

# MINTZ LEVIN

Cherie R. Kiser | 202 434 7325 | crkiser@mintz.com

701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-434-7300  
202-434-7400 fax  
www.mintz.com

December 20, 2007

**Via Federal Express**

Ms. Blanca Bayo, Director  
Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
07 DEC 21 PM 12:35  
COMMISSION  
CLERK

070736 TP

**Re: Claim of Confidential Information**  
**Docket No. \_\_\_\_\_**  
**Petition of Intrado Communications Inc. for Arbitration Pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, Florida Statutes, to Establish an Interconnection Agreement with BellSouth Telecommunications, Inc. d/b/a AT&T Florida**

This claim of confidentiality was filed by or on behalf of a "teleco" for Confidential DN 11121-07. The document is in locked storage pending advice on handling. To access the material, your name must be on the CASR. If undocketed, your division director must provide written permission before you can access it.

Dear Director Bayo:

Intrado Communications Inc. ("Intrado"), by its attorneys, pursuant to Section 364.183(1) of the Florida Statutes hereby claims that certain information provided in its Petition for Arbitration ("Petition") contains confidential and proprietary business information that should be held exempt from public disclosure.

Intrado makes this claim because, during the course of the interconnection negotiations between Intrado and BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T"), the Parties signed a non-disclosure agreement regarding the exchange of information during the negotiation process.<sup>1/</sup> AT&T has provided all information to Intrado via email, which contains a standard claim that all communications from AT&T are confidential and subject to the non-disclosure agreement. Such information is generally subject to review by regulators and legal authorities in interconnection arbitration proceedings and disclosure of such information is a requirement under Section 252(b)(2) of the Act and Florida law.<sup>2/</sup> The non-disclosure agreement signed by the Parties also contemplates that such information may be provided to state regulators in connection with a Section 252 petition subject to proper notice and proper protection.<sup>3/</sup>

- CMP 1
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL 1
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA 2/
- SEC 3/
- OTH leaf records

Information Exchange Agreement by and between AT&T-22STATE and Intrado Communications Inc. ("251/252 NDA") (Attachment 4 to Intrado's Petition).

<sup>2/</sup> 47 U.S.C. § 252(b)(2)(A); FLA. STAT. ANN. §§ 120.80(13), 120.57(1), 364.162.

<sup>3/</sup> 251/252 NDA at 1 (Attachment 4 to Intrado's Petition).

DOCUMENT NUMBER - DATE  
11120 DEC 21 08  
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**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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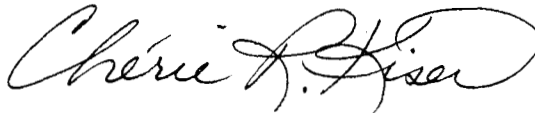
December 20, 2007

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Intrado provided such notice to AT&T on December 18, and hereby makes this claim to ensure that the information deemed by AT&T to be confidential is subject to "proper protection."

Pursuant to the requirements of Rule 25-22.006(5) of the Florida Administrative Code, Intrado has included an original and two (2) copies of the **CONFIDENTIAL VERSION** of its Petition in sealed envelopes. Please date-stamp the extra copy of this letter and return it in the enclosed envelope. Please contact me with any questions concerning this filing.

Respectfully submitted,

A handwritten signature in cursive script, reading "Chérie R. Kiser".

Chérie R. Kiser

Counsel for Intrado Communications Inc.

Enclosures

cc: Karon Ferguson, AT&T  
Annamarie Lemoine, AT&T  
Jerry Hendrix, AT&T Florida  
Rebecca Ballesteros, Intrado  
Floyd Self, Counsel to Intrado

STATE OF FLORIDA

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**CONFIDENTIAL**

**Public Service Commission**

**ACKNOWLEDGEMENT**

DATE: December 21, 2007

TO: Chérie R. Kiser/Mintz Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: **Acknowledgement of Receipt of Confidential Filing**

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070736-TP or, if filed in an undocketed matter, concerning certain information provided in its petition for arbitration, and filed on behalf of Intrado Communications. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE  
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