

MEMORANDUM

JUNE 13, 1995

RECEIVED

JUN 13 1995

TO: DIVISION OF RECORDS AND REPORTING

^{1:26}
FPC-RECORDS/REPORTING

FROM: DIVISION OF LEGAL SERVICES (CANZANO) *IV*

RE: DOCKET NO. 941281-TL - PETITION BY SUBSCRIBERS OF THE GROVELAND EXCHANGE FOR EXTENDED AREA SERVICE (EAS) TO THE ORLANDO, WINTER GARDEN, AND WINDERMERE EXCHANGES.

6715-CFO

Attached is an ORDER GRANTING REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 3811-95 to be issued in the above-referenced docket. (Number of pages in Order - 4).

DLC/mw
Attachment
cc: Division of Communications
I: 941281C.DC

Attach in CMS

MUST GO TODAY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by subscribers) DOCKET NO. 941281-TL
of the Groveland exchange for) ORDER NO. PSC-95-0715-CFO-TL
extended area service (EAS) to) ISSUED: June 13, 1995
the Orlando, Winter Garden, and)
Windermere exchanges.)
_____)

ORDER GRANTING REQUEST FOR SPECIFIED
CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 3811-95

BY THE COMMISSION:

Pursuant to a petition filed with this Commission by the subscribers of the Groveland exchange, we have been requested to consider requiring implementation of extended area service (EAS) from the Groveland exchange to the Orlando, Winter Garden, and Windermere exchanges. The Groveland, Winter Garden, and Windermere exchanges are served by United Telephone Company of Florida (United). The Orlando exchange is served by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell). In addition to involving intercompany routes, all the routes are interLATA (local access transport area).

The companies were directed to perform traffic studies on the routes under consideration by Order No. PSC-95-0080-PCO-TL, issued January 17, 1995. United filed its traffic study data, along with a Request for Specified Confidential Classification (Request) of certain portions of the traffic study data, as identified in Appendix "A" to this Order. The Request has not been opposed by any party to this proceeding.

Pursuant to Section 119.01, Florida Statutes, documents submitted to this Commission are public records. The only exceptions to this law are specific statutory exemptions and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision.

Pursuant to the provisions of Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the Company has the burden of demonstrating that the materials qualify for specified confidential classification. According to Rule 25-22.006, Florida Administrative Code, the Company must meet this burden by demonstrating that the materials fall into one of the statutory examples set forth in Section 364.183, Florida Statutes, or by demonstrating that the information is proprietary confidential business information, the disclosure of which will cause the Company or its ratepayers harm.

DOCUMENT NUMBER-DATE

05448 JUN 13 95

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The information for which United has requested specified confidential treatment consists of market information including volumes of traffic on specific interLATA routes broken out in several different categories including volumes of messages by messages, minutes, revenues, time-of-day, and residence and business. All of the traffic on the interLATA routes considered represents confidential business information of AT&T Communications of the Southern States collected by United. United asserts that public disclosure of this information would allow competitors of AT&T an undue advantage in pinpointing those routes or segments of routes which are most susceptible to competition. United argues that no public benefit would offset the harm which would be caused by the public disclosure of this information.

Because the data consists of traffic studies which delineate volumes of traffic, United represents that the information will remain confidential through the entire course of this proceeding and thereafter.

Upon review, the data identified in Document No. 3811-95 and in Appendix "A" is hereby found to be proprietary business information pursuant to Section 364.183, Florida Statutes. As such, it shall be kept confidential and shall be exempt from Section 119.07(1), Florida Statutes.

It is therefore

ORDERED by Commissioner Joe Garcia, as Prehearing Officer, that the Request for Specified Confidential Classification of certain information identified in Document No. 3811-95, filed by United Telephone Company of Florida, is hereby granted pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, for the reasons set forth in the body of this Order. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidential classification granted to the documents specified herein shall expire eighteen (18) months from the date of the issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

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By ORDER of Commissioner Joe Garcia, as Prehearing Officer,
this 13th day of June, 1995.

JOE GARCIA, Commissioner and
Prehearing Officer

(S E A L)

DLC

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 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.

APPENDIX "A"

INDEX OF CONFIDENTIAL INFORMATION
CONTAINED IN COMMISSION DOCUMENT NO. 3811-95

<u>EXHIBIT</u>	<u>PAGE NO(s)</u>	<u>COLUMN(s)</u>	<u>LINE(s)</u>
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APPENDIX "A"
(Cont'd)

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<u>EXHIBIT</u>	<u>PAGE NO(s)</u>	<u>COLUMN(s)</u>	<u>LINE(s)</u>
12	Map	-	1-5
14	FX Analysis	A-F	1
15	Average Rev./ Message One-Way Route Analysis	B-F	1-5