

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for approval of) DOCKET NO. 950614-TL
tariff filing to provide) ORDER NO. PSC-95-0747-CFO-TL
Contract Service Arrangements) ISSUED: June 21, 1995
for intraLATA toll service for)
large customers by GTE Florida)
Incorporated.)
_____)

Order Granting Confidential Classification

By request dated May 9, 1995, GTE Florida Incorporated (GTEFL) has sought confidential classification and a permanent protective order for sections of an affidavit concerning contract service arrangements (CSAs) for certain large business toll customers. GTEFL asserts that the information to be protected fits within Section 364.183(3)(e), F.S., which defines "proprietary confidential business information" to include "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information".

Florida law provides, in Section 119.01, Florida Statutes, that documents submitted to governmental agencies shall be 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 Section 364.183 and Rule 25-22.006, it is the company's burden to show that the material submitted is qualified for specified confidential classification. Rule 25-22.006 provides that the company may fulfill its burden by demonstrating that the documents fall into one of the statutory examples set out in Section 364.183, or by demonstrating that the information is proprietary confidential information the disclosure of which will cause the company or its ratepayers harm.

In this instance, GTEFL has demonstrated that the material for which confidential classification is sought, Document No. 04524-95, falls within the statutory example set out in Section 364.183(3)(e), "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information". As pointed out by GTEFL, it would harm the company's competitive business to have information about a potential GTEFL toll customer, including that customer's name, the executive authorized to enter into contracts on behalf of the customer, and the customer's annual intraLATA toll minutes of use, disclosed.

DOCUMENT NUMBER-DATE

05836 JUN 21 85

FPSC-RECORDS/REPORTING

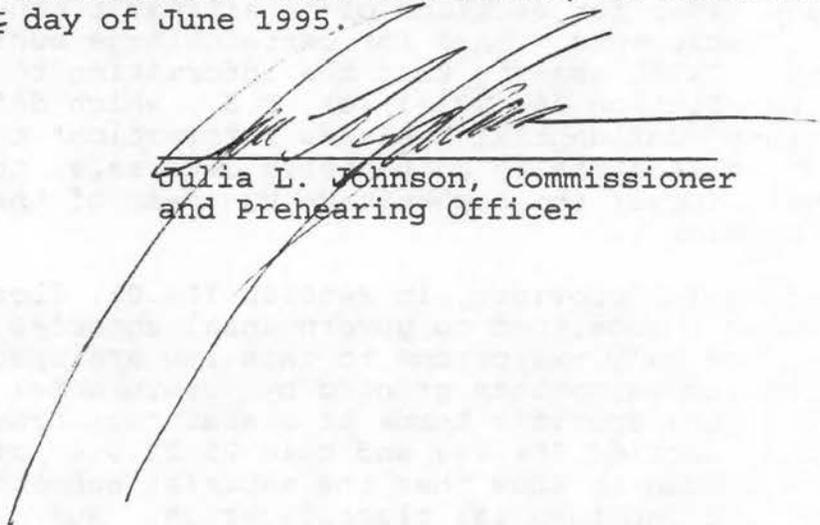
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Accordingly, because the material described in this order is encompassed by Section 364.183(3)(e), Florida Statutes, it is

ORDERED that confidential classification for the material described herein, Document No. 04524-95, is granted. It is further

ORDERED that confidential classification for this material will extend until February 1, 1997.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer this 21st day of June 1995.



Julia L. Johnson, Commissioner
and Prehearing Officer

(S E A L)

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.