negotiated by BellSouth. Public disclosure of this information would impair BellSouth's ability to contract for goods and/or services on favorable terms. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary, confidential business information which is exempt from the Open Records Act.

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF EXHIBIT DDC-2, D.
DAONNE CALDWELL'S TESTIMONY, FILED MAY 1, 2000 IN FLORIDA
DOCKET NO. 990649-TP**

DDC-2

<u>Page No.</u>	<u>Column</u>	<u>Reason</u>
1-4, 7-10,	Vend "A" Material Cost	1
12-15	Vend "B" Material Cost	1
17-20,23-28, 34,52-59	Material Cost	1

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
RESPONSE TO STAFF'S FIFTH REQUEST FOR PRODUCTION OF
DOCUMENTS (POD NO. 16) FILED MAY 30, 2000 IN FLORIDA DOCKET NO.
990649-TP**

Explanation of Proprietary Information

1. This information reflects vendor specific pricing negotiated by BellSouth. Public disclosure of this information would impair BellSouth's ability to contract for goods and/or services on favorable terms. Pursuant to Section 364.183, Florida Statutes, such information is classified as proprietary, confidential business information which is exempt from the Open Records Act.
2. This information is proprietary information of a vendor. Vendors would be reluctant to provide this information to BellSouth so that BellSouth can begin its network and marketing plans if a vendor knew this information would be made available to its competitors. Thus, public disclosure would impair BellSouth's ability to contract for goods and/or services and is therefore proprietary under Section 364.183, Florida Statutes.

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
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STAFF'S POD NO. 16

AT&T POD NO. 6

<u>Page No.</u>	<u>Column</u>	<u>Reason</u>
4 of 7	Column e	1
	Column f	1
	Column g	1
5 of 7	Column f	1
	Column g	1
7 of 7	Column Material	1
	Column Discount Rate	1
	Column E & I	1
	Column Total	1
	Column Capacity per CC	1
	Column \$/Unit	1
	Column Utilized Investment	1

AT&T POD 14e

Lucent Engineering Information Document	Entire Document Pages 1-82	2
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AT&T POD 14f

Lucent Technologies Call Capacity Wksht	Entire Document Pages 1-15	2
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AT&T POD 14h

Process Capacity	Entire Document	2
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AT&T POD 14i

SST-U Input Memo	Page 1 of 3	2
Process Capacity Memo	Page 2 of 3	2
Assumption Table	Page 3 of 3	2

AT&T POD 14m

Average Wktn Memo	Page 1	2
Facet Runs	Page 3-30	2

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
RESPONSE TO STAFF'S FOURTH REQUEST FOR PRODUCTION OF
DOCUMENTS (POD NOs. 12 and 13) FILED JUNE 13, 2000 IN FLORIDA
DOCKET NO. 990649-TP**

Explanation of Proprietary Information

1. **This information is proprietary to BellSouth and includes competitively sensitive financial information. 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(3)(e).**

ATTACHMENT D

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
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STAFF'S POD NOs. 12 and 13

<u>Page No.</u>	<u>Location</u>	<u>Reason</u>
2	Entire Page	1