

Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.
(850) 425-2359

June 25, 2012

BY HAND DELIVERY

Ann Cole
Director Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

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12 JUN 25 PM 3:33
COMMISSION
CLERK

Re: Docket No. 110234-TP – Third Request for Confidential Classification

Dear Ms. Cole:

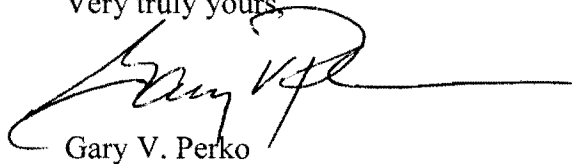
Enclosed for filing on behalf of Halo Wireless, Inc. ("Halo") are the following:

(1) The original and seven copies of Halo's Third Request for Confidential Classification, including Exhibit A, which identifies confidential files on DVD for which Halo seeks confidential treatment; and

(2) A CONFIDENTIAL envelope containing Exhibit B which is a package containing one un-redacted copy of the DVD containing the confidential files. Exhibit B is being submitted separately in a sealed envelope labeled "CONFIDENTIAL."

Please stamp and return the enclosed extra copy of this filing. If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,



Gary V. Perko

Enclosures

COM _____
APA _____
ECR _____
ECI 5
RAD 1
SRC _____
ADM _____
OPC _____
CLK 1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and petition for relief against Halo Wireless, Inc. for breaching the terms of the wireless interconnection agreement, by BellSouth Telecommunications, LLC d/b/a AT&T Florida. | DOCKET NO. 110234-TP
FILED: JUNE 25, 2012

**HALO WIRELESS, INC.'S THIRD
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Halo Wireless, Inc., ("Halo" or "Company"), pursuant to Section 364.183, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, submits this Request for Confidential Classification of information provided by Bell South Telecommunications, LLC d/b/a AT&T Florida ("AT&T Florida") in response to Halo's First Requests for Production of Documents. In support of this request, Halo states:

1. On June 4, 2012, AT&T Florida served its responses to Halo's First Set of Interrogatories, Request for Admissions, and Request for Production, along with a DVD filed with a Notice of Intent to Request Confidential Classification. For the reasons discussed below, the DVD provided by AT&T Florida in response to Request for Production No. 5 includes proprietary confidential business information.

2. In response to Request for Production No. 5, AT&T Florida provided a DVD containing approximately 1.26 GB of data consisting of sensitive information related to Call Detail Records ("CDRs"). Halo asserts that the CDRs must be treated as confidential in their entirety, and not disclosed to the public, because, among other things, they contain customer proprietary network information (CPNI), which is required to be kept confidential by 47 U.S.C. §222. CPNI is the data collected by telecommunications companies about a consumer's telephone calls including the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a

telecommunications carrier. In addition to this requirement of confidentiality, CPNI and the other call detail information constitute competitively sensitive and confidential trade secret information that must not be disclosed because it would reveal the proprietary routing configurations and vendor information of Halo and its customers, which could be used by competitors of Halo and its customers to unfairly compete against them. As such, public dissemination of this information presents a disclosure of trade secrets, *see* § 364.183(3)(a), and such information constitutes “proprietary confidential business information,” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

3. The following exhibits are included with this request:

(a) Exhibit A provides a listing of the confidential files included on the DVD submitted by AT&T Florida, along with the statutory justification for confidentiality explained in more detail in Paragraph 2 above. All such files are confidential in their entirety for the reasons stated in Paragraph 2 above.

(b) Exhibit B is a package containing one un-redacted copy of the DVD submitted by AT&T Florida. Exhibit B is being submitted separately in a sealed envelope labeled “CONFIDENTIAL.” Because the confidential files are included on a DVD, Halo was unable to highlight the confidential files in yellow. As noted above, however the confidential files are identified in Exhibit “A”.

4. Because the confidential files are included in the DVD, redaction is not practicable and, therefore, Halo is not submitting redacted copies of the DVD.

