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Public Service Commission

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COMMISSION  
CLERK

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

**DATE:** September 17, 2007

**TO:** Lee Eng Tan, Senior Attorney, Office of the General Counsel

**FROM:** Frank Trueblood, Regulatory Analyst, Division of Competitive Markets & Enforcement

**RE:** AT&T Florida's Request for Confidential Classification of Document No. 08205-07 in Docket No. 050863-TP: Complaint by dPi Teleconnect, L.L.C., against BellSouth Telecommunications, Inc. d/b/a AT&T Florida for dispute arising under interconnection agreement.

On September 10, 2007, AT&T Florida filed its request pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, for confidential classification and treatment of the information contained in FPSC Document Number 07383-07, which is AT&T's Responses to Staff's First Request for Production of documents Nos. 3 and 6. AT&T claims that this information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and exempt from public disclosure requirements of Section 119.07, Florida Statutes.

AT&T Florida states that the above mentioned responses contain information considered confidential business information related to the competitive interests of AT&T Florida that is proprietary to AT&T Florida. Public disclosure of this information would cause competitive harm to AT&T Florida and provide competitors with an unfair marketing advantage because such proprietary information is not available to the general public. The information in this Request for Specified Confidential Classification is valuable and AT&T Florida strives to keep it secret.

AT&T Florida's response to Staff's First Request for Production No. 3 contains competitive business information, which includes internal methods and procedures, standards and guidelines, and/or job aids pertaining to Resale Promotions and credit processing. This information also includes detailed plans for a mechanization tool developed to aid in credit processing. AT&T Florida asserts such information is a trade secret which should be classified as proprietary, confidential business information. The information contained in Production No. 6 contains proprietary business information of dPi, including line counts submitted by dPi to AT&T Florida for promotional credits, broken down to lines denied and for what reasons.

Upon review of the aforementioned documents, technical staff concurs with AT&T Florida that the information meets the requirements for confidential classification pursuant to Section 364.183(3)(e), Florida Statutes, and Rule 25-22.006(5), Florida Administrative Code, and the information should be treated as confidential.

- CMP
- COM
- CTR
- ECR
- GCL
- OPC
- RCA
- SCR
- SGA
- SEC
- OTH M-L

cc: ✓ Ann Cole, Commission Clerk-PSC, Office of Commission Clerk  
 Marguerite Lockard, Commission Deputy Clerk II, Office of Commission Clerk  
 Timolyn Henry, Deputy Clerk, Office of the General Counsel  
 Brenda Merritt, Statistician II, Division of Competitive Markets & Enforcement

DOCUMENT NUMBER-DATE

08443 SEP 17 5

FPSC-COMMISSION CLERK



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CMP

September 10, 2007

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

**Re: Docket No. 050863-TP: dPi Teleconnect, L.L.C. v. BellSouth Telecommunications, Inc.**

Dear Ms. Cole:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Request for Specified Confidential Classification for its Responses to Staff's First Request for Production Nos. 3 and 6, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Manuel A. Gurdian

cc: All parties of record  
Jerry Hendrix  
E. Earl Edenfield, Jr.  
James Meza III

2007 SEP 11 AM 9:52  
DIVISION OF  
COMPETITIVE SERVICES

This confidentiality request was filed by or for a "telco" for DN 08205-07. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

(x-ref. 07383-07)

DOCUMENT NUMBER-DATE

08204 SEP 10 8

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE  
DOCKET NO. 050863-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Electronic Mail and First Class U. S. Mail this 10th day of September, 2007 to the  
following:

Theresa Tan  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
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\_\_\_\_\_  
Manuel A. Gurdian

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: ) Docket No. 050863-TP  
 )  
dPi Teleconnect, L.L.C. v. )  
BellSouth Telecommunications, Inc. ) Filed: September 10, 2007  
\_\_\_\_\_ )

**AT&T FLORIDA'S  
REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"), pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, files its Request for Specified Confidential Classification.

1. On August 20, 2007, AT&T Florida filed its Responses to Staff's First Set of Interrogatories (Nos. 1 - 6) and First Request for Production of Documents (Nos. 1 - 7). AT&T Florida's Response to Request for Production Nos. 3 and 6 contain information to be considered confidential business information. A Notice of Intent to Request Specified Confidential Classification was also filed on that same day.

