

ORIGINAL

Legal Department

JAMES MEZA III
Senior Regulatory Counsel

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0769

January 6, 2005

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED FPSC
05 JAN 10 PM 4:21
COMMISSION
CLERK

**Re: 041114-TP – Complaint of XO Florida, Inc. Against
BellSouth Telecommunications, Inc. for Refusal to Convert
Circuits to UNEs and for Expedited Processing**

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification for responses to XO, which we ask that you file in the captioned 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,

James Meza III /RN
James Meza III

CMP _____
COM _____
CTR _____
ECR _____ Enclosures

GCL 1 cc: All Parties of Record
Marshall M. Criser III
OPC _____ R. Douglas Lackey
MMS _____ Nancy B. White

RCA _____
SCR _____
SEC 1 _____
OTH copy _____
records

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

This confidentiality request was filed by or for a "telco" for DN 00330-05. 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 DNs 1322904 +00203-05)

DOCUMENT NUMBER-DATE

00329 JAN 10 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 041114-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and Federal Express this 10th day of January, 2005 to the following:

Jason Rojas
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6179
irojas@psc.state.fl.us

Vicki Gordon Kaufman (+)
McWhirter Reeves McGlothlin
Davidson Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, FL 32301
Tel. No. (850) 222-2525
Fax. No. (850) 222-5606
vkaufman@mac-law.com
Represents XO

Dana Shaffer (+)
XO Florida, Inc.
VP, Regulatory Counsel
105 Molloy Street, Ste. 300
Nashville, TN 37201
Tel. No. (615) 777-7700
Fax. No. (615) 850-0343
dana.shaffer@xo.com


James Meza III

(+) SIGNED PROTECTIVE AGREEMENT

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Complaint of XO Florida, Inc.)	
Against BellSouth Telecommunications,)	Docket No. 041114-TP
Inc. for Refusal to Convert Circuits to)	
UNEs and for Expedited Processing)	Filed: January 10, 2005
_____)	

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION**

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, files this Request for Specified Confidential Classification.

1. On December 15, 2004, BellSouth served its proprietary responses to XO's First Set of Interrogatories (Nos. 1-8) and First Request for Production of Documents (Nos. 1-7).
2. In order for Staff to take possession of BellSouth's responses to XO, on December 16, 2004 BellSouth filed a Notice of Intent, in particular, for BellSouth's Response to Interrogatory No. 5 and the documents provided in BellSouth's Response to XO's First Request for Production, Item Nos. 1 and 7, which contains confidential business, proprietary information. A more specific description of this information is provided in Attachment A. These items 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.
3. On January 6, 2005, BellSouth filed its Request for Confidential Classification to describe exactly what portions were proprietary. BellSouth hereby files a Replacement Request for Confidential Classification to further, and more exactly, describe what is proprietary.

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 proprietary highlighted copy of the confidential information.

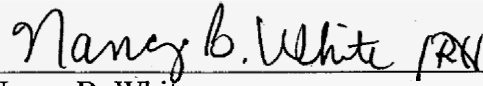
6. The information discussed in this Request for Specified Confidential Classification is valuable, BellSouth treats this business information as confidential in all requests, and this information has not been generally disclosed.

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.

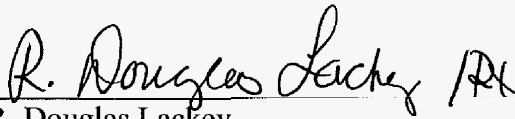
WHEREFORE, based on the foregoing, BellSouth respectfully requests that, pursuant to Section 364.183, Florida Statutes, the Commission enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 10th day of January 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

 *Nancy B. White* RN

Nancy B. White
c/o Nancy Sims
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301
(305) 347-5558

 *R. Douglas Lackey* RN

R. Douglas Lackey
James Meza III
BellSouth Center – Suite 4300
675 West Peachtree Street, N.E.
Atlanta, Georgia 30375
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ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 041114-TP
Request for Confidential Classification
Page 1 of 2
1/10/05

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE TO XO'S FIRST SET OF INTERROGATORIES, ITEM NO. 5 AND FIRST REQUEST FOR PRODUCTION, NOS. 1 AND 7, FILED DECEMBER 15, 2004, IN FLORIDA DOCKET NO. 041114-TP

Explanation of Proprietary Information

1. This information contains competitive, business information. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, such information is a trade secret which 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.
2. This information contains business information related to competitive interests of BellSouth that is proprietary to BellSouth. The documents contain actual unit cost information for discrete cost elements. Public disclosure of this information would provide BellSouth's competitors with an advantage in that they would know the price or rate below which BellSouth could not provide the service. The data is valuable to competitors and potential competitors in formulating strategic plans for entry, pricing, marketing, and overall business strategies concerning these services. This same information on competitors is not available to BellSouth. Disclosure of this data would impair the competitive business and cause harm to BellSouth. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes and is exempt from the Open Records Act.
3. This information contains competitive business information. The subject information includes internal methods and procedures and job aids. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to maintain the confidentiality of this information. Therefore, such information is a trade secret which 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.

