



Public Service Commission

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DATE: August 30, 2007

TO: R F. Mann, Senior Attorney, Office of the General Counsel
Patrick Wiggins, Attorney Supervisor, Office of the General Counsel

FROM: Dale R. Buys, Regulatory Analyst IV, Division of Competitive Markets & Enforcement

RE: **Nocatee's Request For Specified Confidential Classification in Docket No. 060822-TL** - Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Florida Statutes 364.025(6)(d) for two private subdivisions in Nocatee development, by BellSouth Telecommunications, Inc.
FPSC Document Nos. 01521-07, 01874-07, 06245-07, 06359-07, and 06361-07

On August 14, 2007, Nocatee filed Nocatee's Request For Confidential Treatment pursuant to Rule 25-22.006, F.A.C. and Section 364.183, Florida Statutes, for certain information contained in **FPSC Document Nos. 01521-07, 01874-07, 06245-07, 06359-07, and 06361-07.**

FPSC Document No. 01521-07, consisting of three documents, was filed on February 14, 2007, in response to staff's data request No. NOC-1 under a claim of confidentiality. On February 28, 2007, Nocatee subsequently reviewed the documents in FPSC Document No. 01521-07, and determined that only the per unit fee amount in the Compensation Agreement and only the financial information in Exhibit "A" attached to the Marketing Support Addendum is considered confidential. The two remaining documents were identified as FPSC Document No. 01874-07. The same two documents were later included in Hearing Exhibit No. 5. Hearing Exhibit No. 5 is identified as FPSC Document No. 06361-07. Hearing Exhibit No. 7, identified as FPSC Document No. 06359-07, also contains the same documents identified as FPSC Document Nos. 01521-07 and 01874-07. Hence, FPSC Document Nos. 01521-07, 01874-07, 06359-07, and 06361-07 all contain the same information.

- CMP** _____
- COM** _____
- CTR** _____
- ECR** _____
- GCL** _____
- OPC** _____
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- SGA** _____
- SEC** _____
- OTH** ML

DOCUMENT NUMBER-DATE

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Nocatee claims that the information fits plainly into the definition set forth in Section 688.002(4), Florida Statutes, the Uniform Trade Secrets Act. The information subject to the request for confidential classification relates to the amount of compensation to be paid by Comcast to Nocatee (DNs 01521-07, 01874-07, 06361-07, 06359-07), and the proposed amount of compensation AT&T Florida would have paid to Nocatee (DNs 06245-07 and 06359-07).

Upon review of the information contained in the documents, technical staff concurs with AT&T Florida that the identified information meets the requirements for confidential classification pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006(5), F.A.C., and as such, the information should be treated as confidential.

cc: Brenda Merritt (CMP)
Marguerite Lockard (CLK)
Timolyn Henry (GCL)