

James Meza III
Senior Regulatory Counsel

BellSouth Telecommunications, Inc.
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December 16, 2005

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

Re: Docket No. 050419-TP
In Re: Petition of MCImetro Access Transmission Services, LLC
For Arbitration of Certain Terms and Conditions of Proposed
Agreement with BellSouth Telecommunications, Inc. Concerning
Interconnection and Resale Under the Telecommunications
Act of 1996

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s 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. A copy of the same is being provided to all parties of record.

Sincerely,


James Meza III

Enclosures

cc: All parties of record
Jerry D. Hendrix
Nancy B. White
R. Douglas Lackey

DOCUMENT NUMBER-DATE

11686 DEC 16 2005

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 050419-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via First Class U.S. Mail and Electronic Mail this 16th day of December, 2005 to the following:

Kira Scott
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
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James Meza III

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by MCImetro Access Transmission Services LLC for arbitration of certain terms and Conditions of proposed interconnection agreement With BellSouth Telecommunications, Inc.) **Docket No. 050419-TP**
)
)
) **Filed: December 16, 2005**

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
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 Request for Specified Confidential Classification.

1. On December 1, 2005, BellSouth Telecommunications, Inc. filed the Rebuttal Testimony of Shelley L. Decker and Exhibits PAT-8 and PAT-9 to the Rebuttal Testimony of Pamela A. Tipton, portions of which information that is considered proprietary and confidential information to both MCI and BellSouth.

2. In order for Staff to take possession of the Rebuttal Testimony of Shelley L. Decker and Exhibits PAT-8 and PAT-9 to the Rebuttal Testimony of Pamela A. Tipton, BellSouth is filing this Request for Specified Confidential Classification. A more specific description of this information is provided in Attachment A. For the reasons set forth therein and those stated herein, these items should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and be exempt from the Open Records Act.

3. Attachment B to BellSouth's Request for Confidential Classification is redacted copies of the documents containing the confidential information.

4. Attachment C to BellSouth's Request for Confidential Classification is a proprietary highlighted copy of the confidential information.

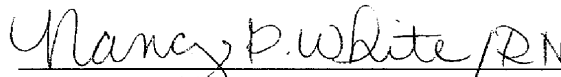
5. The information discussed in this Request for Specified Confidential Classification is valuable, BellSouth treats this business information as confidential in all requests, and this information has not been generally disclosed.

6. 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.

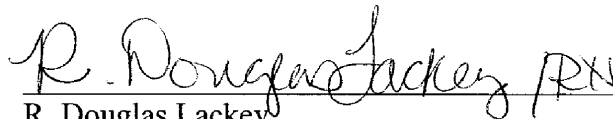
WHEREFORE, based on the foregoing, BellSouth respectfully requests that, pursuant to Section 364.183, Florida Statutes, the Commission enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 16th day of December, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

 Nancy B. White /RN

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c/o Nancy Sims
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 R. Douglas Lackey /RN

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ATTACHMENT A

BellSouth Telecommunications, Inc.
FPSC Docket No. 050419-TP
Request for Confidential Classification
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
CONFIDENTIAL REBUTTAL TESTIMONY OF SHELLEY L. DECKER AND
EXHIBITS PAT-8 AND PAT-9 TO THE REBUTTAL TESTIMONY OF PAMELA A.
TIPTON, FILED DECEMBER 1, 2005, IN FLORIDA DOCKET NO. 050419-TP**

Explanation of Proprietary Information

1. MCI claims that the information contains MCI's confidential business information.
2. This information contains competitive, business information as well as customer proprietary information of both BST and multiple CLECs. This information is valuable, it is used by BellSouth and CLECs in conducting their business, and the companies billing strive to keep it secret. Therefore, such information is a trade secret which should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

| <u>Location</u> | <u>Reason</u> |
|---|---------------|
| <u>REBUTTAL TESTIMONY OF SHELLEY L. DECKER</u> | |
| Page 3, lines 1-2 | 1 |
| Exhibit SD-1, Columns A-D, lines 1-38 | 1 |
| <u>PAT-8</u> | |
| Pages 5-83 in their entirety | 1 |
| <u>PAT-9</u> | |
| Pages 1-28 in their entirety | 1 |

ATTACHMENT B

**BellSouth Telecommunications, Inc.
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
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2 COPIES OF PUBLIC DISCLOSURE DOCUMENT

BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040130-TP
Staff's 4th Interrogatories
March 30, 2005
Item No. 117
Page 1 of 3

REQUEST: It is staff's understanding that on pp. 47-48 of BellSouth witness Blake's Rebuttal Testimony, she asserts that BellSouth's collection process was recently modified so that all undisputed past due charges must be paid by the due date of a notice to avoid suspension of services.

- a. Why did BellSouth modify its collection process?
- b. Are the Joint Petitioners currently affected by this recently modified collection process? If yes, is this provision in their current interconnection agreements with BellSouth? Please explain.
- c. If no, please explain BellSouth's ability to handle the collection process for the Joint Petitioners differently from other CLECs.

