

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

AT&T'S REQUEST FOR CONFIDENTIAL TREATMENT

AT&T Communications of the Southern States, LLC ("AT&T"), pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, requests confidential treatment of certain data previously filed in these dockets pursuant to a claim for confidentiality. In support of this request, AT&T hereby states:

1. Pursuant to the procedure established by this Commission in this docket, AT&T prefiled Direct, Rebuttal and Surrebuttal Testimony of Mark Van de Water and Jay Bradbury on December 2, 2003, January 7, 2004, and January 28, 2004, respectively, for presentation at the hearing which began on February 24, 2004, and which ended on February 27, 2004. The prefiled Direct, Rebuttal and Surrebuttal testimony of Mr. Van de Water and the prefiled Rebuttal testimony of Jay Bradbury included information considered to be and treated as proprietary and confidential, and on December, 4, 2003, January 7, 2004 and January 28, 2004, AT&T filed the appropriate corresponding claims for confidentiality as to those portions of Messrs. Van de Water and Bradbury's testimony pursuant to Section 364.183(1), Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. During the scheduled hearings, Mark Van de Water and Jay Bradbury did appear and sponsor prefiled testimony and respond to cross-examination. The testimony

that was admitted contains the information subject to the December 3, 2003, January 7, 2004, and January 28, 2004 claims of confidentiality. Pursuant to Rule 25-22.006(8)(b), Florida Administrative Code, AT&T requests that the Commission grant confidential treatment to the information contained in the testimony of Mark Van de Water and Jay Bradbury and specifically that information identified as confidential and which appears as follows:

Mark Van De Water – Direct Testimony

Location	Description
Page 7, line 20	Number appearing on line 20 provides the total number of AT&T Hot Cut Orders in BellSouth's nine-state region taken from BellSouth PMAP (data is AT&T Confidential)
Page 7, line 20 –Page 8, line 1	Table at top of page was taken from BellSouth PMAP (data is AT&T Confidential)
Page 8, lines 3-4	Numbers appearing on lines 3-4 were taken from BellSouth PMAP (data is AT&T Confidential)

Mark Van De Water – Rebuttal Testimony

Location	Description
Page 20, lines 8 and 10	<p>Numbers appearing on lines 8 and 10 were calculated from BellSouth's Confidential Response to AT&T Request for Production No. 42.</p> <p>Please reference Commission Order PSC-04-0193-CFO-TP approving BellSouth's Request for Confidential Treatment dated February 23, 2004.</p>
Page 25, line 6	<p>Number appearing on line 6 was taken from BellSouth's Confidential Response to AT&T Request for Production No. 42.</p> <p>Please reference Commission Order PSC-04-0193-CFO-TP approving BellSouth's Request for Confidential Treatment dated February 23, 2004.</p>

Page 26, line 19	<p>Number appearing on line 19 was taken from Verizon Direct Testimony of William Taylor (Conf. Exhibits WET-III – WET-VII).</p> <p>Please reference Commission Order PSC-04-1092-CFO-TP approving Verizon's Request for Confidential treatment dated February 23, 2004</p>
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Mark Van De Water – Surrebuttal Testimony

Location	Description
Page 9, lines 2-7	<p>Information taken from BellSouth's Response to AT&T Request for Production No. 7.</p> <p>Please reference Commission Order PSC-04-0193-CFO-TP approving BellSouth's Request for Confidential Treatment dated February 23, 2004.</p>
Page 16, lines 24 & 26	<p>Numbers appearing on lines 24 and 26 are BellSouth confidential information taken from BellSouth's Response to AT&T Request for Production No. 44.</p> <p>Please reference Commission Order PSC-04-0193-CFO-TP approving BellSouth's Request for Confidential Treatment dated February 23, 2004.</p>

Jay Bradbury – Rebuttal Testimony

Location	Description
Page 4, line 4	Number appearing on line 4 lists number of AT&T collocation sites in Florida
Page 4, line 23 through Page 5, line 12	This information was taken from AT&T Confidential Response to BellSouth Interrogatory 14
Page 7, line 10	Table, columns 3-5 lists number of VGE's, of VGE lines the number of DS0 lines, AT&T and ILEC records
Page 9, line 19	Number appearing on line 19 lists AT&T's small business UNE-L embedded base
Page 11, line 3	Table, columns 3-5 lists changes in small business UNE-L base by CLI code and dates
Page 12, line 19	Number appearing on line 19 lists AT&T's

Location	Description
	small business UNE-L embedded base
Page 16, line 1	Number appearing on line 1 provides total number of AT&T Enterprise lines
Page 19, line 1	Number appearing on line 1 provides total number of mass market switching collocation arrangements
Page 25, line 13	Number appearing on line 13 lists total number of AT&T wirecenters using UNE-L

The confidential 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 December 4, 2003, January 7, 2004, and January 28, 2004, respectively.

3. All of the information, other than the information obtained from BellSouth and Verizon, for which confidential treatment is now being requested is considered to be trade secret and proprietary, confidential business information which, if disclosed, would be of benefit to competitors and cause harm to the company and its customers. Such information provides AT&T an economic benefit, and is not known to or readily ascertainable by other persons or parties. Such information is economically valuable to AT&T and its competitors, and AT&T treats such information as confidential and the company utilizes many processes and procedures to maintain its secrecy. Additionally, as noted in the list of confidential references above, certain information used by Mr. Van de Water in his testimony is proprietary information taken from testimony and or discovery responses of BellSouth and Verizon and are subject to their respective requests for confidentiality for the specific information (Order Nos. approving requests listed above).

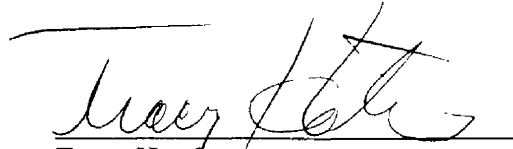
4. A trade secret is defined in Section 688.002(4), Florida Statutes, the Uniform Trade Secrets Act, to mean:

. . . Informaiton, including a formula, patter, compilation, program, devise, method, technique, or process that:

- (a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and
- (b) Is the subject to efforts that are reasonable under the circumstances to maintain its secrecy.

The information at issue fits plainly in this definition as set forth above. Accordingly, the Commission should grant the request for confidential treatment and find the information on identified above to be confidential and exempt from Section 119.071(1), Florida Statutes, pursuant to Section 364.183(3)(a).

RESPECTFULLY SUBMITTED the 19th day of March 2004.



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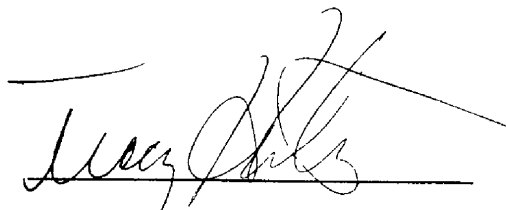
**CERTIFICATE OF SERVICE
DOCKET NO. 030851-TP**

I HEREBY CERTIFY that a copy of the foregoing has been furnished via electronic mail and U.S. Mail or as indicated this 19th day of March 2004, to the following parties of record:

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