

State of Florida



RECEIVED-FPSC
MAR 31 AM 10:28
COMMISSION
CLERK

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: March 10, 2009

TO: Adam Teitzman, Attorney Supervisor, Office of the General Counsel

FROM: Lisa Harvey, Bureau Chief, Division of Regulatory Compliance *[Signature]*

RE: 0000121A-TP –AT&T’s Request (Document No. 00496-09) for confidential classification regarding *AT&T’s comments to staff’s audit of AT&T’s OSS April 2008 Release Analysis and Resolutions* (Document No: 00237-09)

Attachment 1 is a January 20, 2009 request (Document No. 00496-09) for Specified Confidential Classification regarding *AT&T comments filed in response to staff’s audit of AT&T’s OSS April 2008 Release Analysis and Resolutions* (Document No. 00237-09). The company cites Rule 25-22.006(5) Florida Administrative Code section 364.183, Florida Statutes, and other applicable law – regarding proprietary treatment of information that would cause harm to the ratepayers or company’s business operations.

After review of AT&T’s request, staff’s recommended position regarding confidentiality is provided in Attachment 2. Staff has indicated its disagreement with AT&T Requests for Confidentiality in those instances where release of information does not create competitive impairment or instances where information has previously been released to the public.

cc: Timisha Brooks
Beth Salak
Dale Mailhot
Jerry Hallenstein
David Rich
Brenda Merritt

COM _____
ECR _____
GCL _____
OPC _____
RCP _____
SSC _____
SGA _____
ADM _____
CLK McLean

DOCUMENT NUMBER-DATE

02815 MAR 31 8

FPSC-COMMISSION CLERK



Robert Culpepper
General Attorney
Legal

Attachment 1

...com

January 20, 2009

RECEIVED-FPSC
09 JAN 20 PM 4:21
COMMISSION
CLERK

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

Re: Docket No. 000121A-TP

In Re: Investigation into the establishment of operations support systems permanent incumbent local exchange Telecommunications companies

Dear Ms. Cole:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc. d/b/a AT&T Florida's ("AT&T Florida") Request for Confidential Classification, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. A copy of the same is being provided to all parties of record.

Sincerely,

Robert A. Culpepper

Enclosures

cc: All parties of record
Jerry D. Hendrix

694934

COM ___
ECR ___
GCL I
OPC ___
RCP I
SSC ___
SGA ___
ADM ___
CLK I

This confidentiality request was filed by or for a "telco" for DN0049709. 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. 00237-09)

DOCUMENT NUMBER-DATE

00496 JAN 20 8

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
Docket No. 000121A-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and U.S. Mail the 20th of January, 2009 to the following:

Adam Teitzman
Staff Counsel
Lisa Harvey
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6175
Fax. No. (850) 413-6250
ateitzma@psc.state.fl.us
lsharvey@psc.state.fl.us

Howard E. (Gene) Adams
Pennington, Moore, Wilkinson,
Bell & Dunbar, P.A.
Post Office Box 10095 (32302)
215 South Monroe Street, 2nd Floor
Tallahassee, FL 32301
Tel. No. (850) 222-3533
Fax. No. (850) 222-2126
gene@penningtonlawfirm.com
Represents Time Warner

David Konuch
Senior Counsel
Regulatory Law & Technology
Florida Cable Telecomm. Assoc.
246 East 6th Avenue
Tallahassee, FL 32303
Tel. No. (850) 681-1990
Fax. No. (850) 681-9676
dkonuch@fcta.com

Douglas C. Nelson
Sprint Nextel
233 Peachtree Street, NE
Suite 2200
Atlanta, GA 30303
Tel. No. 404 649-0003
Fax No. 404 649-0009
douglas.c.nelson@sprint.com

Vicki Gordon Kaufman
Anchors Smith Grimsley
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301
Tel. No. (850) 681-3828
Fax. No. (850) 681-8788
vkaufman@asglegal.com
Represents Cebyond
Represents Deltacom

