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May 17, 2005

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. 040130-TP

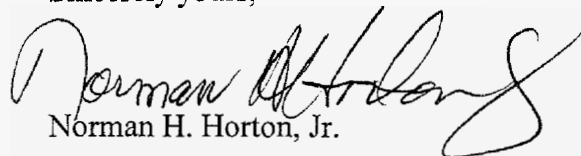
Dear Ms. Bayó:

Enclosed for filing on behalf of New South Communications, Corp., NuVox Communications, Inc., KMC Telecom, Inc. and Xspedius Communications, Inc. ("Joint Petitioners"), are an original and fifteen copies of Joint Petitioner's Request for Specified Confidential Classification 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,


Norman H. Horton, Jr.

NHH/amb
Enclosures
cc: Parties of Record

DOCUMENT NUMBER-DATE

04803 MAY 17 05

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of)	
)	
Joint Petition for Arbitration of)	
)	
NewSouth Communications Corp.,)	Docket No. 040130-TP
NuVox Communications, Inc.)	
KMC Telecom V, Inc., KMC Telecom III LLC, and)	
Xspedius Communications LLC on Behalf of its)	
Operating Subsidiaries Xspedius Management Co.)	
Switched Services, LLC and Xspedius Management Co.)	
of Jacksonville, LLC,)	Filed: May 17, 2005
)	
Of an Interconnection Agreement with)	
BellSouth Telecommunications, Inc.)	
Pursuant to Section 252(b) of the)	
Communications Act of 1934, as Amended)	
)	

REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION

COMESNOW, NewSouth Communications Corp. (“NewSouth”); NuVox Communications, Inc. (“NuVox”); KMC Telecom V, Inc. (“KMC V”) and KMC Telecom III LLC (“KMC III”) (collectively, “KMC”); and Xspedius Communications, LLC on behalf of its operating subsidiaries Xspedius Management Co. Switched Services, LLC (“Xspedius Switched”) and Xspedius Management Co. of Jacksonville, LLC (“Xspedius Management”) (collectively, “Xspedius”) (collectively, the “Joint Petitioners”) pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes and file this Request for Specified Confidential Classification.

1. On February 21, 2005 and April 25, 2005, Joint Petitioners filed copies of Joint Petitioners Responses to BellSouth’s First Request for Production of Documents in North Carolina Docket No. P-772, Sub 8; P-913, Sub 5; P-989, Sub 3; P-824, Sub 6; and P-1202, Sub 4 and Joint Petitioners Responses to BellSouth’s First Request for Production of Documents in Alabama Docket

No. 29242. Joint Petitioners also filed deposition transcripts from the North Carolina Proceeding. These documents were marked and admitted as Exhibit 5 in this proceeding.

2. Portions of the responses contain confidential business information which is considered proprietary. The confidential portions are contained in the following:

(A) Attachments to Responses to Request for Production of Documents in North Carolina filed June 29, 2004;

(1) Request No. 54, Bates Nos. NSC/NVX 000076 - 000078;

(2) Request No. 13, Bates Nos. NVX 000001 - 000025 and NSC/NVX 000003

(3) Request No. 14, Bates Nos. NVX 000027 - 000030;

(4) Request No. 16, Bates Nos. NSC/NVX 000079 - 000081 and KMC 000003 - KMC 000029;

(5) Request No. 39, Bates Nos. NVX 000031 - 000037 and NVX 000026;

(B) Supplemental Responses filed December 9, 2004;

(1) Request No. 13; Bates No. XSP 000090 - XSP 000091;

(C) Letter of January 3, 2005 with Attachment Bates No. KMC 00030-00034;

(D) Supplemental Responses to Requests 8, 19, 20 and 70 dated January 6, 2005, Bates No. NVX 000048 - 000059;

(E) Deposition of Hamilton Russell, pages 172 - 176 and 196 - 200;

(F) Attachments to Responses to Requests for Production of Documents in Alabama dated Jun 29, 2004;

(1) Request No. 14, Bates No. NSC/NVX 000003;

(2) Request No. 17, Bates No. NSC/NVX 000079 - 000081 and KMC 000003 - 000029; and

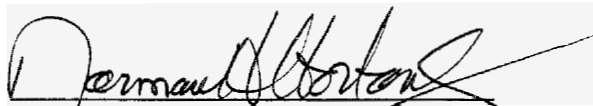
(3) Request No. 57, Bates No. NSC/NVX 000076 - 000078.

3. These responses were provided in the other jurisdictions and in this docket subject to a confidentiality agreement between the parties. Joint Petitioners have filed a claim of confidentiality with the Commission when the documents were filed.

4. Joint Petitioners request that the Commission grant the Request and determine that the documents are confidential and proprietary pursuant to Section 364.183, Florida Statutes. A more detailed description is included in Attachment "A". Each of the identified documents contain information which Joint Petitioners consider to be confidential and proprietary either because it contains customer information, contractual arrangements and agreements, service and technical arrangements or similar information which has value to the Companies and would be of value to competitors. Public disclosure of the information would provide competitors with valuable information and an advantage in competitive operation. Disclosure would cause harm to the Companies and their customers.

WHEREFORE, for the foregoing Joint Petitioners request that the Commission enter an order declaring the information to be confidential and proprietary pursuant to Section 364.183, Florida Statutes.

Respectfully submitted this 17th day of May, 2005.



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Counsel to Joint Petitioners

ATTACHMENT "A"

Description of Confidential Information

1. This document contains competitive, business information regarding operations, negotiations and agreements which is valuable to the Company and which is not intended to be disclosed. Such information is considered a trade secret pursuant to Section 364.183(3)(a), Florida Statutes, and is exempt from disclosure.
2. This document contains technical, customer specific business information related to the competitive interest of the Company and disclosure would impair the competitive business of the Companies. Pursuant to Section 364.183(3)(e), Florida Statutes, such information is exempt from the Public Records Act.
3. The document contains information concerning customer agreements, business arrangements and arrangements which relate to the competitive interest of the Company. Such information has value to the Company and disclosure would harm the Company and its customers. Such information is considered confidential pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Public Records Act.
4. The information relates to the competitive interests of the Company and has value to the Company. The documents contain marketing and service information, contractual proposals and technical arrangements which have competitive value. Disclosure would be harmful to the Company and its customers and is confidential pursuant to Section 364.183(3)(d)(e) and is exempt from the Public Records Act.

<u>Document</u>	<u>Reason</u>
2 (A) (1)	2
2 (A) (2)	1, 2, 3
2 (A) (3)	4
2 (A) (4)	3, 4
2 (A) (5)	2, 3
2 (B)	2
2 (C)	4
2 (D)	2, 3, 4
2 (E)	1
2 (F) (1)	1, 2, 3
2 (F) (2)	3, 4
2 (F) (3)	2

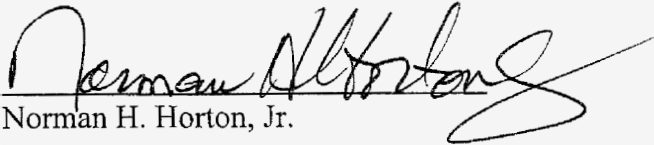
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following parties by hand delivery (*) and/or U.S. Mail this 17th day of May, 2005.

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