

## MCWHIRTER REEVES

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TALLAHASSEE

TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEE, FLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

May 7, 2002

## VIA HAND DELIVERY

Blanca S. Bayo, Director Division of Records and Reporting Betty Easley Conference Center 4075 Esplanade Way Tallahassee, Florida 32399-0870

Re:

Docket No.: 011119-TP

Dear Ms. Bayo:

On behalf of XO Florida, Inc. (XO), enclosed for filing and distribution are the original and 1 copy of the following:

XO Florida, Inc.'s Notice of Intent to Request Specified Confidential Classification for Confidential Responses to Staff's Second Set of Interrogatories (No. 10) to XO Florida, Inc.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman

VGK/bae Enclosure

EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE OF 937 MAY -7 S

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by XO Florida,

Inc. for arbitration of

Unresolved issues with BellSouth

Telecommunications, Inc.

Docket No.: 011119-TP

Filed: May 7, 2002

XO FLORIDA, INC.'S NOTICE OF INTENT TO REQUEST SPECIFIED CONFIDENTIAL CLASSIFICATION FOR CONFIDENTIAL RESPONSES TO STAFF'S SECOND SET OF INTERROGATORIES (No. 10) TO XO FLORIDA, INC.

XO Florida, Inc. (XO), pursuant to Rule 25-22.006, Florida Administrative Code, files this Notice of Intent to Request Specified Confidential Classification.

1. On May 7, 2002, XO filed its responses to Staff's Second Set of Discovery to XO. XO's response to Interrogatory No. 10 contains information regarding the states in which XO is currently receiving reciprocal compensation at the tandem switching rate. XO considers this information to be confidential proprietary business information. Disclosure of this information could severely harm XO's competitive interests in the marketplace.

2. Because the discovery responses contain information XO considers to be confidential proprietary business information, XO files this Notice of Intent to Request Specified Confidential Classification pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, in order to allow Commission Staff to take possession of the discovery responses without delay. XO will file a Request for Confidential Classification 21 days from the filing of this Notice. The original of this Notice has been filed with the Division of Records and Reporting, and a copy has been served on all parties of record.

DOCUMENT NUMBER -DATE

Dana Shaffer

XO Communications, Inc. 105 Molloy Street, Suite 300 Nashville, Tennessee 37201-2315 (615) 777-7700 (telephone) VGK

(615) 345-1564 (fax)

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Vicki Gordon Kaufman McWhirter, Reeves, McGlothlin, Davidson, Decker, Kaufman, Arnold & Steen, P.A. 117 South Gadsden Street Tallahassee, Florida 32301 (850) 222-2525 (telephone) (850) 222-5606 (fax)

Attorneys for XO Florida, Inc.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing XO Florida, Inc.'s Notice of Intent to Request Specified Confidential Classification for Confidential Responses to Staff's Second Set of Interrogatories (No. 10) to XO Florida, Inc. has been furnished by (\*) hand delivery or by U. S. Mail on this <u>7th</u> day of May 2002 to the following:

(\*) Jason Fudge Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399

(\*) James Meza
BellSouth Telecommunications, Inc.
c/o Nancy Sims
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301

Patrick Turner BellSouth Telecommunications, Inc. 675 West Peachtree Street, Suite 430 Atlanta, Georgia 30375

Vicki Gordon Kaufman