

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application to change ) DOCKET NO. 920385-TL  
depreciation rates and schedules ) ORDER NO. PSC-92-0969-CFO-TL  
effective 1/1/92 by BELLSOUTH ) ISSUED: 09/10/92  
TELECOMMUNICATIONS, INC. d/b/a )  
SOUTHERN BELL TELEPHONE AND )  
TELEGRAPH COMPANY )  
\_\_\_\_\_ )

TEMPORARY PROTECTIVE ORDER

By Motions for Temporary Protective Order, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company), with the concurrence of the Office of Public Counsel (OPC), pursuant to Rule 25-22.006, Florida Administrative Code, has requested that the Prehearing Officer issue a Temporary Protective Order exempting documents requested by OPC from Section 119.07(1), Florida Statutes. Southern Bell has delivered into OPC's possession documents in response to OPC's First and Second Requests for Production of Documents. Those documents are contained with Documents Nos. 6674-92, 9068-92, and 9476-92.

Southern Bell asserts that some of the documents that have been delivered to OPC contain proprietary, confidential business information that should not be publicly disclosed. Specifically, the documents include, but are not limited to, financial information and forecasts, marketing strategies, vendor specific information, and competitive information of unregulated entities. Southern Bell states that once OPC notifies the Company which of the proprietary documents are to be used in this proceeding, Southern Bell will file a detailed request for confidential classification specifically addressing each of the documents identified. The remainder of the documents shall be returned to Southern Bell by OPC.

Based on the foregoing, I find it appropriate, pursuant to this Commission's authority under Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, to grant Southern Bell's Motions for Temporary Protective Orders. Accordingly, the documents received by OPC from Southern Bell shall be kept confidential and be exempt from public disclosure under Section 119.07(1), Florida Statutes, for the duration of this Temporary Protective Order. This Order shall expire on December 31, 1992, by which time OPC shall return to Southern Bell all materials not used. This Order shall have no effect on the subsequent determination of any request for specified confidential classification of any of these documents.


DOCUMENT NUMBER-DATE

10395 SEP 10 1992

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 10th day of September, 1992.

  
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J. TERRY DEASON, Commissioner  
and Prehearing Officer

( S E A L )

PAK

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.