

ORIGINAL

Legal Department

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September 18, 2003

RECEIVED-FPSC
03 SEP 18 PM 4:33
COMMISSION
CLERK

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: 030349-TP (Supra \$75 Cash Back Promotion)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Specified Confidential Classification for portions of the deposition transcripts and the exhibits of BellSouth witnesses John A. Ruscilli, Edward Wolfe, Ronald M. Pate, and Michelle Summers entered into the record at the hearing on August 29, 2003. We ask that you file this Request in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

James Meza III

James Meza III (CA)

Enclosures

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL 1 _____
OPC _____
MMS _____
SEC _____
OTH _____
cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

cc:
conf
records

This confidentiality request was filed by or for a "telco" for DN 08951-03. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

DOCUMENT NUMBER-DATE

08956 SEP 18 03

FPSC-COMMISSION CLERK

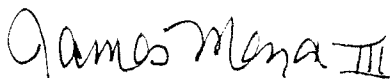
**CERTIFICATE OF SERVICE
DOCKET NO. 030349-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and Federal Express this 18th day of September, 2003 to the following:

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James Meza III (ICA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Supra Telecommunications)
and Information Systems, Inc., Against)
BellSouth Telecommunications, Inc.'s Regarding)
BellSouth's Use of Carrier to Carrier Information)
_____)

Docket No. 030349-TP

Filed: September 18, 2003

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

COMES NOW, BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.006, *Florida Administrative Code*, and Section 364.183, *Florida Statutes*, and files this Request for Specified Confidential Classification.

1. On August 29, 2003, the Florida Public Service Commission held a Hearing between Supra Telecommunications and Information Systems, Inc. and BellSouth Telecommunications, Inc. During this Hearing, the deposition transcripts and exhibits of BellSouth's witnesses John A. Ruscilli, Edward Wolfe, Ronald M. Pate and Michelle Summers were entered into the Record under protective cover. Portions of the transcripts and the exhibits contain confidential information.
2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in the transcripts and Exhibits contain confidential, proprietary information pursuant to Rule 25-22.006(3)(a), *Florida Administrative Code*, as already determined by previous orders of this Commission. A more specific description of this information is contained in Attachment A. Public disclosure of this information would cause competitive harm to BellSouth and provide competitors with an unfair advantage in future negotiations and would impair BellSouth's ability resolve matters via the commercial arbitration.

The information discussed in this Request for Specified Confidential Classification is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as confidential, proprietary business information pursuant to Section 364.24 and Section 364.183, *Florida Statutes*. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

3. Attachment A to BellSouth's Request for Confidential Classification contains an explanation of the proprietary information along with a list that identifies the location of the information designated by BellSouth as confidential.

4. Attachment B to BellSouth's Request for Confidential Classification is redacted copies of the document containing the confidential information.

5. Attachment C to BellSouth's Request for Confidential Classification is a highlighted copy of the document containing the confidential information.

6. The information discussed in this Request for Specified Confidential Classification is valuable, BellSouth treats this information as confidential in all requests, and this information has not been generally disclosed.

7. The original of this Request was filed today with the Division of the Commission Clerk and Administrative Services and a copy was served on the Parties.

WHEREFORE, based on the foregoing, BellSouth respectfully requests that, pursuant to Section 364.183, Florida Statutes, 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 18th day of September 2003.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White

NANCY B. WHITE (KA)

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c/o Nancy Sims

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ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 030349-TP
Request for Confidential Classification
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09/18/03**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF THE DEPOSITION,
TRANSCRIPTS AND EXHIBITS OF BELLSOUTH WITNESSES JOHN A. RUSCILLI,
EDWARD WOLFE, RONALD A. PATE, AND MICHELLE SUMMERS AS
SUBMITTED INTO THE RECORD OF FPSC DOCKET 030349-TP DURING THE
HEARING ON AUGUST 29, 2003.**

