

State of Florida



Public Service Commission

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COMMISSION CLERK

DATE: July 16, 2008

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

FROM: Michael C. Barrett, Regulatory Analyst IV, Division of Regulatory Compliance *mcb*

RE: Request for confidential classification in Docket No. 070736-TP for Staff's First Request for Production of Documents, Item No. 1 (Hearing Exhibit 7)

On May 28, 2008, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida or the company), filed a Notice of Intent to Request for Specified Confidential Classification for its response to Staff's First Request for Production of Documents, Item No. 1. (FPSC Document No.04528-08) On June 18, 2008, and pursuant to Rule 25-22.006, Florida Administrative Code, the company filed its Request for Specified Confidential Classification for this data. (FPSC Document No. 05180-08) However, staff notified the company that the data therein differed from what was provided in the May 28, 2008 filing. On July 3, 2008, AT&T Florida filed data as a substitute for FPSC Document No. 05180-08.¹

AT&T Florida states that the information contained in the response should be classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes, and therefore exempt from the public disclosure requirements from Section 119.07, Florida Statutes. The company asserts that public disclosure of this information would cause it competitive harm and provide competitors with an unfair advantage.

I have reviewed the data referenced herein and believe AT&T Florida has met the requirements for confidential classification pursuant to Section 364.183(3)(e), Florida Statutes. In addition, I believe the company's filings meet the requirements of Rule 25-22.006(5), Florida Administrative Code. Accordingly, the information in FPSC Document No. 05770-08 (x-ref. 04528-08) should be treated as confidential.

- OMP _____
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- SCR _____
- CCA _____
- CEC _____

cc: Ann Cole, Commission Clerk-PSC, Office of Commission Clerk
Marguerite McLean, Commission Deputy Clerk II, Office of Commission Clerk

¹ The substitute filing is identified as FPSC Document No. 05770-08, and effectively replaces FPSC Document No. 05180-08.

OTM *Marguerite*

DOCUMENT NUMBER-DATE
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