2. Pursuant to Rule 25-22.006, AT&T Florida hereby files this Request for Specified Confidential Classification because the above document contains information considered confidential business information related to the competitive interests of AT&T Florida that is proprietary to AT&T Florida. A more specific description of this information is contained in Attachment A.

3. Public disclosure of this information would cause competitive harm to AT&T Florida and provide competitors with an unfair advantage. The information discussed in this Request for Specified Confidential Classification is

valuable and AT&T Florida strives to keep it secret. Therefore, such information should be classified as confidential business information pursuant to Section 364.183, *Florida Statutes*. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, *Florida Statutes*.

4. Attachment A to AT&T Florida's Request for Confidential Classification contains an explanation of the proprietary information along with a list that identifies the location of the information designated by AT&T Florida as confidential.

5. Attachment B to AT&T Florida's Request for Confidential Classification is redacted copies of the document containing the confidential information.

6. Attachment C to AT&T Florida's Request for Confidential Classification is a highlighted copy of the document containing the confidential information.

7. The original of this Request was filed today with the Office of the Commission Clerk and a copy was served on the Parties.

WHEREFORE, based on the foregoing, AT&T Florida respectfully requests that, pursuant to Section 364.183, *Florida Statutes*, the Commission enter an order declaring the information described above to be confidential, proprietary business information that is not subject to public disclosure.

Respectfully submitted this 10<sup>th</sup> day of September, 2007.

AT&T FLORIDA



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Authorized House Counsel No. 464260  
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MANUEL A. GURDIAN  
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J. PHILLIP CARVER  
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(404) 335-0710

**ATTACHMENT A**

**AT&T FLORIDA  
FPSC DOCKET NO. 050863-TL  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
PAGE 1 OF 1  
9/10/2007**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF AT&T FLORIDA'S  
RESPONSE TO STAFF'S FIRST REQUEST FOR DOCUMENTS, NOS. 3 AND  
6, FILED AUGUST 20, 2007 IN FLORIDA DOCKET NO. 050863-TL**

**Explanation of Proprietary Information**

1. This information contains competitive business information. The subject information includes internal methods and procedures, standards and guidelines and/or job aids pertaining to Resale Promotions and Credit Processing. This information also includes detailed plans for a mechanization tool developed to aid in Credit Processing. This information is valuable, it is used by BellSouth in conducting its business and BellSouth strives to keep it secret. Therefore, such information is a trade secret which should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.
2. This information contains proprietary business information of dPi. Specifically, this information contains line counts submitted by dPi to AT&T Florida for promotional credits, broken down to lines denied and for what reasons. This information should be classified as proprietary, confidential business information pursuant to Section 364.183(3)(e), Florida Statutes and is exempt from the Open Records Act.

**ATTACHMENT A**

**AT&T FLORIDA  
FPSC DOCKET NO. 050863-TL  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
PAGE 1 OF 1  
9/10/2007**

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**POD NO. 3**

<u>Location</u>	<u>Reason</u>
Pgs 2-5, 7-10, 14-16, 18-19, 21-23, 25-27, 29-31, 33 – Entire Page	1

**POD NO. 6**

<u>Location</u>	<u>Reason</u>
# of Lines Submitted Column	2
# of Lines Denied	2
# of Lines Denied because not enough features	2
# of Lines Denied because existing customer	2
# of Lines Denied because new customer	2
# of Lines Denied because Exceeds 12 months	2



**ATTACHMENT B**

**AT&T FLORIDA  
FPSC DOCKET NO. 050863-TL  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
PAGE 1 OF 1  
9/10/2007**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF AT&T FLORIDA'S  
RESPONSE TO STAFF'S FIRST REQUEST FOR DOCUMENTS, NOS. 3 AND  
6, FILED AUGUST 20, 2007 IN FLORIDA DOCKET NO. 050863-TL**

**TWO REDACTED COPIES FOR PUBLIC DISCLOSURE**

**ATTACHMENT C**

**AT&T FLORIDA  
FPSC DOCKET NO. 050863-TL  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
PAGE 1 OF 1  
9/10/2007**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF AT&T FLORIDA'S  
RESPONSE TO STAFF'S FIRST REQUEST FOR DOCUMENTS, NOS. 3 AND  
6, FILED AUGUST 20, 2007 IN FLORIDA DOCKET NO. 050863-TL**

**ONE HIGHLIGHTED COPY**