

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Comprehensive review of) DOCKET NO. 920260-TL
the revenue requirements and) ORDER NO. PSC-93-0014-CFO-TL
rate stabilization plan of) ISSUED: 01/05/93
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY.)
_____)

INTERIM PROTECTIVE ORDER

During 1992, the Staff of the Division of Auditing and Financial Analysis (AFAD) of the Florida Public Service Commission (the Commission) conducted audit field work relating to its "Rate Case Audit" and its "Rate Case Audit-Cost Allocation Manual Supplement" of BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company). AFAD Staff completed this field work and held a field audit exit conference for both audit phases on December 2, 1992, with representatives of both AFAD Staff and the Company present. At the field audit exit conference, Staff identified certain documents and information that it desired to include in its audit workpapers. Southern Bell has asserted that a large number of these documents contain proprietary confidential business information as that term is defined in Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes.

On December 11, 1992, the Office of Public Counsel (OPC) filed a Petition to Inspect and Examine Staff's Rate Case Audit Report and Workpapers (Petition) pursuant to Rule 25-22.006(6)(a).

On December 23, 1992, Southern Bell filed its Request for Confidential Classification for the proprietary confidential business information contained in the audit reports and workpapers. This request has not been opposed by any party to this proceeding.

On December 28, 1992, Southern Bell filed its Response to OPC's Petition of December 11, 1992 (Response). In its Response, Southern Bell consents to OPC's request to inspect and examine the above-referenced audit reports and workpapers, subject to the issuance of a temporary protective order pending the disposition of its December 23, 1992, Request for Confidential Classification. Southern Bell asserts that interspersed throughout the audit reports and workpapers is information which this Commission has held previously to be confidential.

Upon consideration, it is appropriate, pursuant to this Commission's authority under Section 364.183 and Rule 25-22.006, to grant Southern Bell's request for an interim protective order.

DOCUMENT NUMBER-DATE

00070 JAN-58

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Accordingly, OPC shall be granted access to the above-referenced audit reports and workpapers, which shall be kept confidential and shall be exempt from public disclosure under Section 119.07(1), Florida Statutes, for the duration of this Interim Protective Order. This procedure will allow for a reasoned analysis of Southern Bell's December 23, 1992, Request for Confidential Classification, which is lengthy and extremely detailed, while at the same affording OPC timely access to documents which are intended to be utilized at the upcoming hearing. This Interim Protective Order shall expire at the time this Commission enters its ruling on the December 23, 1992, Request for Confidential Classification, and shall have no effect on the ultimate determination of the merits of that request.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 5th day of January, 1993.



SUSAN F. CLARK, Commissioner
and Prehearing Officer

(S E A L)

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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.

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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.