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July 29, 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. 041144-TP

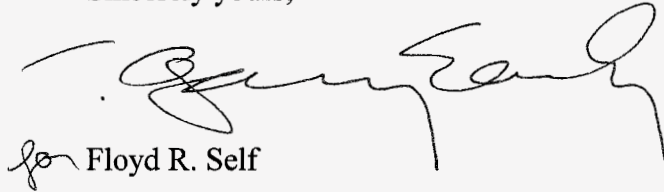
Dear Ms. Bayó:

Enclosed for filing on behalf of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC ("KMC") are an original and fifteen copies of KMC's Request for Confidential Treatment 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,


for Floyd R. Self

FRS/amb
Enclosures
cc: Parties of Record

DOCUMENT NUMBER-DAT

DOWNTOWN OFFICE, 215 South Monroe Street, Suite 701 • Tallahassee, FL 32301 • Phone (850) 222-0720 • Fax (850) 224-4359
NORTHEAST OFFICE, 3116 Capital Circle, NE, Suite 5 • Tallahassee, FL 32308 • Phone (850) 668-5246 • Fax (850) 668-5613

07322 JUL 29 05
FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

Complaint of Sprint-Florida, Incorporated)	
Against KMC Telecom III, LLC)	
KMC Telecom V, Inc. and KMC Data LLC)	Docket No. 041144-TP
for failure to pay intrastate access charges)	Filed: July 29, 2005
pursuant to its interconnection agreement and)	
Sprints tariffs and for violation of)	
Section 364.16(3)(a), Florida Statutes.)	
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**KMC TELECOM III, LLC, KMC TELECOM V, INC.
AND KMC DATA LLC'S REQUEST FOR CONFIDENTIAL TREATMENT**

KMC Telecom III, LLC, KMC Telecom V, Inc. and KMC Data LLC (collectively "KMC"), pursuant to Section 364.183, Florida Statutes, and Rule 25-2.006, Florida Administrative Code, request confidential treatment of certain data previously filed in this docket pursuant to a claim for confidentiality. In support of this request, KMC hereby states:

1. On July 12, 2005, KMC filed in the above-captioned proceeding Hearing Exhibit 7, consisting of a number of discovery responses filed by KMC in this docket. The individual discovery responses that comprise Hearing Exhibit 7, along with the original date of filing and Document Number are as follow:

a) KMC's responses to Sprint's 2nd Interrogatories (23(a-d), 25(a), 26(b), 29(b), 31(a), 36(a-b) and 2nd PODs. Document No. 02991-05. Filed March 28, 2005.

b) Additional Doc. to KMC's 3rd supplemental response to Sprint's 1st Interrogatories and PODs. Document Nos. 02862-05 and 02993-05. Filed March 23, 2005 and March 28, 2005.

c) KMC's supplemental responses to Sprint's 1st Interrogatories (16). Document No. 02995-05. Filed March 28, 2005.

d) KMC's supplemental responses to Sprint's 1st Interrogatories (10, 14, 15). Document No. 02997-05. Filed March 28, 2005.

e) KMC's responses to Sprint's 3rd Interrogatories (39, 40). Document No. 003112-05. Filed March 30, 2005.

f) KMC's revised responses to Sprint's 2nd Interrogatories No. 38(a). Document No. 03237-05. Filed April 1, 2005.

g) KMC's supplemental responses to Sprint's 2nd PODs (23). Document No. 03296-05. Filed April 4, 2005.

h) KMC's supplemental responses to Sprint's 2nd PODs (12). Document No. 03359-05. Filed April 5, 2005.

i) KMC's 4th supplemental response to Sprint's 1st Interrogatories (15) and 1st PODs (5). Document No. 04379-05. Filed May 4, 2005.

j) KMC's response to Staff's 1st Interrogatories (6) attachment. Document No. 04460-05. Filed May 6, 2005.

k) KMC's supplemental responses to Staff's 1st PODs (5). Document No. 04511-05. Filed May 9, 2005.

l) KMC's response to 1st and 2nd Interrogatories and 1st and 3rd PODs, Exhibits 8 and 9. Document No. 04929-05. Filed May 19, 2005.

When KMC filed each discovery response, it filed the appropriate corresponding Claim for Confidential Treatment, in accordance with Rule 25.22.006(5), Florida Administrative Code, and Section 364.183(1), Florida Statutes.

2. KMC hereby files this Request for Confidential Treatment, in accordance with Rule 25-22.006(4), Florida Administrative Code, for the confidential portions of Hearing Exhibit 7. Copies of the confidential information, and the public and redacted copies thereof, required by Rule 25-22.006(4) are not being filed at this time as they were filed with the Commission as Hearing Exhibit 7, and were filed with the originally filed responses on the dates listed above.

