REQUEST TO ESTABLISH DOCKET

(PLEASE TYPE)

Date February 21, 1997	Docket No. 990226
1. Division Home/Staff Name Communicat	ions/Simmons SAS
3. OCR Appeals/Caldwell	
. Suggested Docket Title Resolution (of GTE Florida Incorporated's 1/31/97 Request for Confidential
Classification of Quarterly Report Scher	dule 8
regarding	
5. Suggested Docket Mailing List (atta	ch separate sheet if necessary)
as shown in Rule 25-22.104, F.A.	companies or ACRONYMS ONLY regulated industries, C. s for all others. (<u>Match representatives to clients.</u>)
1. Parties and their representat	ives (if any)
GTE Florida Incorporated	Kimberly Conwell
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2. Interested Persons and their	representatives (if any)
6. Check one:	
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Documentation will be	e provided with recommendation.
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FPSC-RECORDS/REPORTING



Marcell Morrell** Vice President & General Counsel - Florida

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

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

January 31, 1997

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

Dear Ms. Bayo:

Re: Docket No.

A part of GTE Corporation illounds

GTE Florida Incorporated's Request for Confidential Classification of

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FPSC-RECORDS/REPORTING

Please find enclosed for filing an original and fifteen copies of GTE Florida

Quarterly Report Schedules 8 and 20

GTE Telephone Operations

One Tampa City Center 201 North Franklin Street, FLTC0007 Post Office Box 110 Tampa, Florida 33601 813-483-2606 813-204-8870 (Facsimile)

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FPSC-RECORDS/REPORTING

ACK	Incorporated's Request for Confidential Classification in the above matter. The confidential documents have been highlighted and plaseparate envelope marked "Confidential" for your convenience.	referenced aced in a
AFA	Service has been made as indicated on the Certificate of Service. -questions, please contact me at (813) 483-2617.	If you have any
CAF CIMU CTR	Very truly yours, Limberly Caswell	
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

GTE Florida Incorporated's Request for Confidential Classification of Quarterly Report Schedules 8 and 20 Docket No. Filed: January 31, 1997

GTE FLORIDA INCORPORATED'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Under Commission Rule 25-22.006, GTE Florida Incorporated (GTEFL) seeks confidential classification and a protective order for Schedules 8 and 20 of its Quarterly Report. This information is required to be filed in accordance with Commission Rule 25-4.0185. While a ruling on this Request is pending, GTEFL understands that the information at issue is exempt from Florida Statutes section 119.07(1) and Staff will accord it the stringent protection from disclosure required by Rule 25-22.006(3)(d).

Highlighted, unredacted copies of the confidential material are attached to only the original of this Request as Exhibit A. Redacted copies of these items are attached to this Request as Exhibit B.

All of the information for which GTEFL seeks confidential treatment falls within Florida Statutes section 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 information."

The confidential information covered in this filing is GTEFL's access lines counts by exchange area and class and grade of service. These data will be very valuable in the competitive local exchange market sanctioned by the 1995 revisions to Chapter 364. With this information, alternative local exchange carriers (ALECs)—a number of which have

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already been certified—can discern the number of GTEFL's access lines by location and type of service. They will know the level of GTEFL's presence in the specified locations and lines of business. Moreover, because this information is provided quarterly, its ongoing public disclosure would allow GTEFL's competitors to determine growth and market trends in GTEFL's specific exchange areas and types of services. With this knowledge, competitors can tailor their marketing, entry and expansion plans accordingly, avoiding much of the trial and error that is the hallmark of an openly competitive marketplace.

The information for which GTEFL seeks protection is analogous to interexchange carriers' (IXCs') market share and traffic data, which reveals where a carrier's customers are located and their distribution across lines of business. The Commission customarily grants protection for the IXCs' data because of the competitive nature of the marketplace. The introduction of full local competition compels the same kind of protection for the LECs' access line data.

In a competitive business, any knowledge obtained about a competitor can be used to the detriment of the entity to which it pertains, often in ways that cannot be fully anticipated. This unfair advantage skews the operation of the market, to the ultimate detriment of the telecommunications consumer.

It is critical to prevent these regulation-induced distortions <u>now</u> before any further market entry occurs. As noted, numerous ALECs have been certificated in Florida; Intermedia Communications Inc. is already operating as both a facilities- and non-facilities-based carrier in GTEFL's service area. The local service promotions of other well-

recognized and well-financed carriers—among them AT&T and MCI—are also underway.

ALEC activity will rapidly grow more intense as more and more carriers complete interconnection and resale contracts with GTEFL pursuant to the Telecommunications Act of 1996. To this end, GTEFL's arbitration proceedings with AT&T, MCI, and Sprint have finished, and contract negotiations are nearing completion.

If the Commission orders public disclosure of GTEFL's competitively sensitive information in this environment, GTEFL will certainly be harmed, as will the market, which cannot operate efficiently if regulators introduce non-market handicaps for some competitors. The Commission can never correct for the market share and other losses to GTEFL. This effect is particularly troublesome and unfair, because ICI, AT&T, MCI, Sprint, and GTEFL's other ALEC competitors are under no obligation to make their competitively sensitive market information known to GTEFL.

The following, line-by-line justification specifically describes the confidential data at issue in this Request.

Schedule 8

Columns B-I, Lines 1-25: Access line data for each GTEFL exchange, broken down by class of service, with access line totals for each exchange, and Florida totals for each class of service.

Schedule 20

Page 1, Columns F, H and I, Lines 1-31, Page 2, Columns F, H and I, Lines 32-62, and Page 3, Columns F, H and I, Lines 63-91: Access line numbers by exchange, with cumulative totals, and breakdown of lines per exchange as percentage of total lines.

For the reasons set forth in this filing, GTEFL asks the Commission to grant this Request for confidential classification of the specified information and to issue a permanent protective order with regard to these data. GTEFL further requests return of these data when they are no longer useful to the Staff, or when they are superseded by the next Quarterly Report GTEFL files with the Commission, whichever comes first.

Respectfully submitted on January 31, 1997.

Kimberly Caswell Anthony P. Gillman

P. O. Box 110, FLTC0007

Tampa, FL 33601 (813) 483-2617

Attorneys for GTE Florida Incorporated

GTE FLORIDA ACCESS LINE DATA JUING COMPANY OFFICIAL) EXHIBIT B

SCHEDULE 8	_6_				_	_	ECEMBER 31	I
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of GTE Florida Incorporated's Request for Confidential Classification in the foregoing matter was sent via overnight delivery on January 30, 1997 to:

Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Kimberly Caswell