

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)	
)	
Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting from Changes of Law)	Docket No. 041269-TP
)	Filed: August 30, 2005
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JOINT MOTION FOR ENTRY OF PROTECTIVE ORDER

BellSouth Telecommunications, Inc. (BellSouth) and the Competitive Carriers of the South, Inc. (CompSouth) (collectively, the Parties), pursuant to rule 28-106.211, Florida Administrative Code, hereby move for the entry of a Protective Order so that confidential and proprietary business information, including Customer Proprietary Network Information (CPNI), may be exchanged between the Parties to this docket. As grounds therefore, the Parties state:

1. In this docket, the Commission will consider what changes are required in existing approved interconnection agreements between BellSouth and competitive local exchange carriers (CLECs) in Florida as a result of *USTA II*¹ and the FCC *Interim Order*.²

2. During the course of discovery in this case, the Parties may exchange CPNI information, as well as other proprietary information. In fact, Covad has already served discovery on BellSouth which BellSouth states will require a response that includes CPNI information.³ BellSouth further notes that disclosure of such CPNI information, without a protective order from this Commission, is impermissible. Thus, the Parties believe that an order from the Commission is necessary to facilitate the exchange of responses to CPNI-related

¹ *United States Telecom Ass'n v. FCC*, 359 F. 3d 554 (D.C. Cir. 2004) (*USTA II*), cert. denied, 160 L. Ed. 2d 223, 2004 U.S. LEXIS 671042 (October 12, 2004).

² *In the Matter of Unbundled Access to Network Elements*, WC Docket No. 04-313; *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, Order and Notice of Proposed Rulemaking, FCC 04-179, rel. August 20, 2004 (*Interim Order*).

³ See, Covad's First Set of Interrogatories and First Request for Production which were served on BellSouth on August 18, 2005.

discovery requests, as well as other confidential and proprietary information, in an efficient and timely manner. In particular, the Parties seek a Protective Order from the Commission finding that any confidential information subject to Section 222 of the 1934 Communications Act, as amended (the "Federal Act") is disclosed pursuant to the disclosure rights set forth in subsection 222(d) thereof.

WHEREFORE, the Parties request that the Commission enter a Protective Order as described herein.

s/Vicki Gordon Kaufman

Vicki Gordon Kaufman
Moyle Flanigan Katz Raymond & Sheehan, PA
118 North Gadsden Street
Tallahassee, Florida 32301
(850) 681-3828
vkaufman@moylelaw.com

Attorneys for CompSouth

s/Meredith Mays

Meredith Mays
BellSouth Telecommunications, Inc.
675 West Peachtree Street, Suite 4300
Atlanta, Georgia 30375
(404) 335-0750

Attorney for BellSouth

CERTIFICATE OF SERVICE

Docket No. 041269-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class United States Mail this 30th day of August, 2005, to the following:

Adam Teitzman
Michael Barrett
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee FL 32399-0850
ateitzma@psc.state.fl.us
mbarrett@psc.state.fl.us

Michael A. Gross
Florida Cable Telecommunications
Assoc., Inc.
246 E. 6th Avenue, Suite 100
Tallahassee FL 32303
mgross@fcta.com

Nancy White
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301-1556
Nancy.sims@bellsouth.com
Nancy.white@bellsouth.com
Meredith.mavs@bellsouth.com

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
215 South Monroe Street, Suite 701
P.O. Box 1876
Tallahassee FL 32302-1876
nhorton@lawfla.com

John Heitmann
Garret R. Hargrave
Kelley Drye & Warren, LLP
1200 19th Street, N.W., Suite 500
Washington DC 20036
jheitmann@kelleydrye.com
ghargrave@kelleydrye.com

Kenneth A. Hoffman
Martin P. McDonnell
Rutledge, Ecenia, Purnell & Hoffman
P.O. Box 551
Tallahassee FL 32302
ken@reuphlaw.com
marty@reuphlaw.com

Dana Shaffer
XO Communications, Inc.
105 Molloy Street, Suite 300
Nashville TN 37201
Dana.Shaffer@xo.com

Wanda Montano
Terry Romine
US LEC Corp.
6801 Morrison Blvd.
Charlotte NC 28211
wmontano@uslec.com

Tracy W. Hatch
Senior Attorney
AT&T
101 North Monroe Street, Suite 700
Tallahassee FL 32301
thatch@att.com

Sonia Daniels
Docket Manager
AT&T
1230 Peachtree Street, N.E.
4th Floor
Atlanta GA 30309
sdaniels@att.com

Donna Canzano McNulty
MCI
1203 Governors Square Blvd.
Suite 201
Tallahassee FL 32301
donna.mcnulty@mci.com

De O'Roark
MCI
6 Concourse Parkway, Suite 600
Atlanta GA 30328
De.oroark@mci.com

Floyd Self
Messer, Caparello & Self, P.A.
215 Soth Mornore Stree, Suite 701
P.O. Box 1876
Tallahassee FL 32302-1876
fself@lawfla.com

Steven B. Chaiken
Supra Telecommunications and
Info. Systems, Inc.
General Counsel
2901 S.W. 149th Avenue, Sutie 300
Miramar FL 33027
steve.chaiken@stis.com

Matthew Feil
FDN Communications
2301 Lucien Way, Suite 200
Maitland FL 32751
mfeil@mail.fdn.com

Nanette Edwards
ITC^DeltaCom Communications, Inc.
7037 Old Madison Pike, Suite 400
Huntsville AL 35806
nedwards@itcdeltacom.com

Susan Masterton
Sprint Communications Company
Limited Partnership
P.O. Box 2214
Tallahassee FL 32316-2214
susan.masterton@mail.sprint.com

Alan C. Gold
Gables One Tower
1320 South Dixie Highway, Suite 870
Coral Gables FL 33146
sgold@kcl.net

Raymond O. Manasco, Jr.
Gainesville Regional "Utilities"
P.O. Box 147117
Station A-138
Gainesville Fl 32614-7117
manascoro@gru.com

Charles A. Guyton
Steel Hector & Davis LLP
215 S. Monroe Street, Suite 601
Tallahassee FL 32301-1804
cguyton@steelhector.com

Herb Bornack, CEO
Orlando Telephone Systems, Inc.
4558 S.W. 35th Street, Suite 100
Orlando FL 32811
jerry@orlandotelco.net

Adam Kupetsky
Regulatory Counsel
WilTel Communicatiосn, LLC
One Technology Center (TC-15)
100 South Cincinnati
Tulsa OK 74103
adam.kupetsky@wiltel.com

Jonathan S. Marashlian
The Helein Law Group, LLP
8180 Greensboro Drive, Suite 700
McLean VA 22102
jsm@thlglaw.com

s/Vicki Gordon Kaufman
Vicki Gordon Kaufman