

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by the) DOCKET NO. 940335-TL
residents of Mexico Beach (The) ORDER NO. PSC-94-1572-CFO-TL
Beaches exchange) for extended) ISSUED: December 19, 1994
area service (EAS) between the)
Beaches exchange and the Panama)
City and Tyndall Air Force Base)
exchanges.)

ORDER GRANTING REQUEST FOR SPECIFIED
CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 07824-94

On March 22, 1994, in Document No. 02678-94, the residents of Mexico Beach (The Beaches Exchange) filed a petition with this Commission requesting extended area service (EAS) between the Beaches exchange and the Panama City and Tyndall Air Force Base exchanges. The Beaches and Tyndall Air Force Base exchanges are served by St. Joseph Telephone and Telegraph Company (St. Joe), and the Panama City exchange is served by BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell).

By Order No. PSC-94-0529-PCO-TL, issued May 4, 1994, this Commission directed St. Joe and Southern Bell to conduct traffic studies so that we could further evaluate the Mexico Beach petition. On August 2, 1994, Southern Bell filed its traffic study, along with a Request for Specified Confidential Classification (Request) of certain portions of the traffic study data, as identified in Appendix "A" to this Order. This submission was designated as Document No. 07824-94. The request has not been opposed by any party to this proceeding.

Pursuant to Section 119.01, Florida Statutes, documents submitted to this Commission are public records. The only exceptions to this law are specific statutory exemptions and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision.

Pursuant to the provisions of Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Southern Bell has the burden of demonstrating that the materials qualify for specified confidential classification. According to Rule 25-22.006, Florida Administrative Code, Southern Bell must

DOCUMENT NUMBER-DATE

12657 DEC 19 94

FPSC-RECORDS/REPORTING

meet this burden by demonstrating that the materials fall into one of the statutory examples set forth in Section 364.183, Florida Statutes, or by demonstrating that the information is proprietary confidential business information, the disclosure of which will cause Southern Bell or its ratepayers harm.

The information for which Southern Bell has requested specified confidential treatment in Document No. 07824-94 consists of traffic data that indicates which routes at issue in this case contain the most concentrated traffic. According to Southern Bell, disclosure of this information would allow Southern Bell's competitors in the intraLATA toll market to target the most lucrative routes, thereby competitively harming the Company. This traffic data, which relates to toll usage, is used by Southern Bell to plan its network deployment based on traffic demand over the respective toll routes.

Upon review, the data identified in Appendix "A" to this Order from Document No. 07824-94 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 Request for Specified Confidential Classification of the information identified in Appendix "A" to this Order from Document No. 07824-94, filed by BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company is 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, 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.

ORDER NO. PSC-94-1572-CFO-TL
DOCKET NO. 940335-TL
PAGE 3

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 19th day of December, 1994.



SUSAN F. CLARK, Commissioner and Prehearing Officer

(S E A L)

SHS

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 the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) 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 sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

ORDER NO. PSC-94-1572-CFO-TL
DOCKET NO. 940335-TL
PAGE 4

APPENDIX "A"

INDEX OF CONFIDENTIAL INFORMATION
CONTAINED IN DOCUMENT NO. 07824-94

<u>ATTACHMENT</u>	<u>PAGE NOS.</u>	<u>LINE NOS.</u>
A	1	1
A-1	1	1
B	1	1-28
D	1 2	1 1-2
E	1 2	1-2 1
F	1	1