

JAMES E. "JIM" KING, JR.

PRESIDENT



Charles J. Beck  
Interim  
Public Counsel

ORIGINAL JOHNIE BYRD

SPEAKER



STATE OF FLORIDA  
OFFICE OF THE PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE  
111 WEST MADISON ST.  
ROOM 812  
TALLAHASSEE, FLORIDA 32399-1400  
850-488-9330

September 3, 2003

Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket No. 030869-TL

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of Citizens' Response in Opposition to BellSouth Telecommunication, Inc.'s Request for Confidential Classification and Motion for Permanent Protective Order.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Robert Vandiver  
Associate Public Counsel

RV:bsr

Enclosures

*cmp*

*Com-5*

*GCL-1*

*Sec-1*

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DOCUMENT NUMBER-DATE  
08202 SEP-3 8  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by BellSouth )  
Telecommunications, Inc. )  
To Reduce Its Network Access )  
Charges Applicable To Intrastate )  
Long Distance In A Revenue- )  
Neutral Manner )

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Docket No. 030869-TL

Filed: September 3, 2003

**CITIZENS' RESPONSE IN OPPOSITION TO BELLSOUTH  
TELECOMMUNICATION, INC'S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION AND MOTION FOR PERMANENT PROTECTIVE ORDER**

The Citizens of Florida ("Citizens"), through the Office of Public Counsel and pursuant to Section 120.54(5) and Rule 28-106.24, Florida Administrative Code, hereby file this Response in Opposition to BellSouth Telecommunication, Inc.'s Request for Confidential Classifications and Motion for Permanent Protective Order filed August 27, 2003. In support thereof, Citizens allege that:

1) The BellSouth motion seeks to have the Commission declare the entire document DDC-1 confidential.

2. The request sweeps too far in requesting confidential treatment of the entire document. Section 4, pages 5 and 6; contain information out of the tariff. This does not qualify for confidential classification. See Rule 25-22.006(4)(d), F.A.C.

3) The technical computer loading data contained in Appendix C does not meet the criteria listed in Attachment A, Number 1.

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4) The general narrative discussion under the first heading on Section 3, page 1 fails to meet the criteria of Attachment A, Number 1. The second heading relative to inflation factors also fails the test.

5) Section 3, page 2 fails on the same basis alleged in 4, above. The general methodology simply does not harm BellSouth's competitive interests.

6) The first two pages of the Executive Summary, likewise fail to meet the statutory minimum for confidential protection. Citizens believe a full public discussion of costing methodology is in the public interest.

7) The policy of the state of Florida and this Commission is open access to all records absent a clear showing why confidential treatment should be afforded such records. The request here, as detailed above, is over broad and should be rejected.

WHEREFORE, the Citizens request that the BellSouth Motion filed August 27, 2003 be denied.

Respectfully submitted,

Charles J. Beck  
Interim Public Counsel  
Florida Bar #217281



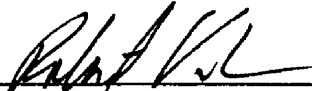
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Attorneys for Florida' Citizens

DOCKET NO. 030869-TL

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties on this 3rd day of September, 2003.

  
\_\_\_\_\_  
Robert Vandiver

Beth Keating, Esquire  
Division of Legal Services  
Fla. Public Service Commission  
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Tallahassee, FL 32399-0850

Nancy B. White  
c/o Nancy H. Sims  
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