

JAMES MEZA III  
Senior Regulatory Counsel

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

May 23, 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

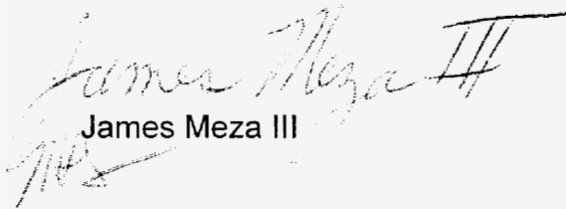
**Re: Docket No.: 040130-TP  
Joint Petition of NewSouth Communications Corp., et al. for Arbitration  
with BellSouth Telecommunications, Inc.**

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Replacement 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

05020 MAY 23 '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 23rd day of May, 2005 to the following:

Kira Scott  
Jeremy Susac  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
Tel. No. (850) 413-6216  
[jsusac@psc.state.fl.us](mailto:jsusac@psc.state.fl.us)  
[kscott@psc.state.fl.us](mailto:kscott@psc.state.fl.us)

Jake E. Jennings (+)  
Senior Vice President  
Regulatory Affairs and Carrier Relations  
Two North Main Center  
Greenville, SC 29601  
Tel. No. (864) 672-5877  
Fax. No. (864) 672-5105  
Atty. for NewSouth  
[jejennings@newsouth.com](mailto:jejennings@newsouth.com)

Marva Brown Johnson, Esq. (+)  
Senior Regulatory Policy Advisor  
1755 North Brown Road  
Lawrenceville, GA 30043  
Tel. No. (678) 985-6220  
Fax. No. (678) 985-6312  
Atty. for KMC  
[marva.johnson@kmctelecom.com](mailto:marva.johnson@kmctelecom.com)

Bo Russell, Vice President (+)  
Regulatory and Legal Affairs SE  
301 North Main Street, Suite 5000  
Greenville, SC 29601  
Tel. No. (864) 331-7323  
Fax. No. (864) 331-1236  
Atty. for NuVox

James C. Falvey (+)  
Xspedius Comm./Xspedius Mgmt Co.  
Sr. Vice President – Regulatory Dept.  
14405 Laurel Place  
Suite 200  
Laurel, Maryland 20707  
Tel. No. (301) 361-4298  
Fax. No. (301) 361-7654  
Atty. for Xspedius

John J. Heitmann (+)  
Enrico C. Soriano (+)  
Heather T. Hendrickson (+)  
Stephanie Joyce (+)  
KELLEY DRYE & WARREN LLP  
1200 Nineteenth Street, N.W.  
Suite 500  
Washington, D.C. 20036  
Tel. No. (205) 955-9600  
Fax. No. (205) 955-9792  
[jheitmann@kelleydrye.com](mailto:jheitmann@kelleydrye.com)  
[esoriano@kelleydrye.com](mailto:esoriano@kelleydrye.com)  
[hhendrickson@kelleydrye.com](mailto:hhendrickson@kelleydrye.com)  
[sjoyce@kelleydrye.com](mailto:sjoyce@kelleydrye.com)

Norman H. Horton, Esq. (+)  
MESSER CAPARELLO & SELF  
215 South Monroe Street, Suite 701  
Tallahassee, FL 32302  
Tel. No. (850) 222-0720  
Fax. No. (850) 224-4359  
[nhorton@lawfla.com](mailto:nhorton@lawfla.com)

  
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: May 23, 2005  
arbitration of certain issues arising in )  
negotiation of interconnection agreement with )  
BellSouth Telecommunications, Inc. )  
\_\_\_\_\_ )

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
REPLACEMENT 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 Replacement Request for Specified Confidential Classification and states the following.

1. On April 21, 2005, BellSouth filed its Responses to Florida Public Service Commission Staff's (hereinafter "Staff") Fourth Set of Interrogatories and Fourth Request 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. BellSouth filed a Request for Specified Confidential Classification on April 25, 2005.

2. Upon review, BellSouth determined that portions of BellSouth's Response to Interrogatory, Item No. 117 were not proprietary. Specifically, BellSouth is withdrawing its previous request with regard to bates no. pages 3, 16, 33, 38, 40, 41 and 63. BellSouth is hereby

filing a Replacement Request for Specified Confidential Classification to address Interrogatory, Item No 117. This request replaces the original request filed on April 25, 2005.

3. Pursuant to Rule 25-22.06(3)(a), BellSouth hereby files this Replacement Request for Specified Confidential Classification because portions of the Attachment to Interrogatory, Item No. 117 BellSouth provided in response to Staff's Fourth Set of Interrogatories are to be considered confidential and proprietary. 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.

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

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

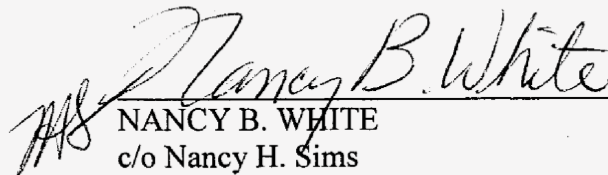
7. The original of this Request was filed today with the Division of the Commission Clerk and Administrative Services and a copy was served on the Parties.

