

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Extended Area) DOCKET NO. 911185-TL
Service between all exchanges) ORDER NO. PSC-92-0694-CFO-TL
within Volusia County by) ISSUED: 07/22/92
Volusia County Council.)
_____)

ORDER GRANTING REQUESTS FOR SPECIFIED
CONFIDENTIAL CLASSIFICATION OF DOCUMENTS
NOS. 4353-92 AND 5593-92

By Order No. 25675, issued February 3, 1992, we directed BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company and United Telephone Company of Florida (Southern Bell and United, respectively, or the Companies) to perform certain traffic studies so that we could further evaluate Resolution No. 91-153A filed with this Commission by the County Council of Volusia County. Resolution No. 91-153A requested that we consider requiring implementation of extended area service (EAS) between all exchanges in Volusia County. Extensions of time to prepare and submit the traffic studies were granted by Order No. PSC-92-0064-PCO-TL, issued March 16, 1992; Order No. PSC-92-0085-PCO-TL, issued March 23, 1992; and Order No. PSC-92-0471-PCO-TL, issued June 9, 1992. The Companies subsequently filed the requested traffic study data, along with Requests for Specified Confidential Classification (Requests) of certain portions of the traffic study data. The Requests have not been opposed by any party to this proceeding.

Southern Bell and United have both requested specified confidential treatment of data which represents a quantification of traffic along certain routes. Southern Bell's Request involves both intraLATA and interLATA data, while United's Request only involves interLATA data. Southern Bell asserts that intraLATA traffic data should be afforded confidential treatment due to the advent of intraLATA competition in Florida on January 1, 1992. Southern Bell states that the data at issue is basically a blueprint of toll usage over the various routes and, if disclosed, could be used by competitors to target the most lucrative routes, thus harming Southern Bell and its ratepayers. In addition, Southern Bell asserts that it maintains this information on a proprietary basis and has not disclosed the data to the public.

As to the interLATA data, both Companies assert that these are competitive routes and that disclosure of the traffic data would aid present and future competitors to the detriment of those carriers presently providing service on these routes. The interLATA traffic data was obtained by the local exchange companies (LECs) through billing and collection services provided to the

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interexchange carriers (IXCs). Contracts between the LECs and the IXCs require the LECs to keep this information confidential, thus lending further support to the premise that this data is proprietary.

Upon review, I find it appropriate to grant the Companies' Requests. The data identified in Appendix "A" to this Order is found to be proprietary confidential business information pursuant to Section 364.183, Florida Statutes. As such, it shall be kept confidential and shall be exempt from Section 119.07(1), Florida Statutes.

Based on the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that the Requests for Specified Confidential Classification filed by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company on June 1, 1992, and by United Telephone Company of Florida on May 4, 1992, are hereby granted pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, for the reasons set forth herein. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the 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 Susan F. Clark, as Prehearing Officer, this 22nd day of July, 1992.


SUSAN F. CLARK, Commissioner
and Prehearing Officer

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. 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.

APPENDIX "A"

INDEX OF CONFIDENTIAL INFORMATION CONTAINED
IN COMMISSION DOCUMENTS NOS. 4353-92 AND 5593-92

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