

James Meza III
Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

May 8, 2002

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

RE: Docket No. 001305-TP (Supra)

Dear Ms. Bayo:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for its Opposition to Supra Telecommunications & Information Systems, Inc.'s Motion for Reconsideration and Clarification, 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 a copy to me. Copies have been served to the parties shown on the attached certificate of service.

Sincerely,


James Meza III

(28)

Enclosures

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

DOCUMENT NUMBER-DATE

04999 MAY-8 2002

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
Docket No. 001305-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and U.S. Mail this 8th day of May, 2002 to the following:

Wayne Knight, Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6232
Fax. No. (850) 413-6250
wknight@psc.state.fl.us

Ann Shelfer, Esq. (+)
Supra Telecommunications and
Information Systems, Inc.
1311 Executive Center Drive
Koger Center - Ellis Building
Suite 200
Tallahassee, FL 32301-5027
Tel. No. (850) 402-0510
Fax. No. (850) 402-0522
ashelfer@stis.com

Brian Chaiken
Paul Turner (+)
Kirk Dahlke
Supra Telecommunications and
Information Systems, Inc.
2620 S. W. 27th Avenue
Miami, FL 33133
Tel. No. (305) 476-4248
Fax. No. (305) 443-1078
bchaiken@stis.com
pturner@stis.com
kdahlke@stis.com


James Meza III
(22)

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of the Interconnection) Docket No. 001305-TP
Agreement Between BellSouth Telecommunications,)
Inc. and Supra Telecommunications & Information)
System, Inc., Pursuant to Section 252(b) of the)
Telecommunications Act of 1996.)
_____) Filed: May 8, 2002

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

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

1. On April 17, 2002, BellSouth filed its Opposition to Supra Telecommunications and Information Systems Inc.'s ("Supra") Motion for Reconsideration and Clarification along with a Notice of Intent to Request Specified Confidential Classification.

2. Information in BellSouth's Opposition contains substantive references to the private commercial arbitration proceeding between the parties. Both BellSouth and Supra are contractually bound under a previous and now-expired Interconnection Agreement to keep the proceedings of the private arbitration confidential. Since the public release of this information is contractually prohibited, it is entitled to confidential classification pursuant to § 364.183, Florida Statutes.

3. In addition, the confidential nature of the commercial arbitration proceedings has been confirmed by the Federal District Court for the Southern

District of Florida, in Civil Action No. 01-3365. As the court found in its October 31, 2001 Order, the parties are required under the previous and now-expired agreement to keep all information related to the commercial arbitration proceedings confidential.

The exception to the confidentiality provision does not permit the parties to disclose information and evidence produced during the arbitration proceedings and other related matters (including an arbitration award), beyond a judicial proceeding or unless by order of a court or a governmental body. Further, the Arbitral Tribunal, in its Order dated July 20, 2001, concluded that the arbitration award may contain proprietary or confidential information, which the parties agreed to be held in confidence in accord with the terms of the Agreement. Therefore, to unseal the filings in this case would contravene the confidentiality provision with which the parties agreed.

See October 31, 2001 Order at pp. 5-6.

4. The information contained in BellSouth's Opposition also references Supra's customer account information which is considered confidential pursuant to § 364.183, Florida Statutes.

5. BellSouth is now filing a Request for Specified Confidential Classification for the subject information because several portions of BellSouth's Opposition to Supra's Motion for Reconsideration and Clarification contain information that is confidential and proprietary to both BellSouth and Supra. This information includes, among other things, contractual information, customer specific information, and confidential business information. Pursuant to § 364.183, Florida Statutes, such information is considered proprietary confidential business information.

6. A more specific description of this information is contained in Attachment A. This information is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as proprietary, confidential business information pursuant to Sections 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. Appended hereto as Attachment B are two copies of the requested documents with the confidential information deleted.

9. Appended hereto as Attachment C is a sealed envelope containing one copy of the documents including the material, which is confidential and proprietary.

WHEREFORE, based on the foregoing, BellSouth 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 8th day of May, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White

NANCY B. WHITE (cc)

JAMES MEZA III

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, Florida 32301

(305) 347-5558

R. Douglas Lackey

R. DOUGLAS LACKEY (cc)

675 W. Peachtree Street

Suite 4300

Atlanta, Georgia 30375

(404) 335-0747

445691

ATTACHMENT A

**BellSouth Telecommunications, Inc.
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Request for Confidential Classification
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REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S OPPOSITION TO SUPRA'S MOTION FOR RECONSIDERATION AND CLARIFICATION FILED ON APRIL 17, 2002 IN FLORIDA DOCKET NO. 001305-TP

Explanation of Proprietary Information

1. This information contains substantive references to commercial arbitration awards between BellSouth and Supra. Both BellSouth and Supra are bound by a previous and now-expired Interconnection Agreement to keep the results of the arbitration confidential. Since the public release of this information is contractually prohibited, it is entitled to confidential classification pursuant to Section 364.183, Florida Statutes. The Parties are also bound by a ruling from the United States District Court for the Southern District of Florida to keep the information confidential.
2. In addition, the information in question contains customer-specific account information. Therefore, this information constitutes proprietary confidential business information pursuant to Section 364.183, Florida Statutes.

ATTACHMENT A

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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
OPPOSITION TO SUPRA'S MOTION FOR RECONSIDERATION AND
CLARIFICATION FILED ON APRIL 17, 2002 IN FLORIDA DOCKET NO. 001305-TP**

Location

Reason

Page 2, lines 18-23

1 and 2

ATTACHMENT B

**BellSouth Telecommunications, Inc.
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
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TWO REDACTED COPIES

ATTACHMENT C

**BellSouth Telecommunications, Inc.
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ONE HIGHLIGHTED COPY