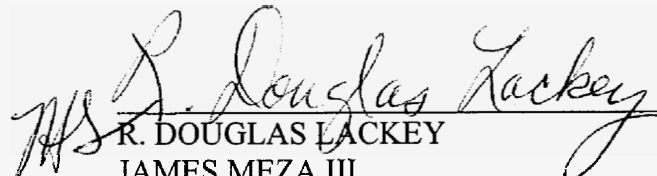
WHEREFORE, based on the foregoing, BellSouth respectfully requests that, pursuant to Section 364.183, Florida Statutes, the Commission enter an order declaring the information

described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 23<sup>rd</sup> day of May, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

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

  
R. DOUGLAS LACKEY  
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 4  
05/23/05**

**REPLACEMENT REQUEST FOR CONFIDENTIAL CLASSIFICATION  
TO STAFF'S FOURTH INTERROGATORIES, 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 as it refers to specific billing information between BellSouth and KMC. KMC may argue that the disclosure of this data would impair its competitive interest and cause harm to it. Thus, unless instructed otherwise by KMC, the Commission should protect this billing information.

ATTACHMENT A

BellSouth Telecommunications, Inc.  
FPSC Docket No. 040130-TP  
Request for Confidential Classification  
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Interrogatory, Item No. 117

<u>Location</u>	<u>Reason</u>	
<u>Bates Stamped Pg #</u>	<u>Sentence Numbers/Lines</u>	
1000002	Dollar amounts on lines 2 and 11	1
1000004	Dollar amount on line 1	1
1000005	Lines 5-37, Column A	
1000006	Lines 2-37, Column A	1
1000007	Lines 2-36, Column A	1
1000008	Lines 2-37, Column A	1
1000009	Lines 2-37, Column A	1
1000010	Lines 2-37, Column A	1
1000011	Lines 2-37, Column A	1
1000012	Lines 2-37, Column A	1
1000013	Lines 2-37, Column A	1
1000014	Lines 2-37, Column A	1
1000015	Lines 2-28, Column A	1
1000017	Lines 2-30, Columns F-G	1
1000018	Dollar amount on line 3	1
1000019	Lines 2-54, Columns F-G	1
1000020	Lines 1-51, Columns F-G	1
1000021	Dollar amount on line 3	
1000022	Lines 4-36, Column A	1
1000023	Lines 1-37, Column A	1
1000024	Lines 1-37, Column A	1
1000025	Lines 1-36, Column A	1
1000026	Lines 1-37, Column A	1
1000027	Lines 1-36, Column A	1
1000028	Lines 1-37, Column A	1
1000029	Lines 1-37, Column A	1
1000030	Lines 1-37, Column A	1

ATTACHMENT A

BellSouth Telecommunications, Inc.  
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REPLACEMENT REQUEST FOR CONFIDENTIAL CLASSIFICATION  
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1000031	Lines 1-37, Column A	1
1000032	Lines 1-37, Column A	1
1000034	Dollar amount on line 3	1
1000035	Lines 2-36, Columns F-G	1
1000036	Lines 2-36, Columns F-G	1
1000037	Lines 2-19, Columns F-G	1
1000038	Lines 2-18, Columns F-G	1
1000039	Dollar amount on line 2	1
1000042	Dollar amounts on lines 3 and 6	1
1000043	Lines 4-35, Column A	1
1000044	Lines 1-37, Column A	1
1000045	Lines 1-37, Column A	1
1000046	Lines 1-37, Column A	1
1000047	Lines 1-37, Column A	1
1000048	Lines 1-37, Column A	1
1000049	Lines 1-37, Column A	1
1000050	Lines 1-37, Column A	1
1000051	Lines 1-37, Column A	1
1000052	Lines 1-37, Column A	1
1000053	Lines 1-18, Column A	1
1000054	Dollar amounts on lines 3 and 4	1
1000055	Lines 2-31, Columns E-F	1
1000056	Lines 2-30, Columns E-F	1
1000057	Lines 2-30, Columns E-F	1
1000058	Lines 2-28, Columns E-F	1
1000059	Lines 2-5, Columns E-F	1
1000060	Dollar amounts on lines 2-4, 6-7	1
1000061	Dollar amount on line 3	1
1000062	Dollar amount on lines 2 and 7	1
1000064	Dollar amount on line 3	1
1000065	Lines 4-35, Column A	1



**ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
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**REPLACEMENT REQUEST FOR CONFIDENTIAL CLASSIFICATION  
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1000066	Lines 2-37, Column A	1
1000067	Lines 2-37, Column A	1
1000068	Lines 2-36, Column A	1
1000069	Lines 2-37, Column A	1
1000070	Lines 2-36, Column A	1
1000071	Lines 2-37, Column A	1
1000072	Lines 2-37, Column A	1
1000073	Lines 2-37, Column A	1
1000074	Lines 2-37, Column A	1
1000075	Lines 2-37, Column A	1
1000076	Lines 2-9, Column A	1
1000077	<b>Dollar amounts on lines 2 and 3</b>	1
1000078	Lines 2-42, Columns K-L	1
1000079	Lines 2-42, Columns K-L	1
1000080	Lines 2-14, Columns K-L	1

**Production of Documents, Item No. 22**

<u>Page</u>	<u>Column Labeled</u>	
All	Customer	1

**ATTACHMENT C**

**BellSouth Telecommunications, Inc.**  
**FPSC Docket No. 040130-TP**  
**Request for Confidential Classification**  
**Page 1 of 1**  
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**REPLACEMENT REQUEST FOR CONFIDENTIAL CLASSIFICATION  
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**ONE HIGHLIGHTED COPY**