

ORIGINAL

MCWHIRTER REEVES
ATTORNEYS AT LAW

TAMPA OFFICE:
400 NORTH TAMPA STREET, SUITE 2450
TAMPA, FLORIDA 33602
P. O. BOX 3350 TAMPA, FL 33601-3350
(813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICE:
117 SOUTH GADSDEN
TALLAHASSEE, FLORIDA 32301
(850) 222-2525
(850) 222-5606 FAX

March 24, 2004

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

REC'D DIVISION OF RECORDS
MAR 24 PM 4:26
COMMISSION CLERK

Re: Docket No.: 030852-TP

Dear Ms. Bayo:

On behalf of Network Telephone Corporation (Network Telephone), enclosed for filing and distribution is the original and 15 copies of the following:

- ▶ Network Telephone Corporation's Request for Specified Confidential Classification and Motion for Protective Order Regarding Hearing Exhibit No. 22

Please acknowledge receipt of the above on the extra copy return the stamped copy to me. Thank you for your assistance.

RECEIVED & FILED
Oh
FPSC-BUREAU OF RECORDS

Sincerely,

Joe McGlothlin

Joseph A. McGlothlin

AUS _____
CAF _____
CMP _____
COM _____ Enclosures
CTR _____
ECR _____
GCL 1 _____
OPC _____
NIMS _____
SEC 1 _____
OTHI comp records

This confidentiality request was filed by or for a "telco" for DNO 03930-04. 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.
(See 11699-03 + 13647-03)

MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, KAUFMAN & ARNOLD, P.A.

DOCUMENT NUMBER-DATE

03929 MAR 24 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising
From Federal Communications Commission's
Triennial UNE review; Location-Specific
Review for DS1, DS3 and Dark Fiber Loops,
And Route-Specific Review for DS1, DS3 and
Dark Fiber Transport.

Docket No. 030852-TP

Filed: March 24, 2004

**NETWORK TELEPHONE CORPORATION'S REQUEST FOR SPECIFIED
CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER
REGARDING HEARING EXHIBIT NO. 22**

Pursuant to Section 364.183(1), Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Network Telephone Corporation ("Network Telephone"), files this Request for Specified Confidential Classification and Motion for Protective Order Regarding Hearing Exhibit No. 22.

1. On March 3, 2004, the Commission held its hearing in this docket. During the hearing, confidential information of Network Telephone's was moved into the record as part of Exhibit No. 22.

2. The pertinent portions of Exhibit No. 22 relate to Network Telephone's Confidential Answers to BellSouth's Second Set of Interrogatories (Nos. 15, 20 and 21) and Network Telephone's Confidential Response to Staff's First Set of Interrogatories (Nos. 1(a) and 5).

3. Response to BellSouth Interrogatory No. 15 contains information regarding the BellSouth wire centers where Network Telephone has collocated. Response to Interrogatory No. 20 contains a diagram of the points in Florida where Network Telephone connects its local facilities with BellSouth's network. Response to Interrogatory No. 21 contains a diagram of the

configuration of Network Telephone's transport and/or loop facilities in Florida. Network Telephone considers this information to be confidential proprietary business information. This information has not been made public. Disclosure of this information could severely harm Network Telephone's competitive interests in the marketplace. A more specific description of this information is contained in Attachment A.

4. Response to Staff's Interrogatory No. 1(a) contains a diagram of the points within Florida at which Network Telephone connects its local network facilities to the networks of carriers other than the ILEC. Response to Interrogatory No. 5 contains information regarding the ILEC facilities in Florida where Network Telephone is collocated. Network Telephone considers this information to be confidential proprietary business information. This information has not been made public. Disclosure of this information could severely harm Network Telephone's competitive interests in the marketplace. A more specific description of this information is contained in Attachment A.

5. Section 364.183, Florida Statutes, provides an exemption from the disclosure requirements of section 119.07, Florida Statutes, when disclosure of confidential business information would "impair the competitive business of the provider of the information." Disclosure of the Network Telephone confidential information would harm its business operations by placing details of its operations and capabilities in the public domain. Accordingly, the information should be exempt from the public disclosure requirements of section 119.07, Florida Statutes.


5. Network Telephone treats the information for which confidential classification is sought as private and confidential.

6. Appended hereto as Attachment B are two copies of the documents with the

confidential information redacted.

7. Appended hereto as Attachment C is a sealed envelope containing one copy of the documents including the material which is confidential and proprietary.

WHEREFORE, based on the foregoing, Network Telephone moves the Commission to enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.