RESPONSE: As clarification, BellSouth has historically required that all undisputed, past due charges be paid by the due date on the bill. And, as evidenced by the proprietary emails and correspondence between BellSouth and KMC, provided with the Notice of Intent, KMC is complying with this requirement today. The recent change in the process referenced in my testimony now provides that the collections letter will no longer include any disputed amounts in the total amount due. As a result, the amount to be paid by the CLEC as listed in the aging report that accompanies the collections letter represents the total non-disputed amounts that are due to avoid suspension or termination. The aging report also provides the CLEC with notification of all additional amounts that will become past due during the 15 day period between the notice of late payment and the suspension of ordering services.

- a. There were several reasons for BellSouth's modification of its collection process:
 1. To economically utilize the Collections system already being used for IXC customers.
 2. Removes customer uncertainty as to the amount of undisputed charges that are due to avoid suspension or termination.
 3. By using the same systems and processes for both IXC and CLEC customers, BellSouth is better able to allocate its resources for total collections activities.

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RESPONSE (CONT.):

4. By implementing the new process, BellSouth gained the ability to send collections notices to multiple addresses as designated by the CLECs.

In concert with this change and to address any concern by the CLECs about "guessing" the right amount to avoid suspension or termination (notwithstanding the fact that the CLECs know what their bills are and bills provides information with the suspension notice of what will become due), BellSouth proposed the following revised language as described on page 51 of my rebuttal testimony in this proceeding with respect to Arbitration Item No. 100:

BellSouth reserves the right to suspend or terminate service for nonpayment. If payment of amounts not subject to a billing dispute, as described in Section 2, is not received by the bill date in the month after the original bill date, BellSouth will provide written notice to <<customer_short_name>> that additional applications for service may be refused, that any pending orders for service may not be completed, and/or that access to ordering systems may be suspended if payment of such amounts, and all other amounts not in dispute that become past due **subsequent to the issuance of the written notice ("Additional Amounts Owed")** ~~before refusal, incompleteness or suspension,~~ is not received by the fifteenth (15th) calendar day following the date of the notice. In addition, BellSouth may, at the same time, provide written notice that BellSouth may discontinue the provision of existing services to <<customer_short_name>> if payment of such amounts, and all other **Additional Amounts Owed** ~~amounts not in dispute~~ that become past due **subsequent to the issuance of the written notice before discontinuance,** is not received by the thirtieth (30th) calendar day following the date of the initial notice. Upon request, BellSouth will provide information to <<customer_short_name>> of the **Additional Amounts Owed** that must be paid prior to the time

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RESPONMSE (CONT.):

periods set forth in the written notice to avoid suspension of access to ordering systems or discontinuance of the provision of existing services as set forth in the written notice.

- b. Yes, all CLECs, including the Joint Petitioners, are affected by this recently modified collection process.

The new process is primarily internal to BellSouth; thus, the new process is largely transparent to the CLECs and does not contradict the terms of the Interconnection Agreements. The only substantive changes for the CLECs are beneficial to the CLECs. That is, the CLECs now receive the ability to receive the initial collections notice at multiple addresses designated by the CLEC, the exclusion of disputed amounts from the total amount due in the collections letter, and an aging report that clearly sets forth amounts disputes as well as amounts that will become past due during the notice period. .

- c. N/A

RESPONSE PROVIDED BY: Kathy Blake

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ATTACHMENT

PROPRIETARY
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EXHIBIT PAT-9

PUBLIC REDACTED VERSION

Public Disclosure Document

1 much greater than BellSouth's traffic. Indeed, of the ■ two-way trunk
2 groups at issue, MCI carries more traffic than BellSouth on ■ of the
3 trunk groups. Thus, MCI actually benefits from BellSouth's position,
4 because MCI is responsible for the overwhelming majority of the traffic
5 on the trunks but is only paying fifty percent of the two-way trunks on an
6 initial basis.

7

8 Q. CAN YOU ADDRESS MR. RICCA'S REFERNCES TO THE FCC'S
9 FIRST REPORT AND ORDER ON PAGE 4 OF HIS TESTIMONY?

10

11 A. Yes. Mr. Ricca claims that BellSouth's proposal is not consistent with
12 the Federal Communications Commission's *First Report and Order*¹.
13 The *First Report and Order* stands for the proposition that MCI should
14 not have to pay for trunks carrying BellSouth's originated traffic. *First*
15 *Report and Order* at ¶ 1062. Mr. Ricca claims that BellSouth's proposal
16 violates this rule.

17

18 BellSouth, however, is not seeking to have MCI pay for trunks carrying
19 BellSouth originated traffic under its proposal. Rather, both parties
20 agree that proportional billing for trunks (*i.e.*, billing based on the actual
21 trunk use) is appropriate and both parties have actually proposed
22 similar methods to obtain proportional billing. MCI proposes using a

¹ *In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996*, CC Docket 96-98, FCC 96-325 ("First Report and Order").

ATTACHMENT C

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PROPRIETARY COPY