

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by Levy ) DOCKET NO. 930995-TL  
County Board of County ) ORDER NO. PSC-94-0479-CFO-TL  
Commissioners for county-wide ) ISSUED: April 21, 1994  
calling within Levy County and )  
extended area service (EAS) from )  
Chiefland and Cedar Key to )  
Gainesville. )  
\_\_\_\_\_ )

ORDER GRANTING CONFIDENTIAL TREATMENT TO DOCUMENT NO. 3101-94

By Order No. PSC-93-1589-PCO-TL, issued on November 1, 1993, we required Southern Bell to file certain traffic studies which are necessary for us to evaluate a request for extended area service. By Order No PSC-94-0005-PCO-TL, issued on January 3, 1994, we extended the time for the Company to file until April 1, 1994. On April 1, 1994, the Company filed the required traffic studies which were assigned Document No. 3101-94 by the Commission. At that time the Company also filed a Request for Confidential Treatment of specific material contained in the required studies.

Under Section 119.01, Florida Statutes, all documents submitted to this Commission are public records. The only exceptions to this law are documents which are exempt pursuant to specific statutory terms or provisions. Moreover, under Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the burden of demonstrating that materials qualify for confidential classification falls upon the person requesting such treatment.

In its Request for Confidential Treatment, the Company asserts that the material at issue involves toll usage over the various routes in the study, that the Company maintains the information on a confidential basis, and that disclosure of the information would allow the Company's competitors in the intraLATA toll market to target the most lucrative routes which would result in competitive harm to Southern Bell.

Upon review, I find that disclosure of the information could cause competitive harm to Southern Bell. Thus, I shall grant the Company's April 1, 1994 Request for Confidential Treatment.

DOCKET NO. 930995-TL DATE

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FPSC-REGISTRATION REPORTING

ORDER NO. PSC-94-0479-CFO-TL  
DOCKET NO. 930995-TL  
PAGE 2

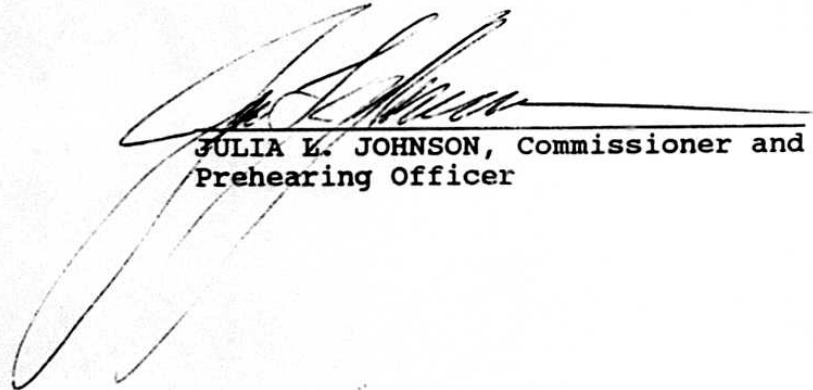
Therefore, it is

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that Southern Bell's Request for Confidential Treatment of Document No. 3101-94 is granted.

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any 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 Julia L. Johnson, as Prehearing Officer, this 21st day of April, 1994.



JULIA L. JOHNSON, Commissioner and  
Prehearing Officer

( S E A L )

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ORDER NO. PSC-94-0479-CFO-TL  
DOCKET NO. 930995-TL  
PAGE 3

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.