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE
TO XO'S FIRST SET OF INTERROGATORIES, ITEM NO. 5 AND FIRST REQUEST
FOR PRODUCTION, NOs. 1 AND 7, FILED DECEMBER 15, 2004, IN FLORIDA
DOCKET NO. 041114-TP**

<u>Location</u>	<u>Reason</u>
<u>INTERROGATORY NO. 5</u>	
Lines 4 and 5 of Response	1 and 2
<u>POD NO. 1</u>	
Document GG (Bates STFF1STPOD000511- STFF1STPOD000512)	1 and 2
Lines 1-33 (Entire Page for each page)	
Document II (Bates STFF1STPOD000552- STFF1STPOD000579)	3
Lines 1-33 (Entire Page for each page)	
Document JJ (Bates STFF1STPOD000580- STFF1STPOD000589)	3
Lines 1-33 (Entire Page for each page)	
<u>POD NO. 7</u>	
Entire Document	2

ATTACHMENT B

BellSouth Telecommunications, Inc.
FPSC Docket No. 041114-TP
Request for Confidential Classification
Page 1 of 1
1/10/05

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE
TO XO'S FIRST SET OF INTERROGATORIES, ITEM NO. 5 AND FIRST REQUEST
FOR PRODUCTION, NOS. 1 AND 7, FILED DECEMBER 15, 2004, IN FLORIDA
DOCKET NO. 041114-TP**

2 COPIES OF PUBLIC DISCLOSURE DOCUMENT

REQUEST: Provide and explain in detail Bell's proposed price for a 'switch as is,' or conversion without disconnection and reconnection of the circuit, for conversion of special access zero mileage loops to UNE loops, including an explanation of each charge and the basis for each charge.

RESPONSE: BellSouth's proposed cost-based price for those CLECs that have amended their agreement to be TRO compliant for the conversion of special access circuits to UNE loops in Florida is as follows:

DS0 loops =
DS1 loops =



RESPONSE PROVIDED BY:

Jerry Latham
Sr. Product Manager – UNE Loops

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 041114-TP
XO's 1st Request for Production
November 22, 2004
Item No. 1

POD NO. 1
DOCUMENT "GG"

PROPRIETARY

000511 -

000512

Entire
pages

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 041114-TP
XO's 1st Request for Production
November 22, 2004
Item No. 1

POD NO. 1
DOCUMENT "II"

PROPRIETARY

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BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 041114-TP
XO Florida's 1st Request for Production
November 22, 2004
Item No. 7
ATTACHMENT

PROPRIETARY

Entire
Document

REQUEST: Provide and explain in detail Bell's proposed price for a 'switch as is,' or conversion without disconnection and reconnection of the circuit, for conversion of special access zero mileage loops to UNE loops, including an explanation of each charge and the basis for each charge.

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BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 041114-TP
XO's 1st Request for Production
November 22, 2004
Item No. 1

**POD NO. 1
DOCUMENT "GG"**

PROPRIETARY

000511 -
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pages

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 041114-TP
XO's 1st Request for Production
November 22, 2004
Item No. 1

POD NO. 1
DOCUMENT "II"

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BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 041114-TP
XO's 1st Request for Production
November 22, 2004
Item No. 1

**POD NO. 1
DOCUMENT "JJ"**

PROPRIETARY

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BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 041114-TP
XO Florida's 1st Request for Production
November 22, 2004
Item No. 7
ATTACHMENT

PROPRIETARY

Entire
Document

ATTACHMENT C

**BellSouth Telecommunications, Inc.
FPSC Docket No. 041114-TP
Request for Confidential Classification
Page 1 of 1
1/10/05**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE
TO XO'S FIRST SET OF INTERROGATORIES, ITEM NO. 5 AND FIRST REQUEST
FOR PRODUCTION, NOS. 1 AND 7, FILED DECEMBER 15, 2004, IN FLORIDA
DOCKET NO. 041114-TP**

PROPRIETARY COPY