



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

**DATE:** March 30, 2010  
**TO:** Adam Teitzman, Attorney Supervisor, Office of the General Counsel  
 Lee Ing Tan, Senior Attorney, Office of the General Counsel  
**FROM:** Frank Trueblood, Regulatory Analyst, Division of Regulatory Analysis  
**RE:** dPi Teleconnect's Request for Confidential Classification in Docket No. 090258-TP:  
 Complaint by dPi against BellSouth Telecommunications, Inc. d/b/a AT&T Florida  
 for dispute arising under interconnection agreement.

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On March 26, 2010, dPi Teleconnect, L.L.C. (dPi) filed a request pursuant to Section 364.183, Florida Statutes, for confidential classification and treatment of information. In the request, dPi states that AT&T submitted responses to Staff's discovery relative to dPi for which a claim of confidentiality was filed for Document Nos. 09573-09, 10903-09, 10904-09, and 11026-09 that consists of Exhibits attached to AT&T testimony.

dPi states that while it does treat information concerning accounts generally as confidential and proprietary pursuant to Section 364.183, Florida Statutes, some of the data filed by AT&T has been provided in a non-proprietary manner in this docket, and for that reason, but without waiving the right to assert confidential treatment of similar data in future proceedings, dPi is not seeking confidential treatment for Documents Nos. 09573-09 (exhibits attached to AT&T testimony), and 10903-09, and 10904-09, except as described below.

Further, dPi states that the information contained in Document No. 10904-09, is a response to Item 5 of Staff's First Request for Production of Documents. It contains account information and customer specific information (i.e., names) which are treated and considered to be confidential, proprietary, customer competitive information pursuant to Section 364.183(3)(d) and (e) and is exempt from Section 119.07(1), Florida Statutes. dPi states that portions of the response relate to carriers other than dPi and would be considered confidential by those carriers to the best belief of dPi.

Specifically, confidential classification is requested for the following portions of Document No. 10904-09, Staff's First Request for Production of Documents, Item No. 5(a) through (f):

	Document	Page	Column	Lines
COM	Staff's First Request for Production Item No. 5(a)	1	A and B	1-3
APA	Staff's First Request for Production Item No. 5(b)	2	Entire page	
ECR	Staff's First Request for Production Item No. 5(b)	3	All columns and lines and all of column A as to dPi	
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Staff's First Request for Production Item No. 5(b)	4	A	All
Staff's First Request for Production Item No. 5(b)	5	A	All
Staff's First Request for Production Item No. 5(b)	6	A	All as to dPi
Staff's First Request for Production Item No. 5(c)	7	Entire page	
Staff's First Request for Production Item No. 5(c)	8	All as to non dPi and column D	All
Staff's First Request for Production Item No. 5(c)	9	D	All
Staff's First Request for Production Item No. 5(c)	10	D	All
Staff's First Request for Production Item No. 5(c)	11	D as to dPi all as to non dPi	
Staff's First Request for Production Item No. 5(d)	12	Entire page	
Staff's First Request for Production Item No. 5(d)	13	B	All
Staff's First Request for Production Item No. 5(e)	14	A and B	1-5
Staff's First Request for Production Item No. 5(e)	15	-----	-----
Staff's First Request for Production Item No. 5(e)	16	C and D N	1-9 1.1, 3 & 8
Staff's First Request for Production Item No. 5(f)	17	A and B	1-7
Staff's First Request for Production Item No. 5(f)	*18	A	1 & 2

\* dPi page 18 is actually page 20. (Pages 18-19 were not numbered and these pages don't have any confidential data)

dPi also states that Document No. 11026-09 is a CD-Rom containing AT&T's Supplemental Responses to Staff's Request No. 4, which contains details of disputed amounts for all former BellSouth jurisdictions. The entire CD-Rom includes accounts, amounts and similar data and detail such that dPi treats this information as confidential and proprietary, and the disclosure would impair the competitive business of dPi. Thus, dPi asserts that pursuant to Section 367.183(3)(e), Florida Statutes the entire CD-Rom should be treated in a confidential manner.

Upon review of the information contained in the documents referenced above, technical staff concurs with dPi Teleconnect that the information meets the requirements for confidential classification pursuant to Section 364.183, Florida Statutes, and the information should be treated as confidential.

cc: Brenda Merritt, Statistician II, Division of Regulatory Analysis  
Kim Pena, Records Management Assistant, Office of Commission Clerk