

ORIGINAL

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February 23, 2004

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

RECEIVED- FPSC
04 FEB 23 PM 4:51
COMMISSION
CLERK

Re: Docket No. 030851-TP

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications Inc.'s Request for Specified Confidential Classification for its Second Supplemental Response to AT&T's and MCI's subpoena, Item No. 4, in the above referenced 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,

Nancy B. White
Nancy B. White (PA)

RECEIVED & FILED

N
FPSC-BUREAU OF RECORDS

Enclosure

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Meredith Mays

AUS _____
CAF _____
CMP _____
COM _____
CTR _____ 528433
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

com records

This confidentiality request was filed by or for a "telco" for DN 0265304. 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
02652 FEB 23 04
FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
Docket No. 030851-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail, Hand Delivery* and FedEx® this 23rd day of February 2004 to the following:

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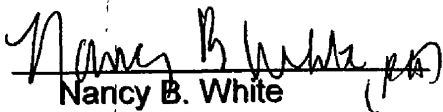
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Nancy B. White

(+)signed Protective Agreement
(*) via Hand Delivery
(⊗) via FedEx

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)
from Federal Communications Commission) Docket No. 030851-TP
triennial UNE review: Local Circuit Switching)
for Mass Market Customers.) Filed: February 23, 2004
_____)

**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 its Request for Specified Confidential Classification.

1. On February 23, 2004, BellSouth filed its Second Supplemental Response to AT&T of the Southern States, LLC's ("AT&T") Subpoena Duces Tecum Without Deposition (hereinafter "AT&T's subpoena) and Supplemental Response to MCImetro Access Transmission Services, LLC and MCI WorldCom's ("MCI") Subpoena Duces Tecum Without Deposition (hereinafter "MCI's subpoena.

2. Pursuant to Rule 25-22.06(3)(a), BellSouth hereby files this Request for Specified Confidential Classification because the information contained in BellSouth's Second Supplemental Response to AT&T's Subpoena and Supplemental Response to MCI's Subpoena, Item No. 4, includes confidential third party information and that is protected by the FCC's Customer Proprietary Network information rules. A more specific description of this information is contained in Attachment A. Public disclosure of this information would cause competitive harm to the third-party providers. Therefore, such information should be classified as confidential, customer proprietary 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.

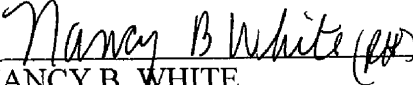
5. Attachment C to BellSouth's Request for Confidential Classification is a highlighted copy of the document containing the confidential information.

6. The 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.

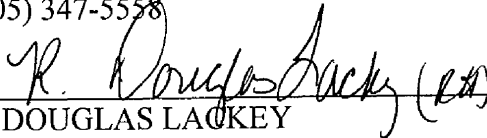
WHEREFORE, based on the foregoing, BellSouth respectfully requests that, pursuant to Section 364.183, Florida Statutes, the Commission enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 23th day of February, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.



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ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 030851-TP
Request for Confidential Classification
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02/23/04**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S SECOND
SUPPLEMENTAL RESPONSE TO AT&T'S SUBPOENA AND SUPPLEMENTAL
RESPONSE TO MCI'S SUBPOENA ITEM NO. 4 FILED FEBRUARY 23, 2004
IN FLORIDA DOCKET NO. 030851-TP**

Explanation of Proprietary Information

1. This information contains third-party business information related to the competitive interests of third-party companies that is proprietary. Specifically, the subject information is confidential, customer-specific proprietary information that is also protected under the FCC's Customer Proprietary Network information rules, 47 CFR §64.2007. Disclosure of this data would impair the competitive business and cause harm to the third-party companies. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 030851-TP
Request for Confidential Classification
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02/23/04**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S SECOND
SUPPLEMENTAL RESPONSE TO AT&T'S SUBPOENA AND SUPPLEMENTAL
RESPONSE TO MCI'S SUBPOENA ITEM NO. 4 FILED FEBRUARY 23, 2004
IN FLORIDA DOCKET NO. 030851-TP**

SUBPOENA, ITEM NO. 4

Location

Reason

Column Labeled

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ATTACHMENT B

**BellSouth Telecommunications, Inc.
FPSC Docket No. 030851-TP
Request for Confidential Classification
Page 1 of 4
02/23/04**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S SECOND
SUPPLEMENTAL RESPONSE TO AT&T'S SUBPOENA AND SUPPLEMENTAL
RESPONSE TO MCP'S SUBPOENA ITEM NO. 4 FILED FEBRUARY 23, 2004
IN FLORIDA DOCKET NO. 030851-TP**

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