5. The information identified in Exhibit A and included in Exhibit B is intended to be and is treated by Halo as private and has not been disclosed.

6. Halo requests that the information in Exhibit B be classified as “proprietary confidential business information” within the meaning of section 364.183(3), F.S., that the

information remain confidential for a period of at least 18 months as provided in section 364.183(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, Halo Wireless, Inc., respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 25th day of June, 2012.



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EXHIBIT "A"

**IDENTIFICATION OF CONFIDENTIAL FILES ON DVD PROVIDED
BY AT&T FLORIDA IN RESPONSE TO HALO WIRELESS INC'S
REQUEST FOR PRODUCTION OF DOCUMENTS NO. 5**

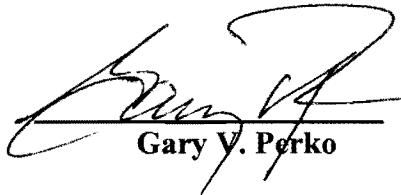
File Folder	File Name	Lines	Description	Statutory Justification
<u>State Region-by-State 1-18-12--2-14-12 Overview</u>	Halo CDR 01-18-2012.zip Halo CDR 01-19-2012.zip Halo CDR 01-20-2012.zip Halo CDR 01-21-2012.zip Halo CDR 01-22-2012.zip Halo CDR 01-23-2012.zip Halo CDR 01-24-2012.zip Halo CDR 01-25-2012.zip Halo CDR 01-26-2012.zip Halo CDR 01-27-2012.zip Halo CDR 01-28-2012.zip Halo CDR 01-29-2012.zip Halo CDR 01-30-2012.zip Halo CDR 01-31-2012.zip Halo CDR 02-01-2012.zip Halo CDR 02-02-2012.zip Halo CDR 02-03-2012.zip Halo CDR 02-04-2012.zip Halo CDR 02-05-2012.zip Halo CDR 02-06-2012.zip Halo CDR 02-07-2012.zip Halo CDR 02-08-2012.zip Halo CDR 02-09-2012.zip Halo CDR 02-10-2012.zip Halo CDR 02-11-2012.zip Halo CDR 02-12-2012.zip Halo CDR 02-13-2012.zip Halo CDR 02-14-2012.zip OUTPUT45.TXT OUTPUT48.TXT	All	Call Detail Records	§364.183(3)(a), F.S.
<u>9 State Region-by-State 6-14-11--6-20-11 Overview</u>	SM9634.OUTPUT45.TXT SM9634.OUTPUT48.TXT sqh7sr3_429f_2011-06-14_2011-06-14_1.zip sqh7sr3_429f_2011-06-15_2011-06-15_1.zip sqh7sr3_429f_2011-06-17_2011-06-17_1.zip sqh7sr3_429f_2011-06-18_2011-06-18_1.zip sqh7sr3_429f_2011-06-19_2011-06-19_1.zip sqh7sr3_429f_2011-06-20_2011-06-20_1.zip	All	Call Detail Records	§364.183(3)(a), F.S.
<u>9-State Region-by-State 9-26-11--10-2-11 Overview</u>	9-26-2011 Halo CDR Text File.zip 9-27-2011 Halo CDR Text File.zip 09-28-2011 Halo CDR Text File.zip 9-29-2011 Halo CDR Text File.zip 9-30-2011 Halo CDR Text File.zip 10-1-2011 Halo CDR Text File.zip 10-2-2011 Halo CDR Text File.zip New 9-29-2011 Halo CDR Text File.zip OUTPUT45.TXT OUTPUT48.TXT	All	Call Detail Records	§364.183(3)(a), F.S.
<u>Halo Claims Consolidated.xls</u>	<u>Halo Claims Consolidated.xls</u>	All	Call Record Details	§364.183(3)(a), F.S.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing request for confidential classification has been served on the following by electronic mail and by directing same to the following business addresses through first-class, United States mail, postage prepaid, on this the 25th day of June, 2012:

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Suzanne Montgomery
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LLC d/b/a AT&T Florida

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