

State of Florida



ORIGINAL

Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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-M-E-M-O-R-A-N-D-U-M- COMMISSION CLERK

**DATE:** November 3, 2006

**TO:** Patrick K. Wiggins, Attorney Supervisor, Office of the General Counsel  
Lee Eng Tan, Attorney, Office of the General Counsel

**FROM:** Ray E. Kennedy, Utilities System/Engineering Spec Supr - SES, Division of Competitive Markets & Enforcement

**RE:** BellSouth Telecommunications, Inc.'s (BellSouth) Request For Confidential Classification of its response to staff's data request in an undocketed matter.

On October 30, 2006, BellSouth submitted its request for confidential classification of the highlighted information in FPSC Document No. 09988-06, provided in response to staff's September 11, 2006, data request. The document contains copies of BellSouth's contracts signed by developers along with the accompanying COLR letter used by BellSouth and all correspondence between BellSouth and each developer that received a COLR letter. Upon review of the information contained in the document, technical staff concurs with BellSouth that the information meets the requirements for confidential classification pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006(5), F.A.C., and as such, the information should be treated as confidential.

Attachment/

- CMP \_\_\_\_\_
- COM \_\_\_\_\_ cc: Della Fordham  
Blanca Bayo
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC   1
- OTH *Marguerite*

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Carrier-of-Last-Resort (COL) ) Undocketed Matter  
Staff's Data Request dated September 11, 2006 )  
\_\_\_\_\_ ) Filed: October 30, 2006

**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 September 11, 2006, the Staff of the Florida Public Service Commission ("Staff") requested copies of each contract signed by the developer with the accompanying COLR letter used by BellSouth along with all correspondence between BellSouth and each developer that received a COLR letter.

2. On October 9, 2006, BellSouth provided the requested documents to Staff. BellSouth also filed a Notice of Intent as documents provided in response to Staff's request contain information that has been designated "confidential" and is proprietary to BellSouth and third parties.

3. Because the information provided in BellSouth's response contains confidential and proprietary third-party information, BellSouth is now filing this Request for Specified Confidential Classification 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 Request for Confidential Classification contains an explanation of the proprietary information and identifies the location of the information designated confidential.

**ATTACHMENT A**

**BellSouth Telecommunications, Inc.  
FPSC Undocketed Matter  
Carrier of Last Resort  
Request for Confidential Classification  
Page 1 of 2  
10/30/06**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S RESPONSE  
TO THE STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION'S REQUEST  
FOR COLR CONTRACTS, FILED OCTOBER 9, 2006**

**Explanation of Proprietary Information**

1. This information contains proprietary, confidential business information that could harm the competitive business interests of BellSouth if publicly disclosed. This information also contains business information of third parties that BellSouth is not at liberty to disclose. In particular, this information contains strategic planning and negotiations with third parties, and if released publicly, would cause irreparable harm to BellSouth and third parties, and would impair efforts of BellSouth to contract favorably in future negotiations.

**ATTACHMENT B**

**BellSouth Telecommunications, Inc.  
FPSC Undocketed Matter  
Carrier of Last Resort  
Request for Confidential Classification  
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10/30/06**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S RESPONSE  
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