

GTE Florida Incorporated

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Associate General Counsel Anthony P. Gillman** Leslie Reicin Stein*

Attorneys* Kimberly Caswell M. Eric Edgington Ernesto Mayor, Jr.

Licensed in Florida
Certified in Florida as Authorized House Counsel

October 10, 1997

Ms. Blanca S. Bayo, Director Division of Records & Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

970000-W

Re: Docket No.

GTE Florida Incorporated's Responses to Data Request for Marketing of Caller Identification Equipment and Services

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of GTE Florida Incorporated's Request for Confidential Classification and Motion for Protective Order in connection with the above-referenced matter. If there are any questions regarding this filing, please contact me at (813) 483-2615.

Very truly yours,

Anthony P. Gillman

APG:tas Enclosures

c: Staff Counsel (w/e) Walter D'Haeseleer (w/e)

A part of GTE Corporation

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: GTE Florida Incorporated's Responses) to Data Request for Marketing of Caller) Identification Equipment and Services) Docket No. Filed: October 10, 1997

FPSC-RECORDS/REPORTING

GTE FLORIDA INCORPORATED'S REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER

GTE Florida Incorporated (GTE) seeks confidential classification and a permanent protective order for certain information provided in its responses to a Commission data request for marketing of caller identification equipment and services. On September 12, 1997, GTE filed a Request for Confidential Classification relating to confidential subscriber name and telephone number information contained in Attachment I. Since that filing, Staff has requested the addresses of those GTE customers who have been contacted during the marketing campaign in question regarding Caller ID. This information is provided in columns A, B and C on Attachment II. The addresses of GTE's Caller ID customers, like their names and telephone numbers, are also confidential as set forth below.

This information falls within Florida Statutes §364.183(3)(e), which defines the term "proprietary confidential business information" to include "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of that information." In this case, the information designated as confidential falls within this definition as is explained in detail below. This information is confidential and, if disclosed, could damage GTE's position in the marketplace. The local exchange market is now open to numerous competitors, many of whom are providing, or will provide, Caller ID and other local services. If this information is disclosed, GTE will be disclosing a D0CUMENT NUMBER-DATE 10416 0CT105 portion of its customer list and providing information about the services which GTE provides to those customers. GTE's competitors could use this information to attempt to take away these customers and to otherwise improve their marketing efforts in the local marketplace. This affords such companies an unfair advantage while severely jeopardizing GTE's competitive position.

In a competitive business, any such knowledge obtained about a competitor can be used to the detriment of the entity to which it pertains. This unfair advantage skews the operation of the market, to the ultimate detriment of the consumer. It is especially unfair that the information would be disclosed to competitors through a regulatory proceeding-rather than through legitimate market trial and error processes. This effect is particularly troublesome in the context of present regulatory environment in Florida which is intended to foster fair, rational and efficient competition, rather than providing any entity a competitive advantage.

While a ruling on this request is pending, GTE understands that the information at issue is exempt from Florida Statutes, Section 119.01(1) and Staff will accord it the stringent protection from disclosure required by Rule 25-22.006(3)(d). One highlighted, unredacted copy of the confidential material, labeled Exhibit A, is attached to the original of this Request. A redacted copy of the information is attached to this Request as Exhibit B.

2

Respectfully submitted on October 10, 1997.

By:

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Anthony Gillman Kimberly Caswell Post Office Box 110, FLTC0007 Tampa, Florida 33601 Telephone: 813-483-2615

Attorneys for GTE Florida Incorporated

EXHIBIT B

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