Dulaney O'Roark III (+)
Vice Pres. & Gen. Counsel – SE Region
Verizon
5055 N Point Parkway
Alpharetta, GA 30022
Tel. No. (678) 259-1449
Fax No. (678) 259-1589
De.OROark@verizon.com

D. Anthony Mastando
DeltaCom
VP-Regulatory Affairs
Senior Regulatory Counsel
Ste 400
7037 Old Madison Pike
Huntsville, AL 35806
Tel. No. (256) 382-3856
Fax No. (256) 382-3936
tony.mastando@deltacom.com

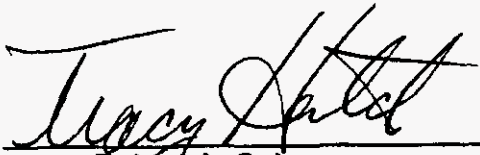
Beth Keating
Akerman Law Firm
106 East College Avenue
Suite 1200
Tallahassee, FL 32301
beth.keating@akerman.com

Ms. Katherine K. Mudge
Covad Communications Company
7000 N. MoPac Expressway, Floor 2
Austin, TX 78731
Tel. No. (512) 514-6380
Fax No. (512) 514-6520
kmudge@covad.com

Cbeyond Communications, LLC
Charles E. (Gene) Watkins
320 Interstate North Parkway
Suite 30
Atlanta, GA 30339
Tel. No. (678) 370-2174
Fax No. (978) 424-2500
gene.watkins@cbeyond.net

Time Warner
Carolyn Ridley
555 Church Street, Ste. 2300
Nashville, TN 37219
Tel. No. (615) 376-6404
Fax. No. (615) 376-6405
carolyn.ridley@twtelecom.com

Susan J Berlin
NuVox
2 N Main St
Greenville, Sc 29601
Tel No (864) 331 7323
sberlin@nuvox.com


Robert A. Culpepper

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the Establishment)
Of Operations Support Systems Permanent)
Performance Measures for Incumbent)
Local Exchange Telecommunications.)
Companies (BellSouth Track).)

Docket No.: 000121A-TP

Filed: January 20, 2009

AT&T FLORIDA'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Pursuant to Rule 25-22.006, Florida Administrative Code, Section 364.183, Florida Statutes, and other applicable law, BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") herewith files its Request for Confidential Classification and states as follows.

1. In September 2008, the Staff of the Florida Public Service Commission ("Staff") commenced an audit into AT&T Florida's April OSS software release ("April Release"). See Commission Order No. PSC-08-0618-PAA-TP, dated September 23, 2008 (accepting the parties' agreement regarding the scope of an April Release audit conducted by Staff). On December 18, 2008, following Staff's issuance to AT&T Florida of an initial draft audit report, Staff provided AT&T Florida with a revised report entitled "A Review AT&T's OSS April 2008 Release Analysis and Resolutions" ("Audit Report").

2. The Audit Report contains proprietary confidential business information. Such information: (i) is treated as proprietary by AT&T Florida; (ii) is not generally disclosed; and (iii) the disclosure of such information could harm the business operations of AT&T Florida. On January 9, 2009, in accordance with applicable rules and regulation, AT&T Florida filed a Request for Confidential Classification for the specific portions of the Audit Report which AT&T Florida believes contain proprietary confidential business information, along with the justification offered in support of such classification.

DOCUMENT NUMBER-DATE

00496 JAN 20 8

FPSC-COMMISSION CLERK

3. Additionally, on January 9, 2009, AT&T Florida filed its comments regarding the Audit Report ("Comments"). The Comments address, among other things, the proprietary confidential business information portions of the Audit Report. Accordingly, on January 9, 2009, AT&T Florida filed a Notice of Intent to Request Confidential Classification of the portions of the Comments that in AT&T Florida's view contain and/or address proprietary confidential business information.

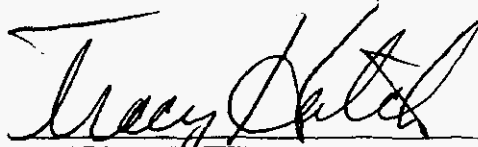
4. The specific portions of AT&T Florida's Comments which contain proprietary confidential business information, along with the justification offered in support of such classification, are identified in Attachment A to this Request for Confidential Classification.

