

James Meza III
Attorney

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

May 22, 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

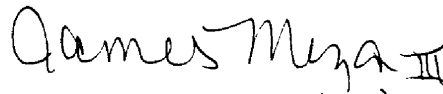
RE: Docket No. 001305-TP (Supra)

Dear Ms. Bayo:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for portions of BellSouth's Opposition to Supra's Motion for Extension of Time, 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 (KA)

Enclosures

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

DOCUMENT NUMBER - DATE
05478 MAY 22 8
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 22nd 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 (USA)

(+) 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 22, 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 24, 2002, Supra Telecommunications & Information Systems, Inc. ("Supra") filed a Motion for Extension of Time to file an executed agreement ("Motion") in the above-captioned docket.

2. On May 1, 2002, BellSouth filed its Opposition to Supra's Motion along with a Notice of Intent to Request Specified Confidential Classification. Portions of BellSouth's Opposition contained information that is considered confidential and proprietary to BellSouth and Supra.

3. The 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 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.

4. 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.

5. Further, the information should be treated as confidential because it contains Supra's customer specific account information, which is prohibited from being disclosed under § 364.24, Florida Statutes, except in certain circumstances.

6. 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 contain information that is confidential and

proprietary to both BellSouth and Supra. This information includes, among other things, contractual information and customer-specific account information. Pursuant to § 364.183, Florida Statutes, such information is considered proprietary confidential business information.

7. 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 §§ 364.183(3)(e), Florida Statutes. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

8. 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.

9. Appended hereto as Attachment B are two copies of the requested documents with the confidential information deleted.

10. 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 22nd day of May, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White

NANCY B. WHITE
JAMES MEZA III

(LA)

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, Florida 32301

(305) 347-5558

R. Douglas Lackey

R. DOUGLAS LACKEY

T. MICHAEL TWOMEY

(LA)

675 W. Peachtree Street

Suite 4300

Atlanta, Georgia 30375

(404) 335-0750

447924

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 001305-TP
Request for Confidential Classification
Page 1 of 2
5/22/02**

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S OPPOSITION TO SUPRA'S MOTION FOR EXTENSION OF TIME FILED ON MAY 1, 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. This information contains Supra's customer account records, which is protected under Section 364.24, Florida Statutes, and thus is entitled to confidential treatment.

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 001305-TP
Request for Confidential Classification
Page 2 of 2
5/22/02**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
OPPOSITION TO SUPRA'S MOTION FOR EXTENSION OF TIME FILED ON
MAY 1, 2002 IN FLORIDA DOCKET NO. 001305-TP**

Location

Reason

Page 7, line 12

2

Page 7, lines 18 thru 20

1 and 2