

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Modified minimum filing require-) DOCKET NO. 900920-TP
ments of VISTA-UNITED TELECOMMUNICATIONS.) ORDER NO. 25810
_____) ISSUED: 2/25/92

ORDER GRANTING CONFIDENTIAL TREATMENT TO
UNREGULATED MATERIAL IN DOCUMENTS NOS. 4481-91,
6741-91, 7232-91, 7234-91, 8093-91, 8136-91

On May 1, 1991, VISTA UNITED COMMUNICATIONS (Vista-United, the Company) filed its First Request for Specified Confidential Classification (First Request). The First Request addressed material provided in response to Field Staff Audit Request No. EDP/Vista-1. The information provided in response to Item 1 was a computer generated tape. The computer generated tape contains the complete general ledgers of Vista-United for the years 1988, 1989, and 1990. The material for which confidential treatment is sought is the general ledger entries for Vista-United's unregulated operations. Vista-United asserts that disclosure of the information would cause it competitive harm and provide no public benefit.

The material provided in response to Item 2 was in excess of 5,500 pages. When staff initially examined the material they found it to be not useful for their investigation and did not accept delivery. Thus, this Order will not address the Company's arguments regarding the material provided in response to Item 2.

On July 16, 1991, the Company filed its Second Request for Specified Confidential Treatment (Second Request). The Second Request addressed the Company's response to Item 3 of Field Audit Staff Document/Request No. 1. The material at issue in this response is included in the Company's General Ledger trial balance for 1990. The Second Request also addressed Vista-United's response to Field Audit Staff Document/Record Request No. 8. The material at issue in this response is included in the Company's Customer Premise Equipment (CPE) General Ledger Trial Balance information for 1988, 1989, 1990. In its Second Request, Vista-United asserts that the all of the material in question involves unregulated competitive aspects of the its operations, and that disclosure of the information would harm the Company in relation to its competition.

The Office of Public Counsel did not file a response to the Company's two Requests.

DOCUMENT NUMBER-DATE
01935 FEB 25 1992
FPSC-RECORDS/REPORTING

ORDER NO. 25810
DOCKET NO. 900920-TP
PAGE 2


We have reviewed the confidential document files in this case. As asserted by the Company, all contain detailed accounting information which is unregulated. Upon review, we accept the Company's argument that disclosure of this unregulated information could cause the Company competitive harm. Thus, pursuant to Section 364.183(3)(e), Florida Statutes, we grant confidential treatment in full. This decision resolves the confidentiality of Documents Nos. 4481-91, 6741-91, 7232-91, 7234-91, 8093-91, 8136-91.

Additionally, we no longer require the magnetic tape and will return it to the Company without delay.

Therefore, based upon the foregoing, it is

ORDERED by Betty Easley, as Prehearing Officer, that confidential treatment is granted to the unregulated material in Documents Nos. 4481-91, 6741-91, 7232-91, 7234-91, 8093-91, 8136-91.

By ORDER of Betty Easley, Commissioner and Prehearing Officer, this 25th day of FEBRUARY, 1992.



BETTY EASLEY, Commissioner
and Prehearing Officer

(S E A L)

CWM

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice

ORDER NO. 25810
DOCKET NO. 900920-TP
PAGE 3

should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.