3. KMC requests confidential treatment of the information identified in paragraph 1 for the following reasons:

a) The information identified in paragraph 1(a) for which confidential treatment is requested includes the names of KMC customers, specific customer service arrangements and customer counts, switch records, specific information regarding the provision of service, local interconnection trunk information, and other information, all of which constitute customer information or proprietary confidential business information.

b) The information identified in paragraph 1(b) for which confidential treatment is requested includes the names of telecommunications carriers with which KMC has contracts, which constitutes customer information or proprietary confidential business information.

c) The information identified in paragraph 1(c) for which confidential treatment is requested includes the quantity and prices for services purchased by KMC customer PointOne, which constitutes proprietary confidential business information.

d) The information identified in paragraph 1(d) for which confidential treatment is requested, which is now limited to Bates numbered pages 000295 through 000302 of KMC's supplemental responses to Sprint's 1st Interrogatories No. 15, includes the quantity and prices for services purchased by KMC customer PointOne, which constitutes proprietary confidential business information.

e) The information identified in paragraph 1(e) for which confidential treatment is requested, which is now limited to KMC's response to Sprint's 3rd Interrogatories No. 39 (Bates numbered page 000414), identifies KMC customers and telephone numbers.

f) The information identified in paragraph 1(f) for which confidential treatment is requested identifies other telecommunication carriers with which KMC interconnects, which constitutes proprietary confidential business information.

g) The information identified in paragraph 1(g) for which confidential treatment is requested includes detail records from KMC's switch, which constitutes customer information or proprietary confidential business information.

h) The information identified in paragraph 1(h) for which confidential treatment is requested includes KMC's bills to its customer, PointOne, detailing services and prices for such services, which constitutes proprietary confidential business information.

i) The information identified in paragraph 1(i) for which confidential treatment is requested includes KMC internal communications describing particular services and arrangements between KMC and PointOne regarding customer service arrangements and prices, which constitutes proprietary confidential business information.

j) The information identified in paragraph 1(j) for which confidential treatment is requested describes KMC's relationship with another telecommunications carrier that is not a party to this proceeding, which constitutes proprietary confidential business information.

k) KMC no longer asserts confidentiality over KMC's supplemental responses to Staff's 1st PODs No. 5.

l) KMC's response to 1st and 2nd Interrogatories and 1st and 3rd PODs, Exhibits 8 and 9 consist of Sprint documents for which Sprint has asserted

confidentiality and that have previously been granted confidential status by the Commission.

4. The identity of KMC customers is confidential and protected from disclosure under Section 119.07(6)(r), Florida Statutes, which states:

All records supplied by a telecommunications company, as defined by s. 364.02, to a state or local governmental agency which contain the name, address, telephone number or subscribers are confidential and exempt from the provisions of subsection (1) and s.24(a), Art. I of the State Constitution.

5. Proprietary confidential business information is confidential and protected from disclosure under Section 364.183, Florida Statutes, which states, in pertinent part:

(1) . . . Upon request of the company or other person, any records received by the commission which are claimed by the company or other person to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. . . .

(2) . . . Upon a showing by a company or other person and a finding by the commission that discovery will require the disclosure of proprietary confidential business information, the commission shall issue an appropriate protective order designating the manner for handling such information during the course of the proceeding and for protecting such information from disclosure outside the proceeding. Such proprietary confidential business information shall be exempt from s. 119.07(1). . . .

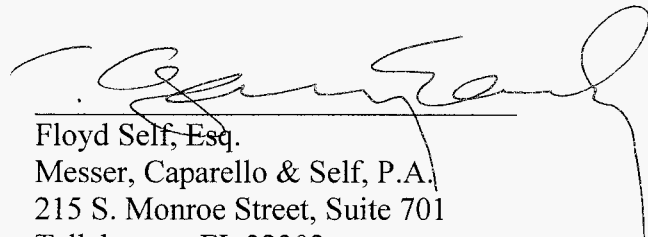
6. Proprietary confidential business information utilized in the course of a Commission proceeding are confidential and protected from disclosure under Section 350.121, Florida Statutes, which states, in pertinent part:

If the commission undertakes an inquiry, any records, documents . . . or other business material . . . obtained by the commission incident to the inquiry are considered confidential and exempt from s. 119.07(1) while the inquiry is pending. If at the conclusion of an inquiry the commission undertakes a formal proceeding, any matter determined by the commission . . . to be trade secrets or proprietary confidential business information coming into its possession pursuant to such inquiry shall be considered confidential and exempt from s. 119.07(1).

7. The Commission should grant the request for confidential treatment and find the information contained in Hearing Exhibit 7 to be confidential and exempt from Section 119.07(1), Florida Statutes, pursuant to Sections 119.07(6)(r), 364.183(1) and (2), and 350.121(3)(a), Florida Statutes.

WHEREFORE, based on the foregoing, KMC respectfully requests that the Commission enter an Order declaring the information described above to be customer information or confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted,



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and

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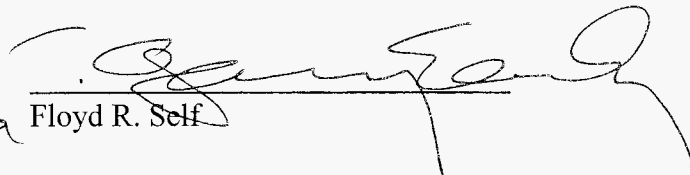
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served upon the following parties by hand delivery (*) and/or U.S. Mail this 29th day of July, 2005.

Beth Keating, Esq.*
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1313 Blairstone Road
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