



July 20, 2012

**CONFIDENTIAL DOCUMENTS ATTACHED**

**VIA HAND DELIVERY**

Ms. Ann Cole  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

- claim of confidentiality
- notice of intent
- request for confidentiality
- filed by OPC

For DN 04895-12 which is in locked storage. You must be authorized to view this DN.-CLK

RECEIVED-FPSC  
12 JUL 20 PM 4:16  
COMMISSION CLERK

RE: Docket No. 090538-TP; CenturyLink QCC's **Claim of Confidentiality**

Dear Ms. Cole:

Enclosed for filing on behalf of Qwest Communications Company, LLC, d/b/a CenturyLink QCC in the above-referenced docket, is the original of the confidential documents listed below. QCC claims that the information listed below in this filing is proprietary confidential business information in accordance with Section 364.183(1), Florida Statutes.

The information for which confidentiality is being claimed is:

- 1) **QCC Response to Broadwing Interrogatory No. 42 (highlighted portions)**
- 2) **QCC Response to Broadwing Document Request No. 50 (QCC Bates Stamp #002988-#002992-entire document; #002993-highlighted portions)**
- 3) **QCC Responses to Broadwing Request for Admissions Nos. 33 and 35 (highlighted portions)**

This Notice requires that the information be treated as confidential while on file at the Florida Public Service Commission and further that the information be returned as required by Section 364.183, F.S.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer. Thank you for your assistance in this matter.

Sincerely,

  
Susan S. Masterton

Susan S. Masterton  
Senior Corporate Counsel  
315 S. Calhoun Street, Suite 500  
Tallahassee, FL 32301  
850-599-1560 (voice)  
850-224-0794 (fax)  
susan.masterton@centurylink.com

Enclosure

DOCUMENT NUMBER - DATE

04894 JUL 20 12

cc: Parties of Record

FPSC-COMMISSION CLERK

COM \_\_\_\_\_  
 AFD \_\_\_\_\_  
 APA \_\_\_\_\_  
 ECO \_\_\_\_\_  
 ENG \_\_\_\_\_  
 GCL   I    
 IDM \_\_\_\_\_  
 TEL \_\_\_\_\_  
 CLK   I

**REDACTED**

**Broadwing Interrogatory No. 42**

Refer to Qwest's confidential supplemental response to Birch Communications, Inc.'s Interrogatory No. 1.

**[BEGIN CONFIDENTIAL INFORMATION]** As to the second category of agreements to which you refer in that supplemental response, for each CLEC wholesale long distance customer Qwest serves or had served with operations in Florida from "the early 2000s" to now, identify:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**[END CONFIDENTIAL INFORMATION]**

**RESPONSE:** QCC objects to this request on the basis that it is overly broad and unduly burdensome. QCC further objects on the basis that it is not reasonably calculated to lead to the discovery of admissible evidence. Broadwing/Focal is asking about a wholesale long distance product of which it was not even a customer. Facts and circumstances related to QCC's provision of an unrelated, unregulated service to other parties is wholly irrelevant to whether Broadwing/Focal violated Florida law in connection with its provision of intrastate switched access to QCC. Further, the request seeks information beyond Florida. Without waiver of its objections, QCC responds as follows.

**[BEGIN CONFIDENTIAL]**

[REDACTED]

[REDACTED]

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
- ENG \_\_\_\_\_
- GCI \_\_\_\_\_
- IDM \_\_\_\_\_
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DOCUMENT NUMBER - DATE  
REDACTED 04894 JUL 20 02

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**Broadwing Document Request No. 50**

Refer to Qwest's confidential supplemental response to Birch Communications, Inc.'s Interrogatory No. 1.

