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August 11, 2003

**BY HAND DELIVERY**

Ms. Blanca Bayó, Director  
Division of Records and Reporting  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 020507-TL

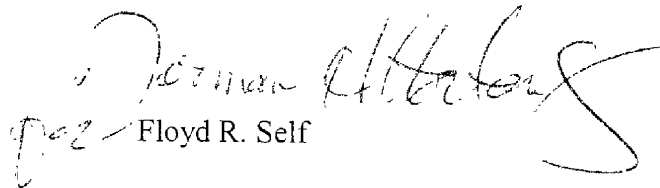
Dear Ms. Bayó:

Enclosed for filing on behalf of ITC^DeltaCom Communications, Inc. are an original and fifteen copies of ITC^DeltaCom Communications, Inc.'s Request for Specified Confidential Treatment in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,

  
Floyd R. Self

FRS/amb

Enclosures

cc: Nanette Edwards, Esq.  
Parties of Record

DOCUMENT NUMBER-DATE

07350 AUG 11 03

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Complaint of Florida Competitive Carriers )  
Association Against BellSouth Telecommunications, )  
Inc. Regarding BellSouth's practice of refusing ) Docket No. 020507-TL  
to provide FastAccess Internet Service to customers ) Filed: August 11, 2003  
who receive voice service from a competitive voice )  
provider and request for expedited relief )  
 )  
 )  
 )

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**REQUEST FOR SPECIFIED CONFIDENTIAL TREATMENT**

COMES NOW, ITC^DELTACOM COMMUNICATIONS, INC., d/b/a ITC^DELTACOM ("ITC"), pursuant to section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, and hereby files this request for Specified Confidential Treatment and as basis states:

1. The Florida Public Service Commission held hearings in this docket July 21 and 22, 2003 during which several exhibits were stipulated into the record. Included in the stipulated exhibits were responses by ITC to discovery from parties which included information ITC considers and treats as proprietary and confidential.

2. Exhibit No. 2 includes, among other items, ITC's response and objection to discovery from BellSouth and Exhibit No. 8 contains supplemental responses of ITC to BellSouth discovery. When these responses were filed, ITC notified the Commission and parties that it claimed portions of the responses to be proprietary and confidential and ITC now requests that the Commission determine the information to be proprietary and confidential. The specific portions of documents are:

a. Interrogatory No. 4 of BellSouth's Third Set of Interrogatories, page 5, lines 8, 9, 10, and 11;

b. Supplemental Response to No. 7 of BellSouth's First Set of Interrogatories, hand numbered page 1, lines 10, 11, 12, 13, 14, and 15; and

c. Supplemental Response to No. 20 of BellSouth's First Set of Interrogatories, hand numbered page 2, lines 5, 6, 7, 8, 9, 10, 11, and 12.

3. Attachment A hereto is ITC's Response to Interrogatory No. 4 of BellSouth's Third Set of Interrogatories. ITC considers the information contained on lines 8, 9, 10, and 11 of the response on page 5 to be proprietary and confidential. The information on these lines includes specific numbers of lines by category and ITC treats this information as proprietary and confidential and intends to continue to treat this information as proprietary. Public disclosure of this information would provide competitors and potential competitors with information as to marketing overall business strategy and would provide competitors and potential competitors with an advantage to the detriment of ITC and its customers. ITC has not generally disclosed this information and the information is proprietary, confidential business information pursuant to section 364.183(3) and exempt from public disclosure.

4. Attachment B is ITC's Supplemental Response to Item 7 of BellSouth's First Set of Interrogatories. The information contained in the confidential portions of the responses relates to competitive interests, the disclosure of which would impair the competitive interest of ITC. The response contains information relative to internal operations and procedures as well as customer specific numbers. ITC treats this information as confidential proprietary business information and does not generally disclose this information or does it intend to. Public disclosure of such information would provide valuable information to competitors and potential competitors to the disadvantage of ITC and its customers. The information is and should be

classified as proprietary, confidential business information pursuant to section 364.183(3) Florida Statutes, and exempt from public disclosure.

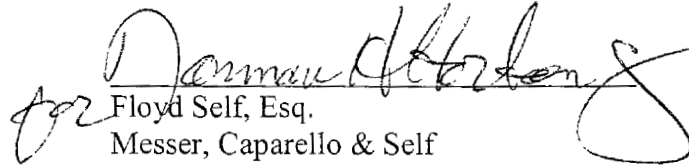
5. Attachment C is ITC's Supplemental Response to Item 20 of BellSouth's First Set of Interrogatories. The information contained in the confidential portions of the response relates to competitive interest and disclosure would impair the competitive interest of ITC and adversely affect ITC and its customer. Specifically, the response contains information relative to business arrangements and plans and discussions with providers regarding business arrangements. ITC treats this information as proprietary and confidential. Disclosure of this information would provide competitors and potential competitors with valuable information as to ITC's business plans and would impair the ability of ITC to contract for services on favorable terms. The information is treated by ITC as proprietary and confidential is not released publicly in any other manner. The information is and should be classified as proprietary, confidential business information pursuant to section 364.183, Florida Statutes.

