Nancy B. White General Counsel-Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 305 347-5558

February 25, 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

Re: Docket No. 030852-TP

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications Inc.'s Request for Specified Confidential Classification for its Surrebuttal Testimony of Shelley W. Padgett as well as revised Exhibits SWP-3 and SWP-8, 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,

Mancy B. White (28)

**Enclosure** 

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

528789

DOCUMENT NUMBER-DATE

02795 FEB 25 &

FPSC-COMMISSION CLERK

## CERTIFICATE OF SERVICE Docket No. 030852-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail, Hand Delivery\* and FedEx this 25th day of February 2004 to the following:

Adam Teitzman, Staff Counsel\*
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Phone: (850) 413-6212
Fax: (850) 413-6250
ateitzma@psc.state.fl.us

Michael A. Gross
VP Reg. Affairs & Reg. Counsel
Florida Cable Telecomm. Assoc.
246 East 6th Avenue, Ste. 100
Tallahassee, FL 32303
Tel. No. (850) 681-1990
Fax. No. (850) 681-9676
mgross@fcta.com

#### Matthew Feil (+) Scott Kassman

FDN Communications 2301 Lucien Way Suite 200 Maitland, FL 32751

Tel. No. 407 835-0460 Fax No. 407 835-0309 mfeil@mail.fdn.com skassman@mail.fdn.com Joseph A. McGlothlin+⊗
Vicki Gordon Kaufman+
McWhirter, Reeves, McGlothlin,
Davidson, Kaufman & Arnold PA
117 South Gadsden Street
Tallahassee, FL 32301
Tel. No. (850) 222-2525
Fax. No. (850) 222-5606
jmcglothlin@mac-law.com
vkaufman@mac-law.com
Represents FCCA

Mr. Charles E. Watkins+
1230 Peachtree Street, NE
19th Floor
Atlanta, GA 30309-3574
Phone: (404) 942-3492
Fax: (404) 942-3495
Represents Covad
gwatkins@covad.com
jbell@covad.com

Nanette Edwards, Esq.+
Director – Regulatory
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802
Tel. No. (256) 382-3856
Represent ITC^DeltaCom
nedwards@itcdeltacom.com

Ms. Donna C. McNulty+⊗
MCI WorldCom Communications, Inc.
1203 Governors Square Blvd.,
Suite 201
Tallahassee, FL 32301-2960
Phone No. 850- 219-1008
Fax No. 850 219-1018
Represents MCI WorldCom
donna.mcnulty@mci.com

De O'Roark, Esq. (+)
MCI WorldCom Communications, Inc (GA)
Six Concourse Parkway
Suite 3200
Atlanta, GA 30328
Represents MCI WorldCom
de.oroark@mci.com

Floyd Self, Esq.+
Norman H. Horton, Esq.~
Messer Caparello & Self
215 South Monroe Street, Suite 701
Tallahassee, FL 32301
Tel. No. (850) 222-0720
Fax. No. (850) 224-4359
Represents ITC^DeltaCom
Represents MCI
Represents KMC
Represents Xspedius~
fself@lawfla.com
nhorton@lawfla.com

Tracy Hatch, Esq. \*\*
AT&T
101 North Monroe Street
Suite 700
Tallahassee, FL 32301
Tel. No. (850) 425-6364
thatch@att.com

Lisa A. Sapper+⊗
AT&T
1200 Peachtree Street, N.E.
Suite 8100
Atlanta, GA 30309
Tel. No. (404) 810-7812
lisariley@att.com

Marva Brown Johnson, Esq. KMC Telecom III, LLC 1755 North Brown Road Lawrenceville, GA 30043-8119 Tel. No. (678) 985-6261 Fax No.: (678) 985-6213 Represents KMC marva.johnson@kmctelecom.com

Richard A. Chapkis (+)
Kimberly Caswell
Verizon Florida, Inc.
One Tampa City Center
201 North Franklin Street (33602)
Post Office Box 110, FLTC0007
Tampa, Florida 33601-0110
Tel. No. (813) 483-2606
Fax. No. (813) 204-8870
Represents Verizon
Richard.chapkis@verizon.com

Susan S. Masterton, Esq. +
Sprint-Florida, Inc.
Sprint Communications Co. L.P.
1313 Blair Stone Road
P.O. Box 2214
Tallahassee, FL 32316-2214
Tel. No. (850) 599-1560
Fax. No. (850) 878-0777
susan.masterton@mail.sprint.com

Jean Houck
Business Telecom, Inc.
4300 Six Forks Road
Raleigh, NC 27609
Tel. No. (919) 863-7325
jean.houck@btitelecom.net

Jake E. Jennings +
NewSouth Communications Corp
Two North Main Center
Greenville, SC 29601-2719
Tel. No.: 864 672-5877
Fax No.: 864 672-5313
jejennings@newsouth.com

Jon Moyle, Jr.
Moyle Law Firm (Tall)
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301
Phone: (850) 681-3828

Fax: 681-8788

Represents NuVox Communications Inc.

