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March 25, 1993

BY HAND DELIVERY

Mr. Steve Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Re: Comprehensive Review of the Revenue Requirements
and Rate Stabilization Plan of Southern Bell
Telephone and Telegraph Company, Docket No. 920260-TL

Dear Mr. Tribble:

Enclosed for filing and distribution are the original and 15
copies of the Florida Interexchange Carriers Association's Motion
for Review of Order Denying Request for Confidential
Classification.

An extra copy of the Florida Interexchange Carriers
Association's Motion for Review of Order Denying Request for
Confidential Classification is also enclosed. Please stamp with
the date of filing and return it to me.

Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman
Vicki Gordon Kaufman

ACK ✓
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APP _____
CPE _____
CND (circled)
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EAG _____
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DOCUMENT NUMBER-DATE

03321 MAR 25 83

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive review of the)	Docket No. 920260-TL
revenue requirements and rate)	Filed: March 25, 1993
stabilization plan of Southern Bell)	
Telephone and Telegraph Company)	
)	

**THE FLORIDA INTEREXCHANGE CARRIERS ASSOCIATION'S
MOTION FOR REVIEW OF ORDER DENYING REQUEST FOR
CONFIDENTIAL CLASSIFICATION**

The Florida Interexchange Carriers Association (FIXCA), pursuant to rule 25-22.038(2), Florida Administrative Code, files this motion for review of Order No. PSC-93-0391-CFO-TL denying FIXCA's request for confidential classification of certain specific intraLATA and interLATA toll data. As grounds therefor, FIXCA states:

1. On January 19, 1993, FIXCA filed a request for confidential classification for its responses to Staff Interrogatories Nos. 6-9. These interrogatories requested specific information on FIXCA members' intraLATA and interLATA toll traffic for 1991 and 1992 by mileage band for revenue and minutes of use.

2. Order No. PSC-93-0391-CFO-TL denies FIXCA's request on the basis that the information provided:

consists of aggregate, combined measured toll service (MTS) traffic and revenue data of FIXCA's members

. . . .

. . . The data are not only aggregate, but combined for all of FIXCA's members. Disclosure of this data would, therefore, reveal little more than the total MTS traffic and revenue in the State of Florida. . . .

(Emphasis supplied.)

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FPSC-RECORDS/REPORTING

3. A review of the information which FIXCA provided in response to Staff's discovery requests shows that the order has not accurately described the information FIXCA provided. First, the data was not provided on an aggregate basis for all FIXCA members. Each request for which confidential classification is sought was provided on a carrier by carrier basis--that is, specific responses were provided to the requests for Cable & Wireless, Metromedia and ATC.¹ Thus, the order's characterization of the information as aggregated for all FIXCA members is simply incorrect. Contrary to the order's description, release of the data would provide much more information than simply total MTS traffic and revenue in Florida; it would provide carrier specific information.

4. Second, one of the individual FIXCA members (Cable & Wireless) provided the information requested not only on an individual company basis but by mileage band.² The specificity of this information provided is not described in any way in the order; rather the order portrays the information as presented on an aggregate membership basis. A review of the data demonstrates this is clearly not the case. Thus the order's denial of FIXCA's request for confidential classification was based on an erroneous description of the actual data provided.

¹ The responses did not include all FIXCA members because not all members provide toll service, because one member could not provide the data in the format requested, and because MCI received a separate discovery request.

² The other companies were unable to provide the information in this format.

5. Finally, FIXCA recognizes that at least one recent order³ entered by the Commission suggests that individual company aggregated toll usage data should not be accorded confidential classification because it cannot be realistically used to target specific market segments.

6. The Commission must bear in mind that FIXCA members have small market shares in the competitive toll market. Therefore, release of the market data information at issue will enable competitors, when the information for which FIXCA seeks confidential classification is combined with the publicly available information on FIXCA members' prices and products, to identify the likely customer bases of FIXCA members' customers. Thus, such competitors would be able to use the information to the competitive detriment of the members by targeting specific markets for competition.

7. Section 364.183(3)(e), Florida Statutes, specifically requires this Commission to keep confidential:

[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

The information individually provided by FIXCA members falls squarely within this section--release will harm their competitive interests. Therefore the information should be kept confidential.

³ Order No. PSC-93-0401-CFO-TL, Order Denying MCI's Request for Confidential Classification.

WHEREFORE, FIXCA requests the full Commission to reverse Order No. PSC-93-0391-CFO-TL and to enter an order granting confidentiality to FIXCA's responses to Staff Interrogatories Nos. 6-9.

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Attorney for the Florida
Interexchange Carriers
Association

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Florida Interexchange Carriers Association's Motion for Review of Order Denying Request for Confidential Classification has been furnished by hand delivery* or by U.S. Mail to the following parties of record, this 25th day of March, 1993:

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