5. Attachment B to this Request for Confidential Classification contains redacted versions of the Comments wherein the portions of the Comments which AT&T considers proprietary confidential business information are blocked out.

6. Attachment C to this Request for Confidential Classification is proprietary version of the Comments wherein the portions of the Comments which AT&T Florida considers proprietary confidential business information are highlighted.

For the reasons set forth herein, AT&T Florida respectfully requests an Order declaring the portions of the Comments that AT&T Florida has identified as proprietary confidential business information to be considered and treated as such pursuant to Section 364.183, Florida Statutes and other applicable law.

Respectfully submitted this 20th day of January 2009.



E. EARL EDENFIELD
TRACY W. HATCH
MANUAL L. GURDIAN
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(850) 577-5508

ROBERT A. CULPEPPER
AT&T Midtown Center
Suite 4300
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0841

Attorneys for AT&T Florida

727992

ATTACHMENT A

**AT&T Florida
FPSC Docket No. 000121A-TP
Request for Confidential Classification
Page 1 of 1
1/20/09**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF AT&T FLORIDA'S
COMMENTS REGARDING STAFF'S OSS AUDIT REPORT IN
FLORIDA DOCKET NO. 000121A-TP**

Explanation of Proprietary Information

1. This material is proprietary and confidential business information of a technical nature used by AT&T in conducting its business and is not commonly known by or available to the public. AT&T derives economic value from this information not being generally known to, and not being readily ascertainable by competitors who can obtain economic value from its disclosure. Specifically, this information contains information related to AT&T's Key Learning Review process and/or AT&T's software defect management process. This information is considered proprietary and confidential to AT&T as it describes, among other things, AT&T's internal operations regarding planning, implementing, and managing OSS software releases and the disclosure of such information could cause harm to AT&T. Accordingly, this information is entitled to confidential classification pursuant to Section 364.183(3)(e), Florida Statutes.

AT&T FLORIDA'S COMMENTS – Information highlighted in the following lines:

<u>Location</u>	<u>Reason</u>
Page 3, lines 22, 36, and 44-46	1
Page 4, lines 6, 8-9, and 22-25	1
Page 6, lines 12-13	1
Page 10, line 37	1
Page 14, lines 24 and 28-29	1

Staff's Assessment of AT&T's Request for Confidentiality (Document No. 00236-09)
AT&T's Comments to Audit of AT&T's OSS April 2008 Release Analysis and Resolutions

	Page No.	Lines	Staff Agree/Disagree To AT&T's Request
<p>This material is proprietary and confidential business information of a technical nature used by AT&T in conducting its business and is not commonly known by or available to the public. AT&T derives economic value from this information not being generally known to, and not being readily ascertainable by competitors who can obtain economic value from its disclosure. Specifically, this information contains information related to AT&T's Key Learning Review process and/or AT&T's software defect management process. This information is considered proprietary and confidential to AT&T as it describes, among other things, AT&T's internal operations regarding planning, implementing, and managing OSS software releases and the disclosure of such information could cause harm to AT&T. Accordingly, this information is entitled to confidential classification pursuant to Section 364.183(3)(e), Florida Statutes.</p>	3	lines 22, 36 and 44-46	<p>Disagree – (Ln 36) # of KLRs, (Ln 44-46) prematurely closed KLRs, and a non-specific # of managers submitting KLRs.</p> <p>Agree – (ln 22) # of man hours</p>
	4	lines 6,8-9, and 22-25	<p>Disagree (ln 6, 8-9) # of KLRs;</p> <p>Agree (Ln 22-25) an excerpt from AT&T instructions that does not convey any competitive advantage.</p>
	6	lines 12-13	<p>Disagree – (Ln 12-13) the total # of open defects and a smaller # of those which were not CLEC impacting.</p>
	10	line 37	<p>Disagree- (Ln 37) # of Severity 2 defects.</p>
	14	lines 24 and 28-29	<p>Disagree – (Ln 24, 28-29) # of open and closed KLRs</p>