Email: jmoylejr@/moylelaw.com

## Allegiance E-mail Only charles.gerkin@algx.com

Terry Larkin
Allegiance Telecom, Inc.
700 East Butterfield Road
Lombard, IL 60148
Phone: (630) 522-6453
terry.larkin@algx.com

Jorge Cruz-Bustillo +
Assistant General Counsel
Supra Telecommunications
2620 S.W. 27<sup>th</sup> Avenue
Miami, Florida 33133
Tel. No. (305) 476-4252
Fax. No. (305) 443-1078
jorge.cruz-busitillo@stis.com

Jonathan Audu \*\*
Manager, Regulatory Affairs
Supra Telecommunications
1311 Executive Center Drive
Suite 220
Tallahassee, Ft. 32301-5027
Tel. No. (850) 402-0510
Fax. No. (850) 402-0522
Email: ionathan.audu@stis.com

## AT&T by E-Mail only: soniadaniels@att.com

Bo Russell
Nuvox Communications Inc.
301 North Main Street
Greenville, SC 29601-2171
Phone: (864) 331-7323
Email: brussell@nuvox.com

J. Jeffry Wahlen
Ausley & McMullen
227 South Calhoun Street
Tallahassee, FL 32301
Tel. No. (850) 425-5471
Fax. No. (850) 222-7560
iwahlen@ausley.com

(+) 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. 030852-TP
Triennial UNE review: Location Specific-Review	)	
For DS1, DS3, and Dark Fiber Loops and	)	Filed: February 25, 2004
Route-Specific Review for DS1, DS3, and Dark	)	
Fiber Transport	)	
-	_)	

## 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 4, 2004, BellSouth filed the Surrebuttal Testimony of Shelley W. Padgett with Revised Exhibits SWP-1 through SWP-15. The Surrebuttal Testimony of Shelley W. Padgett and the Revised Exhibits SWP-3 and SWP-8 contain information that is proprietary to BellSouth and that contains customer specific proprietary information.
- 2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in the Surrebuttal Testimony of Shelley W. Padgett and the Revised Exhibits SWP-3 and SWP-8 contain confidential business information and customer specific information that is proprietary to BellSouth. 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. The information discussed in Request for Specified Confidential Classification is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as confidential business information and 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 documents 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 25<sup>th</sup> day of February, 2004

BELLSOUTH TELECOMMUNICATIONS, INC.

Mancy B White (RH)
NANCY B. WHITE

JAMES MEZA III

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, FL 32301

(305) 347-5558

R. DOUGLAS LACKEY

MEREDITH E. MAYS

**Suite 4300** 

675 W. Peachtree St., NE

Atlanta, GA 30375

(404) 335-0750

#### **ATTACHMENT A**

BellSouth Telecommunications, Inc. FPSC Docket No. 030852-TP Request for Confidential Classification Page 1 of 1 2/25/04

# REQUEST FOR CONFIDENTIAL CLASSIFICATION OF THE SURREBUTTAL TESTIMONY AND REVISED EXHIBITS SWP-3 AND SWP-8 OF SHELLEY W. PADGETT FILED FEBRUARY 4, 2004, IN FLORIDA DOCKET NO. 030852-TP

#### **Explanation of Proprietary Information**

1. This information contains business information related to competitive interests of BellSouth that is proprietary to BellSouth. Disclosure of this data would impair the competitive business and cause harm to BellSouth. Specifically, this information contains customer specific information. 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.

Location	Reason
Surrebuttal Testimony of Shelley W. Padgett	
Pg 12, lines 17,18 Pg 18, lines 19-22	1 1
Exhibit SWP-3	
Carrier and Capacities Column Entitled "Carrier," all rows, all pages	1
Customer Location Column Entitled "Address," all rows, all pages	1
Exhibit SWP-8	
Carrier and Capacities Column Entitled "Carrier", all rows, all pages	1