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SEP 14 1992  
FPSC-RECORDS/REPORTING

September 14, 1992

Mr. Steve C. Tribble  
Director, Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32301

RE: Docket No. 910163-TL

Dear Mr. Tribble:

Enclosed are an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Motion for a Temporary Protective Order for Its Response to Citizen's Twenty-eighth Set of Interrogatories, Item Nos. 2, 3, 5, 6, 8 and 9 which we ask that you file in the above-captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

*Sidney J. White, Jr.*  
Sidney J. White, Jr.

ACK ✓  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_

CMU Enclosures

CTR cc: All Parties of Record  
EAS \_\_\_\_\_ A. M. Lombardo  
LES [initials] H. R. Anthony  
LIN [initials] R. D. Lackey

OFC RECORDED & FILED  
RUB \_\_\_\_\_  
SEC [initials]  
WAS \_\_\_\_\_  
CTR Key  
FPSC BUREAU OF RECORDS

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**CERTIFICATE OF SERVICE**  
**Docket No. 910163-TL**

I HEREBY CERTIFY that a copy of the foregoing has been  
furnished by United States Mail this 14th day of September, 1992  
to:

Charles J. Beck  
Assistant Public Counsel  
Office of the Public Counsel  
Room 812  
111 W. Madison Street  
Tallahassee, FL 32399-1400

Tracy Hatch  
Division of Legal Services  
Florida Public Svc. Commission  
101 East Gaines Street  
Tallahassee, FL 32399-0863

A handwritten signature in cursive script, appearing to read "Tracy Hatch", written over a horizontal line. The signature is fluid and stylized, with a large loop at the end.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on Behalf of )  
Citizens of the State of Florida ) Docket No. 910163-TL  
to Initiate Investigation into )  
Integrity of Southern Bell ) Filed: September 14, 1992  
Telephone and Telegraph Company's )  
Repair Service Activities and )  
Reports. )  
\_\_\_\_\_ )

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
MOTION FOR A TEMPORARY PROTECTIVE ORDER FOR ITS  
RESPONSES TO CITIZEN'S TWENTY-EIGHTH SET OF  
INTERROGATORIES, ITEM NOS. 2, 3, 5, 6, 8 AND 9

COMES NOW, BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company"), and files pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, its Motion for Protective Order.

1. On August 10, 1992, the Office of Public Counsel ("Public Counsel") served upon Southern Bell its Twenty-eighth Set of Interrogatories. Within that set of Interrogatories are Item Nos. 2, 3, 5, 6, 8 and 9, which request information regarding certain past and present Company employees, who are also telephone company customers. Southern Bell considers this information to be proprietary confidential business information pursuant to § 364.183, Florida Statutes.

2. Pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, Southern Bell moves the Prehearing Officer to issue a Temporary Protective Order exempting the Company's responses to the above-referenced Interrogatories from § 119.07(1), Florida Statutes.

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3. If Public Counsel subsequently notifies Southern Bell that this proprietary information is to be used in a proceeding before this Commission, Southern Bell will, in accordance with Rule 25-22.006(5)(c), Florida Administrative Code, file a detailed Motion for Protective Order specifically addressing the information identified.

4. With respect to Southern Bell's responses to Item Nos. 2, 3, 5, 8 and 9, the information requested pertaining to past and present employees which is unrelated to compensation, duties, qualifications or responsibilities constitutes proprietary confidential business information. The responses contain employee-specific home and business addresses and telephone numbers, some of which may also be unlisted. Such information is personal and private to these individuals, both as Company past or present employees, as well as customers of Southern Bell. Southern Bell does not publicly disclose such information in the normal course of business. Such information is specifically considered to be proprietary and confidential business information under § 364.183(3)(f), Florida Statutes, and this Commission has consistently held that customer-specific information is proprietary confidential business information.

5. With respect to Southern Bell's response to Item No. 6, the specific names of individuals who were disciplined as a result of this investigation are proprietary confidential business information. This information is "employee personnel information unrelated to compensation, duties, qualifications, or

responsibilities" specifically identified in § 364.183(3)(f), Florida Statutes, as proprietary confidential business information. This information has been previously requested by the Commission Staff in its Sixteenth Request for Production of Documents, and Southern Bell has a pending Request for Confidential Classification and Motion for Permanent Protective Order, which was filed on June 26, 1992, relating to the identical type of employee information sought by Public Counsel in Item No. 6. Southern Bell hereby incorporates by reference herein all arguments made in its pending Request and Motion in support of maintaining the proprietary and confidential nature of this information. Moreover, as Southern Bell has previously stated, it does not object to public disclosure of the extent of the employee discipline, the type of discipline, and the number of persons disciplined. However, there simply is nothing to be gained by the additional public disclosure of the identities of the particular persons disciplined. Section 364.183(3)(f), Florida Statutes, clearly provides that the names of these employees should be kept confidential. To hold otherwise will do nothing more than damage, perhaps irreparably, the reputations of individual Southern Bell employees and expose them personally to public ridicule.


6. All of the information for which Southern Bell requests confidential treatment is intended to be treated as confidential has been treated as confidential and has not been disclosed to any third party except pursuant to statutory provisions or


private agreement that provides that the information will not be released to the public.

WHEREFORE, Southern Bell respectfully requests that the Prehearing Officer issue a Temporary Protective Order exempting Southern Bell's responses to Item Nos. 2, 3, 5, 6, 8 and 9 of Public Counsel's Twenty-eighth Set of Interrogatories from § 119.97(1), Florida Statutes, in accordance with Rule 25-22.006, Florida Administrative Code.

Respectfully submitted this 14th day of September, 1992.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY

  
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