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

DATE: September 19, 2007

TO: Patrick K. Wiggins, Attorney Supervisor, Office of the General Counsel
H F. Mann, Senior Attorney, Office of the General Counsel

FROM: Kevin J. Bloom, Economic Analyst, Division of Competitive Markets & Enforcement

RE: **AT&T Florida's Request For Specified Confidential Classification in Docket No. 070126-TL** – Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Section 364.025 (6) (d), F.S., for villages of Avalon, Phase II, in Hernando County, by BellSouth Telecommunications, Inc. d/b/a AT&T Florida.
FPSC Document No. 06791-07; Cross reference FPSC Document No. 07693-07.

On August 6, 2007, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida) filed its Notice of Intent to Request Specified Confidential Classification pursuant to Rule 25-22.006(3)(a), Florida Administrative Code (F.A.C.), for attachments to its Motion for Summary Final Order. AT&T asserts these attachments contain confidential business information related to the competitive interests of AT&T Florida, and that this information is proprietary to AT&T Florida. The document was assigned **FPSC Document No. 06791-07**.

On August 27, 2007, BellSouth Telecommunications, Inc. d/b/a AT&T Florida filed its Request for Specified Confidential Classification pursuant to rule 25-22.006, F.A.C. and section 364.183, Florida Statutes, for certain information contained in FPSC Document No. 06791-07. AT&T Florida attached to its request another copy of the documents previously identified as FPSC Document No. 06791-07. The second copy was identified as **FPSC Document No. 07693-07**.

CMP _____ AT&T Florida claims Document No. 06791-07 contains confidential business
COM _____ information related to the competitive interests of AT&T Florida, and that this information is
 proprietary to AT&T Florida. AT&T Florida claims that public disclosure of this information
CTR _____ would cause it competitive harm by providing competitors with an unfair advantage. The
ECR _____ information subject to the request for confidential classification includes Exhibit Nos. LB-2, LB-
 3, LB-4 and LB-6, attached to Larry Bishop's affidavit, and portions of the direct testimony of
GCL _____ Elizabeth R.A. Shiroishi that AT&T Florida considers confidential business information.

OPC _____
RCA _____ Staff has reviewed the documents and has no objection to granting confidential
 classification for Exhibits LB-2 and LB-4. Regarding Exhibit LB-3, staff believes the request is
SCR _____ overbroad. In Exhibit LB-3, AT&T Florida shows what it contends are its labor, material and
SGA _____ overhead costs to extend its network to 476 residential units in Avalon Phase II. Staff does not
 question the company's need to maintain confidentiality over these costs. The exhibit, however,

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includes AT&T Florida's total cost to build its network in the development (\$326,819), projected five times annual exchange revenues (\$155,213) and the total billing charges it wishes to assess the developer (\$171,606). These last three figures appear in AT&T Florida witness Bishop's publicly available testimony (see page 8, lines 10-12; page 11, line 23; page 12, lines 7-12). Given that AT&T Florida has chosen to disclose these figures, staff does not believe the company can sustain a legitimate claim that they are proprietary in nature. Staff would register the same objection with respect to Exhibit LB-6, which cites the same figures for estimated build-out cost, projections for five times annual exchange revenues and charges it plans to assess against the developer. In summary, there are figures in exhibits LB-3 and LB-6 that are already part of the public record of the proceeding and staff believes it would be logistically impractical to attempt to redact these figures at this time. All other cost figures not disclosed in the above-referenced exhibits should be granted confidential status.

cc: Brenda Merritt (CMP)
[REDACTED], Marguerite Lockard (CLK)
Timolyn Henry (GCL)