Explanation of Proprietary Information

1. This information reflects BellSouth's business strategy relating to its competitive marketing position. Specifically, this information discusses, describes and evaluates BellSouth's internal systems used in potential strategic responses to various competitive scenarios; key details relating to the substance of such systems as well as developmental time frame information and implementation information; and discusses/evaluates recommendations on these potential competitive response. BellSouth's competitors can use this information to develop their own market strategy with which to thwart BellSouth's effort in this market. Thus, the disclosure of this information to BellSouth's competitors would impair BellSouth's ability to compete and is entitled to confidential classification pursuant to Section 364.183(3)(a) and (3)(e), Florida Statutes. In addition, this information is valuable as it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, this information is a trade secret which should be classified as proprietary, confidential business information exempt from the Open Records Act.
2. The subject information contains substantive reference to, or are documents from the BellSouth/Supra Commercial Arbitrations. Both BellSouth and Supra agreed to keep the information of the Commercial Arbitrations confidential. This information is proprietary to BellSouth and includes information containing customer proprietary and business proprietary information. The Commission has always zealously protected customer proprietary and business proprietary information in order to protect the customer's privacy and prevent a competitor of the customer from obtaining an unfair advantage. This information is clearly confidential and proprietary under Florida Statutes, Section 364.24, Section 364.183 and Rule 25-22.006, Florida Administrative Code.

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 030349-TP
Request for Confidential Classification
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF THE DEPOSITION
TRANSCRIPTS AND EXHIBITS OF BELLSOUTH WITNESSES JOHN A. RUSCILLI,
EDWARD WOLFE, RONALD A. PATE, AND MICHELLE SUMMERS AS
SUBMITTED INTO THE RECORD OF FPSC DOCKET 030349-TP DURING THE
HEARING ON AUGUST 29, 2003.**

LOCATION

REASON

JOHN RUSCILLI DEPOSITION & EXHIBITS

Page 85, Lines 11-25	1
Page 86-94	1
Page 95, Lines 1-17	1
Page 113, Lines 3-25	1
Pages 114-125	1
Exhibit Supra-1	2
Exhibit Supra-2	2
Exhibit Supra-3	2

EDWARD WOLFE DEPOSITION & EXHIBITS

Page 7 (0018) Lines 3-23; (0019) Lines 1-7	1
Page 8 (0019) Lines 8 through - Page 21 (0056) Line 1	1
Page 22(0057) through Page 27(0070) Line 2	1
Page 34 (0089) Line 6- Page 40(0104) Line 19	1
Page 43 (0113) Line 3 through Page 58 (0150) Line 16	1
Page 58(0151) Line 6 through Page 65	1
Exhibits Supra 1 through Supra -12	1, 2

ATTACHMENT A

**BellSouth Telecommunications, Inc.
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Request for Confidential Classification
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09/18/03**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF THE DEPOSITION
TRANSCRIPTS AND EXHIBITS OF BELL SOUTH WITNESSES JOHN A. RUSCILLI,
EDWARD WOLFE, RONALD A. PATE, AND MICHELLE SUMMERS AS
SUBMITTED INTO THE RECORD OF FPSC DOCKET 030349-TP DURING THE
HEARING ON AUGUST 29, 2003.**

RONALD M. PATE DEPOSITION & EXHIBITS

Page 64, Lines 22-25	1
Page 65 through Page 69, Line 17	1
Page 101, Line 7 through Page 104, Line 15	1
Page 106, Line 6-12	1
Exhibits Supra-1 through Supra-5	2

MICHELLE SUMMERS DEPOSITION & EXHIBITS

Page 13 (0031) Line 1 through Page 13(0034) Line 9	1
Page 18 (0048) Line 1 through Page 19 (0049) Line 17	1
Page 21 (0054) Line 1 through Page 23 (0060) Line 8	1
Page 25 (0064) Line 1 through Page 26(0066) Line 22	1