

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Section 364.025(6)(d), F.S., for Cabana South Beach Apartments, Phase II, in Alachua County, by BellSouth Telecommunications, Inc. d/b/a AT&T Florida

DOCKET NO. 070357-TL  
ORDER NO. PSC-07-0971-CFO-TL  
ISSUED: December 5, 2007

ORDER GRANTING AT&T FLORIDA'S REQUEST  
FOR SPECIFIED CONFIDENTIAL CLASSIFICATION OF  
DN 06495-07 (x-ref 07380-07) AND DN 06935-07 (x-ref DN 07817-07)

Pursuant to Rule 25-22.006, Florida Administrative Code, this order grants material in certain documents "specified confidential classification," thereby designating the material as "proprietary confidential business information" within the meaning of Section 364.183(3), Florida Statutes. This classification exempts the material from the disclosure requirements of Section 119.07(1), F.S.

During the course of this proceeding, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida) filed in this docket several documents that it claimed contained proprietary confidential business information. More specifically, AT&T Florida claimed that the documents included "(i) information relating to competitive interests, the disclosure of which would impair the competitive business of (AT&T Florida)."<sup>1</sup> These documents are identified in the table below and further described in their respective attachments, which are incorporated into and made part of the body this Order.

<b>Table Attachments to Order</b>		
<b>Document No.</b>	<b>X-Ref. Document No.</b>	<b>Attachment No.</b>
<b>06495-07</b>	<b>07380-07</b>	<b>1</b>
<b>06935-07</b>	<b>07817-07</b>	<b>2</b>

Florida law presumes that documents submitted to governmental agencies are public records. The only exceptions to this presumption are the specific statutory exemptions provided in the law and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision. The specific statutory exemption applicable here is found in Sections 364.183(3) and (4), F.S., which we have implemented through Rule 25-22.006, F.A.C. Under these rules, it is the burden of the company to establish that the documents it seeks to protect are entitled to exemption from the disclosure requirements of the public records law.

<sup>1</sup> Section 364.183(3) (e), Florida Statutes.

DOCUMENT NUMBER-DATE

10704 DEC-5 8

FPSC-COMMISSION CLERK

As reflected in Attachments 1 and 2, we have reviewed the filings of AT&T Florida to confirm that information sought to be protected against disclosure qualifies for exemption. The information sought to be protected does appear to be proprietary confidential business information within the meaning of Section 364.183, F.S. and Rule 25-22.006, F.A.C. For this reason each Request for Specified Confidential Classification for the documents identified above is hereby individually granted.

Based on the foregoing, it is

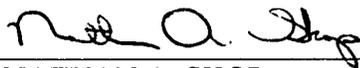
ORDERED by Commissioner Nathan Skop, as Prehearing Officer, that AT&T Florida's Request for Confidential Classification is hereby granted for DN 06495-07 (x-ref 07380-07) and 06935-07 (x-ref DN 07817-07). It is further

ORDERED that the findings in the body of this Order are affirmed in every respect. It is further

ORDERED that pursuant to Section 364.183, F.S. and Rule 25-22.006, F.A.C., any confidentiality granted to the documents specified herein shall expire eighteen (18) months from the date of 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.

By ORDER of Commissioner Nathan A. Skop, as Prehearing Officer, this 5th day of December, 2007.



NATHAN A. SKOP  
Commissioner and Prehearing Officer

( S E A L )

PKW

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), F.S., to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, F.S., 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.

Mediation may be available on a case-by- Case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, F.A.C.; or (2) 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.060, F.A.C.. 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.

ATTACHMENT 1

<b>Review of Request for Specified Confidential Classification</b>			
<b>Docket No.</b>	070357-TL - In re: Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Section 364.025(6)(d), F.S., for Cabana South Beach Apartments, Phase II, in Alachua County, by BellSouth Telecommunications, Inc. d/b/a AT&T Florida		
<b>Company</b>	BellSouth Telecommunications, Inc. d/b/a AT&T Florida		
<b>Document Nos.</b>	<b>06495-07</b>	<b>Cross Ref.</b>	<b>07380-07</b>
<b>Date Notice filed</b>	July 30, 2007	<b>Date Request Filed</b>	August 20, 2007
<b>Identification</b>	AT&T Florida's Exhibit Nos. 1, 2, and 3 attached to its filing of additional documents in support of Petition.		
<b>Justification</b>	AT&T Florida claims the material in FPSC Document No.06495-07 (x-ref. DN 7380-07) contains confidential business information related to competitive interests of AT&T Florida that is proprietary to AT&T Florida. AT&T Florida claims that public disclosure of this information would cause competitive harm to AT&T Florida. The information subject to the request for confidential classification relates to AT&T Florida's Average Revenue per Unit, estimated costs for network deployment, and the anticipated five times annual exchange revenue calculations for Cabana South, Phase II.		
<b>Concur?</b>	<b>Yes.</b> The identified information meets the requirements for confidential classification pursuant to Section 364.183, F.S., and Rule 25-22.006(5), F.A.C.		
<b>Grant Specified Confidential Classification?</b>	<b>Yes.</b>		

## ATTACHMENT 2

<b>Review of Request for Specified Confidential Information</b>			
Docket No.	070357-TL - In re: Petition for relief from carrier-of-last-resort (COLR) obligations pursuant to Section 364.025(6)(d), F.S., for Cabana South Beach Apartments, Phase II, in Alachua County, by BellSouth Telecommunications, Inc. d/b/a AT&T Florida		
Company	BellSouth Telecommunications, Inc. d/b/a AT&T Florida		
Document Nos.	<b>06935-07</b>	Cross Ref:	<b>07817-07</b>
Date Notice of Intent filed	August 8, 2007	Date Request filed	August 29, 2007
Identification	AT&T Florida's Response to Staffs First Data Request Nos. 2(a), 2(b) and 10.		
Justification	AT&T Florida claims the information in FPSC Document No. 06935-07 (x-ref. DN 07817-07) contains confidential business information related to competitive interests of AT&T Florida that is considered proprietary by AT&T Florida. AT&T Florida claims that public disclosure of this information would cause competitive harm to AT&T Florida. The information subject to the request for confidential classification relates to AT&T Florida's Average Revenue per Unit, estimated costs for network deployment, the anticipated five times annual exchange revenue calculations for Cabana South, Phase II, revenue analysis, and correspondence related to proposals regarding architecture, technology. timelines associated with the deployment of facilities.		
Concur?	<b>Yes.</b> The identified information meets the requirements for confidential classification pursuant to Section 364.183, F.S., and Rule 25-22.006(5), F.A.C.		
Grant Specified Confidential Classification?	<b>Yes.</b>		