



September 8, 2005

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 041269-TP – Petition to Establish Generic Docket to Consider Changes to Interconnection Agreements Resulting from Changes in Law

Dear: Ms. Bayo:

Please find enclosed for filing in the above-captioned matter an original and seven copies of the First Request for Specified Confidential Classification of Florida Digital Network, Inc., d/b/a FDN Communications ("FDN").

Please feel free to contact me regarding the enclosed at 407-835-0460.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Feil", written in a cursive style.

Matthew Feil
General Counsel
FDN Communications

C: Parties of Record (by email & U.S. mail)

LOCAL

LONG DISTANCE

DOCUMENT NUMBER - DATE

08625 SEP 12 8

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407.835.0300 • Fax 407.835.0309 • www.fdn.com

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to Establish Generic Docket)
to Consider Amendments to Interconnection)
Agreements Resulting from Changes of Law)
_____)

Docket No. 041269-TP

**FLORIDA DIGITAL NETWORK, INC.’S FIRST REQUEST FOR SPECIFIED
CONFIDENTIAL CLASSIFICATION**

Florida Digital Network, Inc., (“FDN”) pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, files its Request for Specified Confidential Information as follows:

1. On August 8, 2005, BellSouth Telecommunications, Inc., (“BellSouth”) served FDN with BellSouth’s First Request for Admission. See Confidential Document No. 07744-05 in the captioned docket. The information contained in FDN’s Response to BellSouth’s First Request for Admission includes confidential business information that is proprietary to FDN. The confidential portion of FDN’s response was filed as Appendix ADM-1 with a notice of intent to request confidential classification on August 27, 2005. The Confidential Document is identified in the Commission’s case management system as **Document No. 08260-05**. Document No. 08260-05 contains nonpublic, proprietary confidential business information of FDN. This information, if released, would allow FDN’s competitors to have ready access to nonpublic data that will do substantial competitive harm to FDN.

2. FDN hereby files this Request for Specified Confidential Classification because the information contained in Document No. 08260-05 contains market deployment data and customer information utilized by FDN to conduct business in Florida and release of such information would cause substantial competitive harm to FDN. The information contained in the referenced Document No. 08260-05 is confidential and proprietary under Florida Statutes, Section 364.183.

3. Attachment A hereto contains an explanation of the proprietary information along with a list that identifies the location of information designated as confidential and proprietary.

4. Attachment B hereto is two redacted versions for public disclosure.

5. Attachment C hereto is a sealed envelope containing one copy of the documents that are confidential and proprietary.

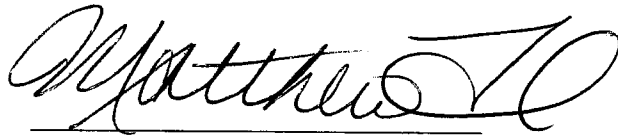
6. The information contained in Document No. 08260-05 contains market deployment data and customer location information utilized by FDN to conduct its business. FDN has expended millions of dollars in infrastructure to support market deployment and its business. A significant portion of this investment will be wasted if Document No. 08260-05 is released to the public and competitors are thereby permitted to target the markets FDN has targeted in the same or similar manner as FDN. Therefore, such information should be classified as confidential business information and proprietary information pursuant to Section 364.183(3)(e). Further, such information has been kept as a trade secret under Section 364.183(3)(a).

7. FDN has treated and intends to continue to treat the information for which confidential classification is sought as private, and this information has not been generally disclosed.

8. The original of this Request has been mailed to the Division of Records for the Commission and a copy was served on the parties.

WHEREFORE, based on the foregoing, FDN respectfully requests that the Commission enter an order declaring the information described hereinabove be confidential, proprietary business information that is not subject to public disclosure.

RESPECTFULLY SUBMITTED, this 8 day of September, 2005.



Matthew Feil
Florida Digital Network
2300 Lucien Way
Suite 200
Maitland, FL 32751
(407) 835-0460

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to Establish Generic Docket)
to Consider Amendments to Interconnection) Docket No. 041269-TP
Agreements Resulting from Changes of Law)
_____)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by e-mail, for those with an email address listed below, and U.S. mail to the persons listed below this 8th day of September 2005.

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s/ Matthew Feil

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ATTACHMENT A

Reasons for Claim for Proprietary Classification

1. This information contains proprietary investment, market deployment, customer location information and competitive interest information. This information is valuable, is used by FDN in conducting its business, and FDN strives to keep it secret. Therefore, such information relates to the competitive interests of FDN and disclosure would impair the competitive business of FDN. See §364.183(3)(e), Florida Statutes.
2. This information contains data that FDN strives to keep secret because it is elemental to FDN's business and status in the competitive market place. Therefore, such information is a trade secret. See § 364.183(3)(a), Florida Statutes.

Line, Page Reference in Document(s)

Reason Asserted

Page 1, all columns and rows after heading

1, 2

FPSC Docket No. 041269
FDN Request for Confidential Classification
September 8, 2005

ATTACHMENT B

APPENDIX ADM-1 to BellSouth First Request for Admission

The table is a grid with approximately 20 columns and 25 rows. The first two columns are almost entirely blacked out. The remaining columns contain some text, but it is mostly obscured by black redaction bars. The text that is visible appears to be organized into several sections, possibly representing different categories or time periods, but the specific details are illegible due to the redactions.

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APPENDIX ADM-1 to BellSouth First Request for Admission

The image shows a large table with a grid structure. The table is mostly obscured by black redaction bars. There are two prominent vertical redaction bars on the left and right sides of the table. At the top, there are several horizontal redaction bars. The remaining cells in the grid are empty, suggesting that the data has been completely redacted.

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