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March 19, 2004

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

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COMMISSION
CLERK

Re: Docket No. 030851-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of MCI WorldCom Communications, Inc. are an original and fifteen copies of MCI WorldCom Communications, Inc.'s Request for Confidential Classification for portions of the rebuttal testimony of James D. Webber filed in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,



Floyd R. Self

FRS/amb
Enclosures
cc: Parties of Record

- AUS _____
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This confidentiality request was filed by or for a "telco" for DN 00270-04. 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.

(for 00270-04)
DOCUMENT NUMBER-DATE
03748 MAR 19 04

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: March 19, 2004
_____)

MCI's REQUEST FOR CONFIDENTIAL CLASSIFICATION

MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc. (hereinafter "MCI"), pursuant to section 364.183, Florida Statutes, and Rule 25-2.006, Florida Administrative Code, requests confidential classification of certain testimony previously filed in this docket pursuant to a claim for confidentiality. In support of this request MCI hereby states:

1. On January 7, 2004, MCI filed in the above-captioned proceeding its transcript of the Rebuttal Testimony of James D. Webber which included confidential information that is considered proprietary. When MCI filed the transcript of Webber's rebuttal testimony, it filed the appropriate corresponding Claim for Confidential Treatment, in accordance with Rule 25-22.006(5) and section 364.183(1), Florida Statutes.

2. MCI hereby files this Request for Confidential Classification, in accordance with Rule 25-22.006(4), Florida Administrative Code, for the below listed confidential and proprietary portions of Webber's rebuttal testimony. The public and redacted copies required by Rule 25-22.006(4) are not being filed at this time as they were filed with the claim filed on January 7, 2004.

3. The testimony for which confidential classification is requested reveals confidential and proprietary business information. Specifically, the testimony includes:

(a) Page 2, line 7 of Webber's rebuttal testimony reveals the percentage of MCI's UNE-P based end user lines provisioned within the wire centers for which BellSouth claims CLEC's are not impaired without access to unbundled switching.

(b) Page 3, line 19 of Webber's rebuttal testimony reveals the approximate number and percentage of MCI's UNE-P based end user lines provisioned within the wire centers for which BellSouth claims CLEC's are not impaired without access to unbundled switching;

(c) Page 4, lines 20 and 21 of Webber's rebuttal testimony reveal wire centers where MCI provides UNE-P based services where BellSouth claims CLECs are not impaired and the number of wire centers in which MCI is currently collocated and wire centers from which MCI can not access its customers without additional facilities and an efficient batch hot cut process;

(d) Page 5, lines 5 and 11 of Webber's rebuttal testimony reveal wire centers from which MCI cannot access its customers without additional facilities and an efficient batch hot cut process;

(e) Page 9, lines 9 and 10 of Webber's rebuttal testimony reveal the percentage that IDLC comprises of the UNE-P lines in BellSouth's top 20 wire centers;

(f) Page 11, lines 12, 13, 14, and 15 of Webber's rebuttal testimony reveal the number of lines BellSouth expects to be providing using UNE-P by the end of 2004, the percentage currently provided over IDLC loops, the number of IDLC loops it could potentially be requested to unbundle, and the number of spare copper loops BellSouth will need to meet a CLEC's needs;

(g) Confidential Exhibits to Webber's rebuttal testimony JDW-11 which include confidential MCI collocation information.

4. MCI considers the above testimony and documents to be trade secrets and information relating to competitive interests which, if disclosed, would be of benefit to competitors and cause harm to MCI and its customers. Such information provides MCI an economic benefit, and is not known or readily ascertainable to other persons. Such information is economically valuable to MCI and its competitors, and MCI treats such information as confidential and maintains many processes and procedures to maintain its secrecy.

5. The information contained in the confidential testimony contains market deployment data and other specific network information utilized by MCI to conduct its business. MCI has invested enormous amounts of time and money structuring and deploying its marketing strategies which will be wasted if this information is released to the public.

6. A trade secret is defined in section 688.002(4), Florida Statutes, the Uniform Secrets Act, to mean:

[I]nformation, including a formula, pattern, compilation, program, devise, method, technique, or process that:

(a) Derives independent economic value, actual or potential, from not being generally known to, and not be readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

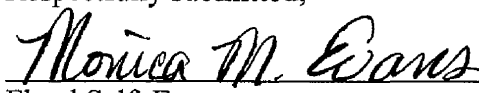
The testimony and documents at issue fits plainly in this definition as set forth above.

Additionally,

disclosure of this information will impair the competitive business of MCI. Therefore, the Commission should grant the request for confidential classification and find the above listed testimony and documents to be confidential and exempt from section 119.071(1), pursuant to section 364.183(3)(a) and (e).

WHEREFORE, based on the foregoing, MCI respectfully requests that, pursuant to Section 364.183, Florida Statutes, the Commission enter an Order declaring the testimony and documents described above to be confidential, proprietary business information that are not subject to public disclosure.

Respectfully submitted,

for 
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Hand Delivery (*) and/or U.S. Mail on this 19th day of March, 2004.

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