

ORIGINAL

LAW OFFICES
Messer, Caparello & Self
A Professional Association

Post Office Box 1876
Tallahassee, Florida 32302-1876
Internet: www.lawfla.com

March 24, 2004

RECEIVED-TPSC
CL MAR 24 PM 4: 18
COMMISSION
CLERK

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

Re: Docket No. 030852-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of MCI metro Access Transmission Services, LLC and MCI WorldCom Communications, Inc. (hereinafter "MCI") are an original and fifteen copies of MCI's Request for Confidential Classification for information provided in its Supplemental Responses and Objections to BellSouth Telecommunications, Inc.'s Second Set of Interrogatories (21-22) and First Request for Production of Documents (2) 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

This confidentiality request was filed by or for a "telco" for DN 02721-04. 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.

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL 1 _____
OPC _____
MMS _____
SEC 1 _____
OTH 1 _____
1 copy records

RECEIVED & FILED
dh
FPSC-BUREAU OF RECORDS

(for 02721-04)
DOCUMENT NUMBER-DATE
03916 MAR 24 04

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Implementation of Requirements)
Arising From Federal Communications)
Commission Triennial UNE Review:)
Location Specific Review For DS1, DS3,) Docket No.: 030852-TP
and Dark Fiber Loops And Route-Specific) Filed: March 24, 2004
Review for DS1, DS3, And Dark Fiber)
Transport)
_____)

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 data previously filed in this docket pursuant to a claim for confidentiality. In support of this request MCI hereby states:

1. On February 24, 2004, MCI filed in the above-captioned proceeding its Supplemental Responses and Objections to BellSouth Telecommunications, Inc.'s Second Set of Interrogatories (21-22) and First Request for Production of Documents (2). MCI's Responses to Interrogatories 21 and 22 and Response to Request for Production 2 contained confidential information that is considered proprietary. When MCI filed its Response, 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 its Responses to Interrogatories 21 and 22 and Response to Request for Production 2. 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 February 24, 2004.

DOCUMENT NUMBER-DATE

03916 MAR 24 8

FPSC-COMMISSION CLERK

3. The information for which confidential classification is requested reveals confidential and proprietary business information. Specifically, the above responses include confidential information regarding MCI's transport and loop facilities.

4. MCI considers the above information 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 responses 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

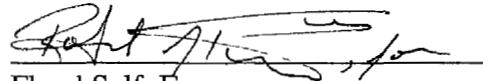
(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The information 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 information contained in MCI's Responses to Interrogatories 21 and 22 and Response to Request for Production 2 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 information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted,



Floyd Self, Esq.
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
Tallahassee, FL 32302
(850) 222-0720

and

De O'Roark Esq.
MCI
6 concourse Parkway
Suite 3200
Atlanta, GA 30328

and

Donna McNutty, Esq.
MCI
1203 Governors Square Blvd.
Suite 201 Tallahassee, FL 32301-2960

Attorneys for MCI

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 (*), electronic mail, and/or U. S. Mail this 24th day of March, 2004.

Adam Teitzman, Esq.*
Office of General Counsel, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Jason Rojas, Esq.*
Office of General Counsel, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Nancy B. White
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, FL 32301

Susan S. Masterton, Esq.
Sprint-Florida, Incorporated
Sprint Communications Company Limited
Partnership
P.O. Box 2214
Tallahassee, FL 32316-2214

Richard A. Chapkis, Esq.
Verizon Florida Inc.
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110

Nanette Edwards
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802

Mr. James White
ALLTEL
601 Riverside Avenue
Jacksonville FL 32204-2987

Ms. Laurie A. Maffett
Frontier Telephone Group
180 South Clinton Avenue
Rochester NY 14646-0700

Mr. R. Mark Ellmer
GT Com
P. O. Box 220
Port St. Joe FL 32457-0220

Mr. Robert M. Post, Jr.
ITS Telecommunications Systems, Inc.
P. O. Box 277
Indiantown FL 34956-0277

Ms. Harriet Eudy
NEFCOM
11791 110th Street
Live Oak FL 32060-6703

Ms. Lynn B. Hall
Smart City Telecom
P. O. Box 22555
Lake Buena Vista FL 32830-2555

Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel
Florida Cable Telecommunications Assoc., Inc.
246 E. 6th Avenue
Tallahassee, FL 32301

Tracy W. Hatch, Esq.
AT&T Communications of the Southern States, LLC
101 N. Monroe Street, Suite 701
Tallahassee, FL 32301

Lisa Sapper
AT&T
1200 Peachtree Street, NE, Suite 8100
Atlanta, GA 30309

Donna McNulty, Esq.
MCI WorldCom Communications, Inc.
1203 Governors Square Blvd, Suite 201
Tallahassee, FL 32301-2960

De O'Roark, Esq.
MCI WorldCom Communications, Inc.
6 Concourse Parkway, Suite 600
Atlanta, GA 30328

Vicki Kaufman, Esq.
Joe McGlothlin, Esq.
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 S. Gadsden Street
Tallahassee, FL. 32301

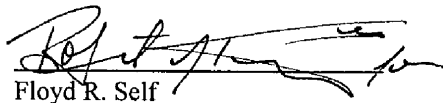
Marva Brown Johnson, Esq.
KMC Telecom III, LLC
1755 North Brown Road
Lawrenceville, GA 30034-8119

James C. Falvey, Esq.
Senior Vice President, Regulatory Affairs
Xspedius Communications, LLC
7125 Columbia Gateway Drive, Suite 200
Columbia, MD 21046

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
P.O. Box 1876
Tallahassee, FL 32302-1876

J. Jeffry Wahlen
Ausley & McMullen
P.O. Box 391
Tallahassee, Florida 32302

Mr. Jake E. Jennings
NewSouth Communications Corp.
Two N. Main Center
Greenville, SC 29601


Floyd R. Self

Jon C. Moyle, Jr., Esq.
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
118 North Gadsden Street
Tallahassee, FL 32301

Charles E. Watkins
Covad Communications Company
1230 Peachtree Street, NE, 19th Floor
Atlanta, GA 30309

Matt Feil
Scott A. Kassman
FDN Communications
2301 Lucien Way, Suite 200
Orlando, FL 32751

Jorge Cruz-Bustillo, Esq.
Supra Telecommunications and
Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, Florida 33133

Mr. Jonathan Audu
Supra Telecommunications and
Information Systems, Inc.
1311 Executive Center Drive, Suite 220
Tallahassee, FL 32301

Mr. Bo Russell
Vice President
Regulatory and Legal Affairs
Nuvox Communications, Inc.
301 North Main Street
Greenville, SC 29601

Thomas M. Koutsky
Vice president, Law and Public Policy
Z-Tel Communications, Inc.
1200 19th Street, N.W., Suite 500
Washington, DC 20036

Charles Beck
Office of the Public Counsel
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Michael B. Twomey
P.O. Box 5256
Tallahassee, FL 32314-5256