

ORIGINAL
FILE COPY

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December 7, 1993

Mr. Steve C. Tribble
Director, Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

RE: Docket No. 920260-TL

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Request for Confidential Classification and Motion for Permanent Protective Order. Please file these documents in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White ¹⁰³
Nancy B. White

- ACK ✓
- AFA 2
- APP _____
- CAF _____
- CMU _____

Enclosures

- CTR _____ cc: All Parties of Record
- EAG _____ A. M. Lombardo
- LEG 1 _____ H. R. Anthony
- LIN 6 _____ R. D. Lackey
- OPC _____
- RCH _____

SEC 1 RECEIVED & FILED

WAS _____
OTH KS 99
FPSC/BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
13014 DEC-7 93
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive Review of)
the Revenue Requirements and Rate) Docket No. 920260-TL
Stabilization Plan of Southern)
Bell Telephone and Telegraph) Filed: December 7, 1993
Company)
_____)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR PERMANENT PROTECTIVE ORDER

COMES NOW BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), pursuant to Rule 25-22.006, Florida Administrative Division Code, and files its Request for Confidential Classification and Motion for Permanent Protective Order for the Company's responses to Item Nos. 275 and 277 of Staff's Twenty-Ninth Request for Production of Documents dated November 2, 1993.

1. Southern Bell has appended to this Request for Confidential Classification as Attachment "A" a listing of the location in the documents of the information designated by Southern Bell as confidential, together with a statement indicating why the material should be treated as confidential proprietary business information.

2. Appended hereto in an envelope designated as Attachment "B" are two copies of the documents with the confidential information deleted. Appended hereto in an envelope designated as Attachment "C" is a copy of the documents with the proprietary information highlighted.

3. The first category of information sought to be protected contains competitively sensitive information relating to the financial operations of several of Southern Bell's unregulated affiliates, including BellSouth Advertising and

DOCUMENT NUMBER-DATE

13014 DEC-78

FPSC-RECORDS/REPORTING

Publishing Company ("BAPCO"), BellSouth Mobility, BellSouth Enterprises and BellSouth Business Systems. Such information contained therein is proprietary confidential business information under Section 364.183(3)(e), Florida Statutes. This information contains actual and forecasted unregulated expenses, as well as net income information and forecasted revenue information.

4. The business of these unregulated affiliates is a competitive business, and companies participating in these markets do not typically share their expenses, profit margins and projected revenue information with their competitors. Section 364.183(3)(e), Florida Statutes, specifically includes "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information" as proprietary confidential business information. The cost structure and profitability of competitive enterprises is considered to be proprietary business information and is not generally shared publicly, and is certainly not shared directly with competitors of these companies. Knowledge of discrete elements in a competitor's cost structure in the context of these competitive businesses, would make it easier to estimate the competitor's overall costs which must be covered through revenues. Consequently, knowledge of a competitor's costs could help in setting strategies in certain markets subject to the greatest competition.

5. Knowledge of another competitor's revenue and cost structure trends for the future clearly places the firm possessing such knowledge in a superior position relative to the other company. Such knowledge could be even more valuable to

competitors than past information since it discloses a company's planned financial results and its expectations concerning competitive efforts. Accordingly, disclosure would give others a competitive advantage which would result in competitive harm and impair the effectiveness of Southern Bell's unregulated affiliate's business.

6. With respect to the portions of the workpapers documents which are referenced in Attachment A as containing employee-personnel information unrelated to compensation, duties, qualifications, or responsibilities, such information is expressly included in Section 364.183(3)(f), Florida Statutes, as proprietary confidential business information. This information includes Company employees' social security numbers. The Commission has consistently classified such personal employee information as confidential information, and has recognized the legitimate privacy interests possessed by such employees as it relates to such information.

7. In accordance with Rule 25-22.006, Florida Administrative Code, the information for which confidential treatment is sought is intended to be and is treated by the Company as private and has not been disclosed on a non-confidential basis.

WHEREFORE, Southern Bell Telephone and Telegraph Company moves the Prehearing Officer to enter an Order declaring the information described above, and contained in the indicated portions of the document responses to be confidential, proprietary business information and thus not subject to public disclosure.

Respectfully submitted this 7th day of December, 1993.

SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY

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ATTACHMENT "A"
FPSC DOCKET 920260-TL
SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY
REQUEST FOR CONFIDENTIAL CLASSIFICATION
STAFF'S 29TH REQUEST FOR PRODUCTION OF DOCUMENTS
ITEMS 275 AND 277

JUSTIFICATION FOR CONFIDENTIALITY REQUEST

1. This information relates to competitive interests and/or unregulated operations, this disclosure of which would impair the competitive business and/or unregulated operations of BellSouth. In particular, this material contains financial information related to the unregulated, competitive subsidiaries including BellSouth Mobility, BAPCO, BellSouth Enterprises and BellSouth Business Systems. As such, this information is classified as confidential business information pursuant to Section 364.183, Florida Statutes, and is exempt from the Open Records Act.
2. This information is employee personnel information unrelated to compensation, duties, qualifications and responsibilities. As such, this information is confidential business information pursuant to Section 364.183, Florida Statutes, and is exempt from the requirement of public disclosure of Section 119.07, Florida Statutes.

LOCATION OF PROPRIETARY MATERIAL

The following information identified by page and line numbers is considered confidential and proprietary:

<u>PAGE</u>	<u>LINE/COLUMN NO.</u>	<u>REASON</u>
F01B29Z 0000298	8-10/B, C, F	1
309	6, 7, 9/A	1
318	A, B	1
319	A	1
320	6-17/A-E	1
343	1, 12, 23, 35	2
346	20	1
348	G, H	1
351	5	1
1042	33-35/A-D	1
1043	9-11, 18-20, 25-27/A-D	1
1045	22-24, 26-28, 30-32/A-D	1
1046	13-15, 17-19, 21-23/A-D	1
1058	25/A-D	1
1092	31-33/A-D	1
1093	9-11, 18-20, 25-27/A-D	1
1095	22-24, 26-28, 30-32/A-D	1
1096	13-15, 17-19, 21-23/A-D	1
1108	19/A-D	1

ATTACHMENT "B"

Two copies of the document with the confidential information deleted.

ATTACHMENT "C"

One copy of the document with the material which is confidential and proprietary highlighted.

CERTIFICATE OF SERVICE

Docket No. 920260-TL

Docket No. 900960-TL

Docket No. 910163-TL

Docket No. 910727-TL

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by United States Mail this 7th day of December, 1993 to:

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