

JAMES MEZA III
Senior Regulatory Counsel

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April 25, 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
04029 APR 25 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 25th day of April, 2005 to the following:

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Jeremy Susac
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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 25, 2005
arbitration of certain issues arising in)	
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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 it's Request for Specified Confidential Classification.

1. On April 21, 2005, BellSouth filed its Responses to Florida Public Service Commission Staff's (hereinafter "Staff") Fourth Set of Interrogatories and Fourth Requests for Production of Documents. BellSouth's Responses to Staff's Fourth Set of Interrogatories, Item No. 117 and Fourth Request for Production of Documents, Item No. 22 contain information that the CLECs may consider to be proprietary. In addition, on April 21, 2005 BellSouth filed a Notice of Intent to Request Specified Confidential Classification.

2. 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 to Staff Fourth Set of Interrogatories and Fourth Request for Production of Documents includes

information that the CLECs may consider to be confidential business information. A more specific description of this information is contained in Attachment A. Public disclosure of this information may cause harm to the CLECs. Therefore, absent further information by the CLECs, 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*.

3. 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.

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


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

6. 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*, unless articulated otherwise by the CLECs because it is their information, 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 25th day of April, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE
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COUNSEL FOR BELLSOUTH
TELECOMMUNICATIONS, INC.

ATTACHMENT A

**BellSouth Telecommunications, Inc.
FPSC Docket No. 040130-TP
Request for Confidential Classification
Page 1 of 2
04/25/05**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION TO STAFF'S FOURTH
INTERROGATORY, ITEM NO. 117 AND FOURTH REQUESTS FOR PRODUCTION
OF DOCUMENTS, ITEM NO 22, FILED APRIL 21, 2005 IN FLORIDA DOCKET NO.
040130-TP**

Explanation of Proprietary Information

1. This information arguably contains confidential business information related to competitive interests of the CLECs. The CLECs may argue that the disclosure of this data would impair the competitive business and cause harm to the CLECs.

ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 040130-TP
Request for Confidential Classification
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04/25/05

REQUEST FOR CONFIDENTIAL CLASSIFICATION TO STAFF'S FOURTH
INTERROGATORY, ITEM NO. 117 AND FOURTH REQUESTS FOR PRODUCTION
OF DOCUMENTS, ITEM NO 22, FILED APRIL 21, 2005 IN FLORIDA DOCKET NO.
040130-TP

<u>Location</u>		<u>Reason</u>
<u>Interrogatory, Item No. 117</u>		
Entire Document		1
<u>Production of Documents, Item No. 22</u>		
	<u>Column Labeled</u>	
All	Customer	1

ATTACHMENT B

**BellSouth Telecommunications, Inc.
FPSC Docket No. 040130-TP
Request for Confidential Classification
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04/25/05**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION TO STAFF'S FOURTH
INTERROGATORY, ITEM NO. 117 AND FOURTH REQUESTS FOR PRODUCTION
OF DOCUMENTS, ITEM NO 22, FILED APRIL 21, 2005 IN FLORIDA DOCKET NO.
040130-TP**

TWO REDACTED COPIES FOR PUBLIC DISCLOSURE

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040130-TP
Staff's 4th Request for Production
March 30, 2005
Item No.22

**ATTACHMENT TO REQUEST FOR PRODUCTION
ITEM NO. 22**

REDACTED

Initial Priority for Audits

As of February 11	Overall Rank	Points	PLU Issues		DS3		DS1		Misreporting Factors History		% Local of All					
Customer			Reds	Yellows	Conversions	New	Conversions	New	AL	FL	GA	KY	LA	MS	NC	
	2	4,388	1	3	0		1,455	1	0	69	100	99	0	0	92	

Less than 25% local/mo > 1000 MOUs
 Less than 25% local/mo < 1000 MOUs

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040130-TP
Staff's 4th Set of Interrogatories
March 30, 2005
Item No. 117

REDACTED COPY

ENTIRE DOCUMENT IS PROPRIETARY

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040130-TP
Staff's 4th Request for Production
March 30, 2005
Item No.22

**ATTACHMENT TO REQUEST FOR PRODUCTION
ITEM NO. 22**

REDACTED

Initial Priority for Audits

As of February 11	Customer	Overall Rank	SC	24	FL-38, GA-310

less than 25% local
less than 25% local

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040130-TP
Staff's 4th Set of Interrogatories
March 30, 2005
Item No. 117

REDACTED COPY

ENTIRE DOCUMENT IS PROPRIETARY

ATTACHMENT C

BellSouth Telecommunications, Inc.
FPSC Docket No. 040130-TP
Request for Confidential Classification
Page 1 of 1
04/25/05

**REQUEST FOR CONFIDENTIAL CLASSIFICATION TO STAFF'S FOURTH
INTERROGATORY, ITEM NO. 117 AND FOURTH REQUESTS FOR PRODUCTION
OF DOCUMENTS, ITEM NO 22, FILED APRIL 21, 2005 IN FLORIDA DOCKET NO.
040130-TP**

ONE HIGHLIGHTED COPY