

State of Florida



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DATE: September 19, 2007

TO: Patrick K. Wiggins, Attorney Supervisor, Office of the General Counsel
H F. Mann, Senior Attorney, Office of the General Counsel

FROM: Kevin Bloom, Economic Analyst, Division of Competitive Markets & Enforcement

RE: **AT&T Florida's Request For Specified Confidential Classification in Docket No. 070126-TL** – Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Section 364.025 (6) (d), F.S., for villages of Avalon, Phase II, in Hernando County, by BellSouth Telecommunications, Inc. d/b/a AT&T Florida.
FPSC Document Nos. 06538-07 and 06539-07; Cross reference FPSC Document No. 07439-07.

On July 31, 2007, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida) filed its Notice of Intent to Request Specified Confidential Classification pursuant to Rule 25-22.006(3)(a), Florida Administrative Code (F.A.C.), for portions of the direct testimony of Elizabeth R.A. Shiroishi, and Exhibit Nos. LB-2, LB-3, LB-4 and LB-6, attached to the direct testimony of Larry Bishop. AT&T Florida considers these documents to contain confidential business information. The documents were assigned **FPSC Document Nos. 06538-07, (Shiroishi) and 06539-07. (Bishop)**

On August 21, 2007, BellSouth Telecommunications, Inc. d/b/a AT&T Florida filed its Request for Specified Confidential Classification pursuant to rule 25-22.006, F.A.C. and section 364.183, Florida Statutes, for certain information contained in FPSC Document Nos. 06538-07 and 06539-07. Attached to its request, AT&T Florida submitted another copy of the documents previously identified as FPSC Document Nos. 06538-07 and 06539-07. The second copy was identified as **FPSC Document No. 07439-07.**

CMP _____ AT&T Florida claims Document Nos. 06538-07 and 06539-07 contain confidential
COM _____ business information related to competitive interests of AT&T Florida, and that this information
CTR _____ is proprietary to AT&T Florida. AT&T Florida claims that public disclosure of this information
ECR _____ would cause it competitive harm by providing competitors with an unfair advantage. The
GCL _____ information subject to the request for confidential classification includes (1) Exhibit Nos. LB-2,
OPC _____ LB-3, LB-4 and LB-6, attached to the direct testimony of Larry Bishop (Document number
 06539-07) and (2) portions of the direct testimony of Elizabeth R.A. Shiroishi that AT&T
 Florida considers confidential business information. (Document number 06538-07)

RCA _____ Staff has reviewed the documents and has no objection to granting confidential
SCR _____ classification for Exhibits LB-2 and LB-4. Regarding Exhibit LB-3, staff believes the request is
SGA _____ overbroad. In Exhibit LB-3, AT&T Florida shows what it contends are its labor, material and

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overhead costs to extend its network to 476 residential units in Avalon Phase II. Staff does not question the company's need to maintain confidentiality over these costs. The exhibit, however, includes AT&T Florida's total cost to build its network in the development (\$326,819), projected five times annual exchange revenues (\$155,213) and the total billing charges it wishes to assess the developer (\$171,606). These last three figures appear in AT&T Florida witness Bishop's publicly available testimony (see page 8, lines 10-12; page 11, line 23; page 12, lines 7-12). Given that AT&T Florida has chosen to disclose these figures, staff does not believe the company can sustain a legitimate claim that they are proprietary in nature. Staff would register the same objection with respect to Exhibit LB-6, which cites the same figures for estimated build-out cost, projections for five times annual exchange revenues and charges it plans to assess against the developer. In summary, there are figures in exhibits LB-3 and LB-6 that are already part of the public record of the proceeding and staff believes it would be logistically impractical to attempt to redact these figures at this time. All other cost figures not disclosed in the above-referenced exhibits should be granted confidential status.

cc: Brenda Merritt (CMP)
[REDACTED], Marguerite Lockard (CLK)
Timolyn Henry (GCL)