Joseph A. McGlothlin
McWhirter, Reeves, McGlothlin, Davidson,
Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
(850) 222-2525
(850) 222-5606 (fax)
jmcglothlin@mac-law.com

Attorneys for Network Telephone Corporation

ATTACHMENT A

NETWORK TELEPHONE CORPORATION'S REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER REGARDING HEARING EXHIBIT NO. 22

DOCKET NO. 030852-TP

Explanation of Proprietary Information

1. The document contains **CONFIDENTIAL** Network Telephone information regarding the BellSouth wire centers where Network Telephone has collocated, including the type of collocation, types of equipment collocated, number of DS0 equivalent channels, space occupied, space reserved, number of crossconnects, and number of fiber entrance facilities. This information is related to Network Telephone's ongoing business affairs and can be used by Network Telephone's competitors to harm its competitive interests. Section 364.183, Florida Statutes, allows for an exemption from the disclosure requirements of section 119.07, Florida Statutes, when disclosure would "impair the competitive business of the provider of the information." Therefore, the information should be shielded from disclosure pursuant to section 119.07, Florida Statutes and section 24(a), Art. 1 of the State Constitution.

2. The document is a **CONFIDENTIAL** diagram of the points in Florida where Network Telephone connects its local facilities to BellSouth's network. This information is related to Network Telephone's ongoing business affairs and can be used by Network Telephone's competitors to harm its competitive interests. Section 364.183, Florida Statutes, allows for an exemption from the disclosure requirements of section 119.07, Florida Statutes, when disclosure would "impair the competitive business of the provider of the information." Therefore, the information should be shielded from disclosure pursuant to section 119.07, Florida Statutes and section 24(a), Art. 1 of the State Constitution.

3. The document is a **CONFIDENTIAL** diagram of the configuration of Network Telephone's transport and/or loop facilities in Florida. This information is related to Network Telephone's ongoing business affairs and can be used by Network Telephone's competitors to harm its competitive interests. Section 364.183, Florida Statutes, allows for an exemption from the disclosure requirements of section 119.07, Florida Statutes, when disclosure would "impair the competitive business of the provider of the information." Therefore, the information should be shielded from disclosure pursuant to section 119.07, Florida Statutes and section 24(a), Art. 1 of the State Constitution.

4. The document is a **CONFIDENTIAL** diagram of the points within Florida at which Network Telephone connects its local network facilities to the networks of carriers other than the incumbent LEC. This information is related to Network Telephone's ongoing business affairs and can be used by Network Telephone's competitors to harm its competitive interests. Section 364.183, Florida Statutes, allows for an exemption from the disclosure requirements of section 119.07, Florida Statutes, when disclosure would "impair the competitive business of the provider of the information." Therefore, the information should be shielded from disclosure

pursuant to section 119.07, Florida Statutes and section 24(a), Art. 1 of the State Constitution.

5. The document contains **CONFIDENTIAL** Network Telephone information regarding the locations where Network Telephone has collocated in Florida, including the wire centers, ILEC name, ILEC central office address, space occupied, space reserved, the space acceptance date, and the date Network Telephone first used the space to provide local service. This information is related to Network Telephone's ongoing business affairs and can be used by Network Telephone's competitors to harm its competitive interests. Section 364.183, Florida Statutes, allows for an exemption from the disclosure requirements of section 119.07, Florida Statutes, when disclosure would "impair the competitive business of the provider of the information." Therefore, the information should be shielded from disclosure pursuant to section 119.07, Florida Statutes and section 24(a), Art. 1 of the State Constitution.

Confidential Answer to BellSouth's Second Set of Interrogatories No. 15

<u>Page Number</u>	<u>Columns</u>	<u>Reason</u>
1	1-7	1
2	8-13	1
3	14-17	1

Confidential Answer to BellSouth's Second Set of Interrogatories No. 20

<u>Page Number</u>	<u>Columns</u>	<u>Reason</u>
1	Entire Diagram	2

Confidential Answer to BellSouth's Second Set of Interrogatories No. 21

<u>Page Number</u>	<u>Columns</u>	<u>Reason</u>
1	Entire Diagram	3

Confidential Response to Staff's First Set of Interrogatories No. 1(a)

<u>Page Number</u>	<u>Columns</u>	<u>Reason</u>
1	Entire Diagram	4

Confidential Response to Staff's First Set of Interrogatories No. 5

<u>Page Number</u>	<u>Columns</u>	<u>Reason</u>
1	1-8	5

ATTACHMENT B

1

2

3

4

5

6

7

Wire Center	Collocation		Collocation	Types of Equipment	Remote switch DSO equivalent channels	Access concentrator DSO Equivalent Channels	Occupied space (Sq Ft)	
CLLI	NTC	AGTL	CLLI	Type	Types of Equipment	Remote switch DSO equivalent channels	Access concentrator DSO Equivalent Channels	Occupied space (Sq Ft)