[BEGIN CONFIDENTIAL INFORMATION]

[REDACTED]

[REDACTED]

[REDACTED]

[END CONFIDENTIAL INFORMATION]

**RESPONSE:** QCC objects to this request on the basis that it is overly broad and unduly burdensome. QCC further objects to the extent the request seeks documents protected by attorney-client privilege and/or the work product doctrine. QCC further objects on the basis that it is not reasonably calculated to lead to the discovery of admissible evidence. Broadwing/Focal is asking about a wholesale long distance product of which it was not even a customer. Facts and circumstances related to QCC's provision of an unrelated, unregulated service to other parties is wholly irrelevant to whether Broadwing/Focal violated Florida law in connection with its provision of intrastate switched access to QCC. Further, the request seeks information beyond Florida. Without waiver of its objections, QCC responds as follows.

The materials Broadwing is seeking date back many years and were held or generated by employees who no longer work for the company. QCC has performed a reasonable search for responsive documents, and has located a handful of non-privileged documents. Included among those are several internal emails and other documents. At the time QCC terminated the wholesale product offering in 2007-2008, it sent (in some cases) demand letters to certain customers whom QCC believed had breached the relevant contract terms. Those demand letters described the program and its purpose and operation. An example demand letter is provided. QCC could not locate any documents "showing or relating to requests" by customers for the wholesale product. In terms of "iterations of the" terms and conditions, QCC attaches a summary of sample variations of language it is aware of related to the wholesale product. QCC does not know whether all the attached variations were found in the wholesale service agreements of wholesale customers providing service in Florida. All the materials produced in response to this request are designated as Lawyers Only Confidential, and are produced pursuant to the parties' non-disclosure agreement.

REDACTED

**Broadwing Request for Admission No. 33**

QCC has never sought to negotiate an agreement with Broadwing to:

- a. Terminate access traffic over local interconnection trunks.
- b. Establish time division multiplexing direct interconnection facilities between the parties.
- c. Establish dedicated transport facilities.
- d. Physically interconnect the two companies' networks for the exchange of traffic.
- e. Route specific types of traffic over specific facilities.
- f. Exchange traffic on a bill and keep basis.
- g. Specify the signaling protocol for interconnection facilities.
- h. Resolve disputes regarding the appropriate percentage of interstate usage (PIU) factor to be applied to switched access traffic.
- i. Resolve any dispute regarding Broadwing's provision of switched access service to QCC.
- j. Resolve any dispute regarding Broadwing's charges for its provision of switched access service to QCC.
- k. Resolve any dispute regarding the payment of reciprocal compensation by or to Broadwing.

**RESPONSE: [BEGIN CONFIDENTIAL INFORMATION]**

[REDACTED]

[REDACTED]

[REDACTED]

REDACTED

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[END CONFIDENTIAL INFORMATION]

**Broadwing Request for Admission No. 35**

QCC never sought to establish network connections with Broadwing that rely on Session Internet Protocol (SIP) for call routing.

**RESPONSE: [BEGIN CONFIDENTIAL INFORMATION]**

**[END CONFIDENTIAL INFORMATION]**

REDACTED

**QCC Response to Broadwing POD #50**

**Internal CPLA Documents  
(QCC Bates Stamp#002988--#002992)**

**\*\*REDACTED\*\***

**REDACTED**

COM \_\_\_\_\_  
AFD \_\_\_\_\_  
APA \_\_\_\_\_  
ECO \_\_\_\_\_  
ENG \_\_\_\_\_  
GCL | \_\_\_\_\_  
IDM \_\_\_\_\_  
TEL \_\_\_\_\_  
CLK \_\_\_\_\_

DOCUMENT NUMBER-DATE

04894 JUL 20 02

FPSC-COMMISSION CLERK



**REDACTED**

Docket No#090538-TP

QCC Response to Broadwing POD #50

LAWYERS ONLY

Bucket	Sample Contract Language
■	[REDACTED]
■	[REDACTED]
■	[REDACTED]
■	[REDACTED]
■	[REDACTED]
■	[REDACTED]

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
- ENG \_\_\_\_\_
- GCD \_\_\_\_\_
- IDM \_\_\_\_\_
- TEL \_\_\_\_\_
- CLK \_\_\_\_\_

DOCUMENT NUMBER-DATE

04894 JUL 20 2009

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