

JAMES MEZA III
Senior Regulatory Counsel

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(904) 335-0769

April 4, 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

Re: **Docket No.: 040130-TP**
**Joint Petition of NewSouth Communications Corp., et al. for Arbitration
with BellSouth Telecommunications, Inc.**

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Request for Confidential Classification, 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

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

DOCUMENT NUMBER-DATE

03290 APR -4 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 040130-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and First Class U. S. Mail this 4th day of April, 2005 to the following:

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Jeremy Susac
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Commission
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James Meza III

(+) Global protective agreement in place for
all (9) states.

FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition by NewSouth)
Communications Corp., NuVox)
Communications, Inc. KMC Telecom V, Inc.,)
KMC Telecom III LLC, and Xspedius) Docket No. 040130-TP
Communications, LLC, on behalf of its)
operating subsidiaries Xspedius Management)
Co. Switched Services LLC and Xspedius)
Management Co. of Jacksonville, LLC, for) Filed: April 4, 2005
arbitration of certain issues arising in)
negotiation of interconnection agreement with)
BellSouth Telecommunications, Inc.)

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

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

1. On March 14-15, 2005, BellSouth filed its Responses to Florida Public Service Commission Staff's (hereinafter "Staff") Third Set of Interrogatories and Third Requests for Production of Documents. BellSouth's Responses to Staff's Third Set of Interrogatories, Item Nos. 83, 84, 88, and 89 and Third Request for Production of Documents, Item No. 20 contain information that is proprietary to BellSouth. In addition, on March 15, BellSouth filed a Notice of Intent to Request Specified Confidential Classification.

2. On March 21, 2005, BellSouth filed its Second Supplemental Response to Staff's Third Set of Interrogatories, Item No. 82 which contains information that is

proprietary to BellSouth. Furthermore, BellSouth filed a Notice of Intent on March 21, 2005 with respect to BellSouth's Responses to Staff's Third Set of Interrogatory, Item No. 82.

3. Pursuant to Rule 25-22.06(3)(a), BellSouth hereby files this Request for Specified Confidential Classification because the information contained in BellSouth's Responses and Second Supplemental Response to Staff Third Set of Interrogatories and Third Request for Production of Documents includes confidential business information utilized by BellSouth to conduct business. A more specific description of this information is contained in Attachment A. Public disclosure of this information would cause harm to BellSouth and the CLECs. Therefore, such information should be classified as confidential business information pursuant to Section 364.24 and Section 364.183, *Florida Statutes*. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, *Florida Statutes*.

4. Attachment A to BellSouth's Request for Confidential Classification contains an explanation of the proprietary information along with a list that identifies the location of the information designated by BellSouth as confidential.

5. Attachment B to BellSouth's Request for Confidential Classification is redacted copies of the document containing the confidential information.

6. Attachment C to BellSouth's Request for Confidential Classification is a highlighted copy of the document containing the confidential information.

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 4th day of April, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in cursive, written over a horizontal line.

NANCY B. WHITE
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

Handwritten signature of R. Douglas Jackey in cursive, written over a horizontal line.

R. DOUGLAS JACKEY
JAMES MEZA III
ROBERT CULPEPPER
Suite 4300, BellSouth Center
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0769

COUNSEL FOR BELLSOUTH
TELECOMMUNICATIONS, INC.

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 040130-TP
Request for Confidential Classification
Page 1 of 3
04/04/05**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION TO STAFF'S 3RD
INTERROGATORY, ITEM NOS. 82, 83, 84, 88, AND 89 AND THIRD REQUESTS
FOR PRODUCTION OF DOCUMENTS, ITEM NO 20,
FILED MARCH 15, 2004 AND MARCH 21, 2005
IN FLORIDA DOCKET NO. 040130-TP**

Explanation of Proprietary Information

1. This information contains competitive business information. Specifically, the information contains internal methods and procedures. 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 confidential business information related to competitive interests of the Joint Petitioners and is proprietary information maintained in BellSouth's systems. Disclosure of this data would impair the competitive business and cause harm to the Joint Petitioners. Specifically, this information relates to the Service Quality Measurement Data for the Joint Petitioners, SEEM fees paid to the Joint Petitioners, and data related to monthly bills sent to the Joint Petitioners. 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.
3. This information contains confidential business information related to competitive interests of the CLECs that is considered proprietary. Disclosure of this data would impair the competitive business and cause harm to the CLECs. Specifically, this information relates to CLECs that have filed for bankruptcy and CLECs that have terminated their relationship with BellSouth and have left an outstanding balance. 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.

ATTACHMENT A

BellSouth Telecommunications, Inc.
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NO. 040130-TP

<u>Location</u>	<u>Reason</u>
<u>Interrogatory, Item No. 82 subpart b</u>	
Subpart b, all numbers and all percentages	2

Interrogatory, Item No. 83

<u>Page</u>	<u>Columns Labeled</u>	
2nd page	KMC, Newsouth, Nuvox, Xspedius and Comments	2

Interrogatory, Item No. 84

<u>Page</u>	<u>Columns Labeled</u>	
All pages	200401, 200403, 200404, 200405, 200406, 200407, 200408, 200409, 200410, and Grand Total	2

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 040130-TP
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Location

Reason

Interrogatory, Item No. 88

Columns Labeled

Customer, Case #, Deposit Received,
and Debt after Deposit

3

Interrogatory, Item No. 89

Columns Labeled

Cust name, Acct name, Bad debt,
deposit, and BD net of deposit

3

Production of Documents, Item No. 20

Entire Document

1

ATTACHMENT B

**BellSouth Telecommunications, Inc.
FPSC Docket No. 040130-TP
Request for Confidential Classification
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TWO REDACTED COPIES FOR PUBLIC DISCLOSURE

ATTACHMENT C

BellSouth Telecommunications, Inc.
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Request for Confidential Classification
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION TO STAFF'S 3RD
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ONE HIGHLIGHTED COPY