Docket No. 030852 - TP
 Answers of Network Telephone's
 Corporation to BellSouth's 2nd
 Interrogatories, Item 15
 PROPRIETARY AND CONFIDENTIAL

CONFIDENTIAL

8

9

10

11

12

13

Space reserved for future growth (Sq Ft)	Active DS1 Crossconnects	Inactive DS1 Crossconnects	Active DS3 Crossconnects	Inactive DS3 Crossconnects	2-Fiber Crossconnects

CONFIDENTIAL

14

15

16

17

4-Fiber Crossconnects	Owned Fiber Entrance Facilities	Non-BellSouth Fiber Entrance Facilities	Shared Fiber Entrance Facilities
--------------------------	---------------------------------------	---	--

CONFIDENTIAL


~~NETWORK TELEPHONE CORPORATION~~

~~Proprietary and Confidential~~

TRUNKING LAYOUT

Docket No. 030852-TP
Network Telephone Corporation's Answers to
BellSouth's Second Interrogatories, Item 20

PROPRIETARY AND CONFIDENTIAL

CONFIDENTIAL

~~NETWORK TELEPHONE CORPORATION~~
~~CONFIDENTIAL~~
Confidentiality has expired.

Docket No. 030852 -TP
Network Telephone Corporation's Answers to BellSouth's Second
Interrogatory, Item 21
PROPRIETARY AND CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL
Docket 030852-TP
Network Telephone's Response
to Staff's Interrogatory No. 1(a)



~~CONFIDENTIAL~~
NETWORK TELEPHONE

Communication has evolved.

CONFIDENTIAL

Docket No. 030852-TP
Network Telephone Corporation's Response
to Staff's Interrogatory No. 5
CONFIDENTIAL

1

2

3

4

5

6

7

8

Name	Title	Office Name	Address	Occupied	Future	Date	Service
Last, First, Middle Initial	Last, First, Middle Initial	Last, First, Middle Initial	Street, City, State, Zip	Yes/No	Yes/No	MM/DD/YY	Type

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Network Telephone Corporation's Request for Specified Confidential Classification and Motion for Protective Order Regarding Hearing Exhibit No. 22 has been provided by (*) hand delivery, (**) email and U.S. Mail this 24th day of March 2004 to the following:

(*)(**) Adam Teitzman, Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

(**) Nancy White
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

(**) Richard Chapkis
Verizon Florida, Inc.
201 North Franklin Street
MC: FLTC0717
Tampa, Florida 33602

(**) Susan Masterton
Sprint Communications Company
1313 Blairstone Road
Post Office Box 2214
MC: FLTLHO0107
Tallahassee, Florida 32301

(**) Donna Canzano McNulty
MCI WorldCom
1203 Governors Square Boulevard
Suite 201
Tallahassee, Florida 32301

(**) Norman H. Horton, Jr.
215 South Mornoe Street
Tallahassee, Florida 32302-1876

(**) Tracy Hatch
AT&T Communications of the
Southern States, LLC
101 North Monroe Street
Suite 700
Tallahassee, Florida 32301

(**) Michael Gross
Florida Cable Telecommunications
246 East 6th Avenue
Tallahassee, Florida 32302

(**) Matthew Feil
Florida Digital Network, Inc.
390 North Orange Avenue, Suite 2000
Orlando, Florida 32801

(**) Jeffrey J. Binder
Allegiance Telecom, Inc.
1919 M Street, NW
Washington, DC 20037

(**) Floyd R. Self
Messer, Caparello & Self
215 South Monroe Street, Suite 701
Tallahassee, FL 32301

(**) Nanette Edwards
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, Alabama 35802

(**) Jake E. Jennings
Senior Vice-President
Regulatory Affairs & Carrier Relations
NewSouth Communications Corp.
NewSouth Center
Two N. Main Center
Greenville, SC 29601

(**) Jon C. Moyle, Jr.
Moyle, Flanigan, Katz, Raymond
& Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

(**) Rand Currier
Geoff Cookman
Granite Telecommunications, LLC
234 Copeland Street
Quincy, MA

(**) Andrew O. Isar
Miller Isar, Inc.
2901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335

(**) Scott A. Kassman
FDN Communications
390 North Orange Avenue
Suite 2000
Orlando, FL 32801


Joseph A. McGlothlin