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SEP 23 1992

September 23, 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:

On September 21, 1992, Southern Bell filed a Request for Confidential Classification in the above-referenced docket. In that filing, the Company referenced a previous Request for Confidential Classification and Motion for Permanent Protective Order filed by Southern Bell in this same docket. However, due to typographical errors, the date of the referenced pleading was inaccurately stated on pages two (2) and four (4) of the September 21, 1992 pleading. The correct date on which the referenced Request and Motion was filed was September 9, 1992.

Appended to this letter are two corrected replacement pages for pages 2 and 4 of the September 21, 1992 filing. These pages should be substituted for pages 2 and 4 in the original filing.

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 on the parties shown on the attached Certificate of Service.

Sincerely,

Sidney J. White, Jr.
Sidney J. White, Jr. :

*Y-206
DN 1097892*

Enclosures

cc: All Parties of Record
A. M. Lombardo
H. R. Anthony
R. D. Lackey

Jero

DOCUMENT NUMBER-DATE

11090 SEP 23 1992

FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 910163-TL

I HEREBY CERTIFY that a copy of the foregoing has been furnished by United States Mail this 23rd 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", with a horizontal line extending through the middle of the signature.

DOCUMENT NUMBER-DATE

11080 SEP 23 1992

FPSC-RECORDS/REPORTING

4. Attached as Attachment C is a sealed package containing copies of the documents with the material which is confidential and proprietary highlighted. Copies of Attachment C are not being served on the other parties in this proceeding.

5. The information identified as being proprietary confidential business information subject to this Request for Confidential Classification contains employee-specific personnel information unrelated to compensation, duties, qualifications, or responsibilities. Such information is specifically included in § 364.183(3)(f), Florida Statutes, as proprietary confidential business information exempt from § 119.07(1), Florida Statutes. These investigative materials deal with employee activities that, if substantiated, would fall outside normal and acceptable duties and responsibilities. See also: Southern Bell's Request for Confidential Classification and Motion for Permanent Protective Order filed in this docket on September 9, 1992 (Request and Motion). Consequently, this information deals with employee information unrelated to the employees' defined duties and responsibilities. Id.

6. The investigative reports also obviously mention the names of the employees being investigated, and the disclosure of such names could unnecessarily subject these employees to public embarrassment, humiliation, and consternation. Moreover, some of these investigations cleared individuals entirely of any wrong doing and resulted in no further Company action whatsoever. Public disclosure of the named individuals identified in such

notwithstanding the fact that they are blameless. The public interest is not furthered by such a blind reading of the public records laws.

8. Similarly, individuals who are named in internal corporate investigations pertaining to improper business practices and who are ultimately exonerated should never be forced to defend themselves again publicly due to the irresponsible publishing of those individuals' names. The stigma of unjustly being accused or suspected of corporate improprieties, albeit not as bad as being a suspected child abuser, is nevertheless virtually unshakable. Furthermore, the release of such information would clearly have a defamatory and damaging effect on the good name and reputation of such individuals, both within the Company as well as in the community at large.

9. Southern Bell has previously asserted in its September 9, 1992 Request and Motion that the names of employees who were disciplined as a result of the repair service investigation are proprietary and confidential business information. Southern Bell reasserts these arguments here and incorporates by reference herein the arguments contained in the Request and Motion on the issue of the release of these disciplined employees' names.

10. In addition to the compelling arguments already made herein, as well as in the Company's September 9, 1992, Request and Motion, further support for the proposition that the names of