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COMMISSION CLERK

December 5, 2003

Ms. Blanca S. Bayo
Director, Division of the Commission
Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

via Overnight Mail

Re: Docket No. 030852-TP Implementation of Requirements Arising from FCC
Triennial UNE Review: Location-Specific Review for DS1, DS3 and Dark Fiber
Loops, Route-Specific Review for DS1, DS3 and Dark Fiber Transport

Dear Ms. Bayo:

Enclosed please find an original and seven (7) copies of FDN Communications Request
for Specified Confidential Classification.

If you have any questions regarding the enclosed, please call me at 407-447-6636.

Sincerely,

Scott Kassman
FDN Communications
Assistant General Counsel

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

This confidentiality request was filed by or
for a "telco" for DN 12549-03. 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.

(x-ref. 12008-03)

lcc
cont
records

LOCAL

LONG DISTANCE

390 North Orange Avenue Suite 2000 Orlando, FL 32801
407.835.0300 Fax 407.835.0309 www.fdn.com

DOCUMENT NUMBER-DATE

12548 DEC-8 03

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission) Docket No. 030852-TP
Triennial UNE review: Location Specific-Review)
For DS1, DS3, and Dark Fiber Loops and)
Route-Specific Review for DS1, DS3, and Dark)
Fiber Transport)
_____)

**FLORIDA DIGITAL NETWORK, INC.'S REQUEST FOR SPECIFIED
CONFIDENTIAL CLASSIFICATION**

Florida Digital Network, Inc., ("FDN") pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, files its Request for Specified Confidential Information as follows:

1. On November 25, 2003, FDN filed with the Commission **Document Number 12008-03**. Said document contains confidential business information and customer specific information that is proprietary to FDN. FDN also filed a Notice of Intent to request confidential classification with Document Number 12008-03.

2. FDN hereby files this Request for Specified Confidential Classification because the information contained in Document No. 12008-03 contains market deployment data and other specific network information utilized by FDN to conduct business in Florida and release of such information would cause substantial competitive harm to FDN. The information contained in the referenced Document No. 12008-03 is confidential and proprietary under Florida Statutes, Section 364.183. The information in Document No. 12008-03 is the same or similar to information the Commission declared

proprietary and confidential business information, exempt from Florida's Public Records Laws, by Order No. PSC-03-1263-PCO-TP, issued November 7, 2003, in this docket.

3. Attachment A hereto contains an explanation of the proprietary information along with a list that identifies the location of information designated as confidential and proprietary.

4. Attachment B hereto is two redacted versions for public disclosure.

5. Attachment C hereto is a sealed envelope containing one copy of the documents that are confidential and proprietary.

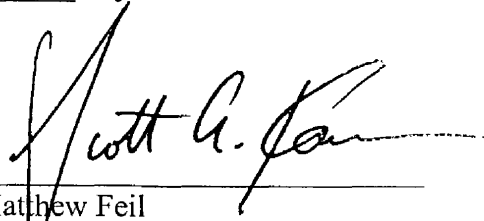
6. The information contained in Document No. 12008-03 contains market deployment data and other specific network information utilized by FDN to conduct its business. FDN has expended millions of dollars in infrastructure to support market deployment and its business. A significant portion of this investment will be wasted if Document No. 12008-03 is released to the public and competitors are thereby permitted to target the markets FDN has targeted in the same or similar manner as FDN. Therefore, such information should be classified as confidential business information and proprietary information pursuant to Section 364.183(3)(e). Further, such information has been kept as a trade secret under Section 364.183(3)(a).

7. FDN 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. The original of this Request has been mailed to the Division of Records for the Commission and a copy was served on the parties.

WHEREFORE, based on the foregoing, FDN respectfully requests that the Commission enter an order declaring the information described hereinabove be confidential, proprietary business information that is not subject to public disclosure.

RESPECTFULLY SUBMITTED, this 5th day of December 2003.

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

Matthew Feil
Scott Kassman
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ATTACHMENT A

**Florida Digital Network, Inc.
FPSC Docket No. 030852-TP
Request for Confidential Classification
December 8, 2003**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF FDN'S RESPONSES
TO BELLSOUTH'S INTERROGATORY NOS. 4 (REVISED) & 20**

Reasons for Claim for Proprietary Information Status

1. This information contains proprietary investment, market deployment, customer location information and competitive interest information. This information is valuable, is used by FDN in conducting its business, and FDN strives to keep it secret. Therefore, such information relates to competitive interests of FDN, the disclosure of which would impair the competitive business of FDN. See Section 364.183(3)(e), Florida Statutes.
2. This information contains information that FDN strives to keep secret because it is elemental to FDN's business and status in the competitive market place. Therefore, such information is a trade secret. See Section 364.183(3)(a), Florida Statutes.

FDN's Responses to BST Interrogatory Nos. 4 (revised) & 20

Reason

Page 1, lines 7 through 26

(beginning with the line under the heading "CLLI Code"):

1, 2

Page 2, lines 3 through 12

(beginning with the line under the heading "Wire Center CLLI Code"):

1, 2

CERTIFICATE OF SERVICE

Docket 030852-TP

I hereby certify that a copy of the foregoing was sent by e-mail and regular mail to the persons listed below, other than those marked with an (*) who have been sent a copy via overnight mail, this 5th day of December, 2003.

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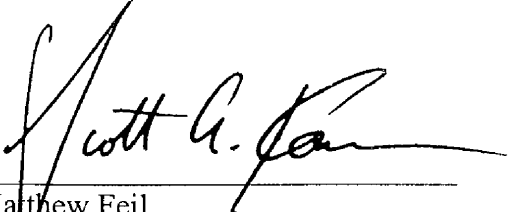
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