

JAMES MEZA III
Senior Regulatory Counsel

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April 26, 2005

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket No.: 040130-TP
Joint Petition of NewSouth Communications Corp., et al. for Arbitration
with BellSouth Telecommunications, Inc.**

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s 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. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


James Meza III

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

DOCUMENT NUMBER-DATE

04076 APR 27 03

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 040130-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 26th day of April, 2005 to the following:

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James Meza III

(+) Global protective agreement in place for all (9) states.

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of)	
Joint Petition of NewSouth)	Docket No. 040130-TP
Communications Corp. et al. for)	
Arbitration with BellSouth)	
Telecommunications, Inc.)	Filed: April 26, 2005

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION**

COMES NOW, BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rule 25-1.006, Florida Administrative Code, and Section 364.183, Florida Statutes, and files its Request for Specified Confidential Classification.

1. On April 25, 2005, BellSouth filed in the above-captioned proceeding, BellSouth's Responses to Joint Petitioner's First Request for Production of Documents filed with the Alabama Public Service Commission in Docket No. 29242. The attachments produced to Request for Production, Item Nos. 2-5(c)-1, 2-5(C)-3, 2-12-1, 2-25-1, 2-33(A)-1, 2-40-1, 6-5-1, 6-0(A) and 7-11-1 which contain confidential business information that is considered proprietary.
2. BellSouth hereby files this Request for Specified Confidential Classification because the information contained in above-listed attachments contains confidential business information that is proprietary to BellSouth. A more specific description of this information is contained in Attachment A. Public disclosure of this information would cause competitive harm to BellSouth and provide competitors with an unfair advantage in future negotiations. The information discussed in Request for Specified Confidential Classification is valuable and BellSouth strives to keep it secret. Therefore, such information should be classified as confidential business information and customer proprietary information pursuant to Section

364.24 and Section 364.183, *Florida Statutes*. Accordingly, it should be held exempt from the public disclosure requirements of Section 119.07, Florida Statutes.

3. Attachment A to BellSouth'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 BellSouth as confidential.

4. Attachment B to BellSouth's Request for Confidential Classification is redacted copies of the documents containing the confidential information.

5. Attachment C to BellSouth's Request for Confidential Classification is a highlighted copy of the document containing the confidential information.

6. The information discussed in this Request for Specified Confidential Classification is valuable, BellSouth treats this information as confidential in all requests, and this information has not been generally disclosed.

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

WHEREFORE, based on the foregoing, BellSouth 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 26th day of April, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in black ink, written over a horizontal line.

NANCY B. WHITE

c/o Nancy Sims

150 South Monroe Street, Suite 400

Tallahassee, FL 32301

(305) 347-5558

Handwritten signature of R. Douglas Lackey in black ink, written over a horizontal line.

R. DOUGLAS LACKEY

JAMES MEZA III

ROBERT CULPEPPER

Suite 4300

675 W. Peachtree St., NE

Atlanta, GA 30375

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ATTACHMENT A

**BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040130-TP
Request for Confidential Classification
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4/26/05**

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELL SOUTH'S
RESPONSES TO JOINT PETITIONER'S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS FILED WITH THE ALABAMA PUBLIC SERVICE COMMISSION IN
DOCKET NO. 29242 AND WITH THE FLORIDA PUBLIC SERVICE COMMISSION
ON APRIL 25, 2005 IN DOCKET NO. 040130-TP**

Explanation of Proprietary Information

1. This information contains competitive, business information. 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 business information related to competitive interests of BellSouth that is proprietary to BellSouth. The documents contain actual unit cost information for discrete cost elements. Public disclosure of this information would provide BellSouth's competitors with an advantage in that they would know the price or rate below which BellSouth could not provide the service. The data is valuable to competitors and potential competitors in formulating strategic plans for entry, pricing, marketing, and overall business strategies concerning these services. This same information on competitors is not available to BellSouth. Disclosure of this data would impair the competitive business and cause harm to BellSouth. Consequently, this information should be classified as proprietary, confidential business information pursuant to Section 364.183, Florida Statutes and is exempt from the Open Records Act.
3. This material is proprietary and confidential business information of a technical nature used by BellSouth in conducting its business and not commonly known by or available to the public. BellSouth 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, BellSouth's internal procedures for *Unbundled Dedicated Transport – Service Rearrangements Phase I Marketing Service Description; UDT Service Rearrangement; Interconnection CLEC Enabler Release 1.0, ICE Users Guide; Interconnection CLEC Enabler – Web Site Application Map and Web Page*

ATTACHMENT A

BellSouth Telecommunications, Inc.
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Explanation of Proprietary Information (cont.)

