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Subject: E-filing, Docket 041269-TP
Attachments: Joint Motion for Protective Order 8-30-05.pdf

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Docket No and title: In Re: Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting from Changes of Law
Docket 041269-TP

Filed on behalf of: BellSouth Telecommunications, Inc. and Competitive Carriers of the South, Inc.
Number of pages: 4
Document attached: Joint Motion for Entry of Protective Order

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08301 AUG 30 05

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)	
)	
Petition to Establish Generic Docket to)	Docket No. 041269-TP
Consider Amendments to Interconnection)	
Agreements Resulting from Changes of Law)	Filed: August 30, 2005

JOINT MOTION FOR ENTRY OF PROTECTIVE ORDER

BellSouth Telecommunications, Inc. (BellSouth) and the Competitive Carriers of the South, Inc. (CompSouth) (collectively, the Parties), pursuant to rule 28-106.211, Florida Administrative Code, hereby move for the entry of a Protective Order so that confidential and proprietary business information, including Customer Proprietary Network Information (CPNI), may be exchanged between the Parties to this docket. As grounds therefore, the Parties state:

1. In this docket, the Commission will consider what changes are required in existing approved interconnection agreements between BellSouth and competitive local exchange carriers (CLECs) in Florida as a result of *USTA II*¹ and the FCC *Interim Order*.²

2. During the course of discovery in this case, the Parties may exchange CPNI information, as well as other proprietary information. In fact, Covad has already served discovery on BellSouth which BellSouth states will require a response that includes CPNI information.³ BellSouth further notes that disclosure of such CPNI information, without a protective order from this Commission, is impermissible. Thus, the Parties believe that an order from the Commission is necessary to facilitate the exchange of responses to CPNI-related

¹ *United States Telecom Ass'n v. FCC*, 359 F. 3d 554 (D.C. Cir. 2004) (*USTA II*), cert. denied, 160 L. Ed. 2d 223, 2004 U.S. LEXIS 671042 (October 12, 2004).

² *In the Matter of Unbundled Access to Network Elements*, WC Docket No. 04-313; *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, Order and Notice of Proposed Rulemaking, FCC 04-179, rel. August 20, 2004 (*Interim Order*).

³ See, Covad's First Set of Interrogatories and First Request for Production which were served on BellSouth on August 18, 2005.

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discovery requests, as well as other confidential and proprietary information, in an efficient and timely manner. In particular, the Parties seek a Protective Order from the Commission finding that any confidential information subject to Section 222 of the 1934 Communications Act, as amended (the "Federal Act") is disclosed pursuant to the disclosure rights set forth in subsection 222(d) thereof.

WHEREFORE, the Parties request that the Commission enter a Protective Order as described herein.

s/Vicki Gordon Kaufman

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CERTIFICATE OF SERVICE
Docket No. 041269-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class United States Mail this 30th day of August, 2005, to the following:

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