State of Florida

Public Service Commission

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

DATE :   November 30, 2000
TO   :   Kay Flynn, Records and Reporting
FROM :   Anne Marsh, Division of Competitive Services
RE   :   Confidential Documents, Docket No. 991267

Upon examination of the confidential documents in this docket, I believe it is appropriate to place Exhibits 7 through 11 and the brief of Global NAPs in the public document file. Other documents may be disposed of as outlined below. Recommended action is underlined.

Documents

Document No. 01138-00. Exhibit 7. This exhibit is comprised of pages 0024, 0041, and 0064 from Document No. 01752-00. As discussed more fully below, no confidentiality was requested for these specific pages of Document No. 01752-00. Action to be taken: Place in public docket file.

Document No. 01139-00. Exhibit 8. This exhibit is comprised of pages 0046 and 0047 from Document No. 01616-00. As discussed more fully below, no confidentiality was requested for these specific pages of Document No. 01616-00. Action to be taken: Place in public docket file.

Document No. 01140-00. Exhibit 9. This exhibit is comprised of pages 0015 and 0016 from Document No. 01616-00. As discussed more fully below, no confidentiality was requested for these specific pages of Document No. 01616-00. Action to be taken: Place in public docket file.

Document No. 01141-00. Exhibit 10. No confidentiality was requested by either party for this document. The document is an interrogatory response that contains a simple "no" answer to a question as to whether a BellSouth witness was involved in certain contract negotiations. Such an item could not be construed as confidential, even if a request had been filed. Action to be taken: Place in public docket file.

Document No. 01142-00. Exhibit 11. No confidentiality was requested by either party for this document. The document is an

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interrogatory response regarding whether a BellSouth witness was familiar with Section 252(i) of the Telecom Act and the extent of her understanding of it. Such an item could not be construed as confidential, even if a request had been filed. <u>Action to be taken: Place in public docket file.</u>

Document No. 00616-00 (x-ref 01616-00) BST response to Staff's 1st Interrogatorries, Nos. 2, 3, 4, 5, 10; 1st RPDs, No. 1. Pages noted by staff were used as Exhibit Nos. 8 and 9 at the hearing. Those pages may be retained to show the source of the exhibit, which was not clearly identified as to the source. However, they are not confidential. Initially, the documents were covered by an NOI. The subsequent request for confidentiality did not identify any confidential portions on the specific pages that were used in the exhibit. <u>Action to be taken: Retain pages of 01616-00 identified by staff in the public document file. Return all other pages of 01616-00 and all pages of Doc. No. 00616-00 to BellSouth.</u>

Document No. 00689-00 (x-ref 01752-00) BellSouth's response to Global NAPs' 1st RPDs, Nos. 3 and 4(c). Pages noted by staff were used as Exhibit No. 7 at the hearing. Those pages may be retained to show the source of the exhibit, which was not clearly identified as to the source. However, they are not confidential. Initially, the documents were covered by an NOI. The subsequent request for confidentiality did not identify any confidential portions on the specific pages that were used in the exhibit. <u>Action to be taken: Retain pages of 01752-00 identified by staff in the public document file. Return all other pages of 01752-00 and all pages of Doc. No. 00689-00 to BellSouth.</u>

Document No. 00967-00 (x-ref 01872-00) Deposition of David Scollard. This was not used in the hearing. <u>Action to be taken: Return all to BellSouth.</u>

Document No. 01616-00. <u>See Document No. 00616-00.</u>

Document No. 01752-00. <u>See Document No. 00689-00.</u>

Document No. 01872-00. <u>See Document No. 00967-00.</u>

Document No. 02034-00. Global NAPs' brief. The portions for which confidentiality was requested are based entirely upon Global NAPs' interpretation of exhibits 7, 8, and 9. As previously discussed, these documents are not confidential. See discussion of the individual exhibits and underlying documents. <u>Action to be taken: This document may be placed in the public document file.</u>

cc: Martha Brown