Descriptors; ENCORE User Requirements – Enhancements to Mechanization of Loop Makeup; Implementation of Single Network Element-Switch As-Is (SNE-SAI); Single ENCORE User Requirements for Mechanization of Loop Make-up for CLEC XDSLs; Interconnection Services Policies and Procedures Manual provide description, service restrictions, appropriate forms, service order issuance requirements, installation intervals, repair procedures, etc. that are proprietary and confidential to BellSouth as it describes BellSouth's internal operations. Additionally, the information contains forecasted demand data and BellSouth's strategic schedule of deployment which competitors could use to gain an economic advantage.

Furthermore, this information has been prepared at great cost to BellSouth and therefore, others should not be permitted to gain the noncompetitive benefit from not having to develop these instructions and materials themselves. And, job aids have historically been protected by the Florida Public Service Commission. Therefore, this information is entitled to confidential classification pursuant to Section 364.183(3)(e) of the Florida Statute.

Location

Reason

Item No. 2-5(C)-1

Unbundled Dedicated Transport

Bates Nos. 000080-000088 (in their entirety)

3

Item No. 2-5(C)-3

UDT- Service Rearrangement

Bates Nos. 000090-000094 (in their entirety)

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ATTACHMENT A

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<u>Location</u>	<u>Reason</u>
<u>Unbundled Dedicated Transport</u> Bates Nos. 000095-000102 (in their entirety)	3
<u>Item No. 2-12-1</u>	
Bates Nos. 000160-000171 (in their entirety)	2
<u>Item No. 2-25-1</u>	
<u>Interconnection CLEC Enabler Release 1.0</u> Bates Nos. 000498-000546 (in their entirety)	3
<u>Interconnection CLEC Enabler: Web Site Application Map and Web Page Descriptors</u> Bates Nos. 000548-000593 (in their entirety)	3
<u>Encore User Requirements – Enhancements to Mechanization of Loop Make-up</u> Bates Nos. 000603-000604 (in their entirety)	3
<u>Encore User Requirements for Mechanization of Loop Make-up for CLEC XDSLs</u> Bates Nos. 000606-000614 (in their entirety)	3
<u>Item No. 2-33(A)-1</u>	
Bates Nos. 000616-000625 (in their entirety)	1, 2

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<u>Location</u>	<u>Reason</u>
<u>Item No. 2-40-1</u>	
<i>Encore User Guide</i> Bates Nos. 000643-000656 (in their entirety)	3
<u>Item No. 6-5-1</u>	
Bates Nos. 000824-000830 (in their entirety)	1, 2
Bates No. 000899 (in its entirety)	1, 2
<u>Item No. 6-10(A)-1</u>	
Bates Nos. 000901-000910 (in their entirety)	1, 2
<u>Item No. 7-11-1</u>	
<i>Reconnection Services; Policies & Procedures Manual</i> Bates Nos. 001009-001019 (in their entirety)	3

ATTACHMENT B

**BellSouth Telecommunications, Inc.
Florida Public Service Commission
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
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ON APRIL 25, 2005 IN DOCKET NO. 040130-TP**

TWO REDACTED COPIES FOR PUBLIC DISCLOSURE

BellSouth Telecommunications, Inc.
Alabama Public Service Commission
Docket No. 29242
Joint Petitioners' 1st Request for Production
April 6, 2003
Item No. 2-5 (C)-1

**ATTACHMENT TO REQUEST FOR PRODUCTION,
ITEM NO. 2-5(C)-1**

PUBLIC DISCLOSURE DOCUMENT

(Pages 000080-001451 Redacted in their entirety)

BellSouth Telecommunications, Inc.
Alabama Public Service Commission
Docket No. 29242
Joint Petitioners' 1st Request for Production
April 6, 2003
Item No. 2-5 (C)-1

**ATTACHMENT TO REQUEST FOR PRODUCTION,
ITEM NO. 2-5(C)-1**

PUBLIC DISCLOSURE DOCUMENT

(Pages 000080-001451 Redacted in their entirety)

ATTACHMENT C

**BellSouth Telecommunications, Inc.
Florida Public Service Commission
Docket No. 040130-TP
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**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF BELLSOUTH'S
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ON APRIL 25, 2005 IN DOCKET NO. 040130-TP**

ONE HIGHLIGHTED COPY