

MEMORANDUM

June 30, 1997

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FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CULPEPPER) *ML MB*

RE: DOCKET NO. 950699-TL - RESOLUTION BY CITY COMMISSION OF HAINES CITY REQUESTING EXTENDED AREA SERVICE (EAS) FROM HAINES CITY EXCHANGE TO ALL EXCHANGES WITHIN POLK COUNTY.

950699-97 0795

Attached is an ORDER GRANTING CONFIDENTIAL TREATMENT OF SPECIFIC MATERIAL CONTAINED IN DOCUMENT NO. 04680-97 to be issued in the above-referenced docket. (Number of pages in Order - 3)

BC/anr
Attachment
cc: Division of Communications
I: 950699C3.BC

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Indexed - 2/2
marked - .

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Resolution by City
Commission of Haines City
requesting extended area service
(EAS) from Haines City exchange
to all exchanges within Polk
County.

DOCKET NO. 950699-TL
ORDER NO. PSC-97-0795-CFO-TL
ISSUED: July 3, 1997

ORDER GRANTING CONFIDENTIAL TREATMENT OF SPECIFIC MATERIAL
CONTAINED IN DOCUMENT NO. 04680-97

On May 9, 1997, GTE Florida Incorporated (GTEFL or the Company) filed Late-Filed Exhibits 7 and 9, which were requested by Commission staff at the April 22, 1997, hearing in this docket. Along with the Late-Filed Exhibits, GTEFL filed a Request for Confidential Classification and Motion for Protective Order of specific information on toll calling statistics contained in the exhibits, Document No. 04680-97. In support of its request for confidential treatment, the Company asserts that:

1. The Company has filed this request pursuant to Rule 25-22.006, Florida Administrative Code.
2. The filing contains information that falls within the definition of "proprietary confidential business information" set forth in Section 364.183(3)(e), Florida Statutes.
3. GTEFL treats this information as confidential, and it is information that is customarily granted confidential classification in extended area service (EAS) cases.
4. Knowledge of this information would aid GTEFL's competitor's in determining the most profitable routes and in designing calling plans that ensure success in competing with GTEFL.

DOCUMENT NUMBER-DATE

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FILED IN THE OFFICE OF THE CLERK

5. Furthermore, if competitors discovered GTEFL's existing and projected toll revenues under the toll alternatives of ECS and EAS, competitors would have an unfair advantage over GTEFL in their ability to develop marketing, expansion, and entry strategies.
6. If the Commission orders disclosure of this information, GTEFL would be harmed, as well as telecommunications consumers.

Specifically, the Company requests confidential classification of the following specified information in Document No. 04680-97: Exhibit 7, Pages 1 - 3, Columns B - H, Lines 1 - 28; and Exhibit 9, Page 1, Columns B - D, Lines 1 - 21.

Upon review, the material is found to be proprietary business information in accordance with Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. As such, it shall be granted confidential treatment and shall be returned to GTEFL when no longer of use to Commission staff.

Based on the foregoing, it is therefore

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that GTE Florida Incorporated's May 9, 1997, Request for Confidential Classification and Motion for Protective Order of specifically identified material contained in Late-Filed Exhibits 7 and 9, Document No. 04680-97, is hereby granted. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidentiality granted to the material specified herein shall expire eighteen (18) months from the date of the issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183, Florida Statutes. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

ORDER NO. PSC-97-0795-CFO-TL
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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 3rd day of July, 1997.



J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

BC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 25-22.0376, 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.