6. In each of the responses referenced herein, ITC has treated and continues to treat the information as proprietary, confidential business information and has not disclosed the information in any manner.

7. Attached are edited copies of ITC's discovery responses with the confidential information redacted. Also included is an envelope containing one copy of ITC's discovery responses with the confidential information highlighted.

For the reasons cited, ITC^DeltaCom respectfully requests that the Commission enter an order declaring the described information to be proprietary, confidential business information and not subject to public disclosure.

Respectfully submitted this 11<sup>th</sup> day of August, 2003.

A handwritten signature in black ink, appearing to read "Floyd Self", written over a horizontal line.

Floyd Self, Esq.  
Messer, Caparello & Self  
215 S. Monroe Street, Suite 701  
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(850) 222-0720

and

Nanette S. Edwards, Esq.  
Director –Regulatory  
ITC^DeltaCom Communications, Inc.  
4092 S. Memorial Parkway  
Huntsville, AL 35802  
(256) 382-3856

Attorneys for ITC^DeltaCom Communications, Inc.

1 c. The total number of lines that DeltaCom provides using resold BellSouth lines in  
2 Florida, designated by Florida deaveraged UNE rate zones 1, 2, and 3;

3 d. The total number of lines that DeltaCom provides in Florida using exclusively its  
4 own facilities, designated by Florida deaveraged UNE rate zones 1, 2, and 3.

5 DELTACOM'S RESPONSE: Subject to, and without waiving its General  
6 Objections, DeltaCom states in response to this question, including the subparts:

7 DeltaCom does not track number of lines by zone.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 Response provided by: James Pearsall, Sr., Manager Industry Relations

13 INTERROGATORY NO. 5: From the time period January 2000 to present,  
14 state the total number of customers that refused to migrate voice service to DeltaCom  
15 because he or she had FastAccess service with BellSouth.

16 ITC^DELTACOM'S RESPONSE: Subject to, and without waiving its General  
17 Objections, DeltaCom states in response to this question: Based on a survey of Sales personnel,  
18 DeltaCom estimates that approximately 30% of the sales contacts do not select DeltaCom local  
19 service due to the consumer's inability to utilize BellSouth's FastAccess service in conjunction  
20 with DeltaCom local voice service.

21 Further, complaints have been lodged against DeltaCom as a result of not being able to  
22 provide voice service to a customer who also has ADSL service provided through BellSouth. Not  
23 only does DeltaCom have to deal with this anticompetitive issue but DeltaCom gets the bad press

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of the Florida  
Competitive Carriers Association  
Against BellSouth Telecommunications, Inc.  
and Request for Expedited Relief

Docket No 020507-TP

Served: January 10, 2003

ITC^DeltaCom Communications, Inc.'s Supplemental Response to BellSouth  
Telecommunications, Inc.'s Interrogatories  
And Production of Document Requests

INTERROGATORIES

- 1           7     If the answer to Interrogatory No. 6 is in the affirmative, please
- 2           ii.    State the total number of customers to whom ITC^DeltaCom is providing
- 3                 Broadband Service and/or DSL service in Florida, including stating the total
- 4                 number of residential and business customers being provided such service;

5   ITC^DELTA COM'S SUPPLEMENTAL RESPONSE:

6           ITC^DeltaCom objects that providing the number of its customers is not relevant and

7           is a trade secret. Notwithstanding its objections, ITC^DeltaCom has the following

8           supplemental information part of which is confidential and which is being produced subject

9           to a protective agreement.

10   [REDACTED]

11   [REDACTED]

12   [REDACTED]

13   [REDACTED]

14   [REDACTED]

15   [REDACTED]

CONFIDENTIAL

16   Response provided by: David Freytag

1 discovery of admissible evidence. ITC^DeltaCom further objects on the basis that the  
2 information sought by the interrogatory is privileged as a trade secret. Notwithstanding its  
3 objections, ITC^DeltaCom has the following supplemental information part of which is  
4 confidential and which is being produced subject to a protective agreement:

5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]

CONFIDENTIAL

13 Response provided by: David James and David Freytag

14 iv. Identify all documents referring or relating to such an agreement or discussions

15 ITC^DELTACOM'S SUPPLEMENTAL RESPONSE:

16 See response to iii above.

17 29. Do you contend that any state or federal laws, rules, or regulations are violated  
18 when BellSouth does not provide FastAccess service to carriers that offer DSL service (as  
19 contrasted to carriers that do NOT offer DSL service)? If the answer to the foregoing  
20 Interrogatory is in the affirmative, state all facts and identify all documents that support this  
21 contention.

22 ITC^DELTACOM'S SUPPLEMENTAL RESPONSE:



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Hand Delivery and/or U.S. Mail this 11<sup>th</sup> day of August, 2003.

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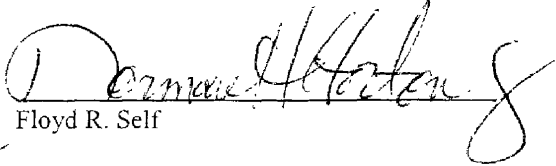
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Floyd R. Self