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May 18, 2001

Ms. Blanca S. Bayó, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
01 MAY 18 PM 4:08  
RECORDS AND  
REPORTING

Re: Docket No. 990649-TP

Dear Ms. Bayó:

Enclosed for filing are the original and 15 copies of redacted version of Sprint's cost studies in this Docket.

Service of the cost studies is being made via overnight delivery pursuant to the attached Certificate of Service. Confidential (unredacted) versions of the filing are being served on parties who have executed a non-disclosure agreement with Sprint. These parties will also receive the cost studies on CD-Rom. Redacted versions of the studies are being served on other parties.

Also enclosed is Sprint's Request for Confidential Classification of certain information contained in the Cost Studies.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Sincerely,

Susan S. Masterton

Enclosures

This confidentiality request was filed by or for a "telco" for DN ~~06290-0~~ 06290-0. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

RECEIVED & FILED  
*Mew*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
06289 MAY 18 2001  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into )  
Pricing of unbundled network )  
Elements )

Docket No. 990649-TP

Filed: May 18, 2001

Sprint's Request for Confidential Classification Pursuant to Section 364.183(1),  
Florida Statutes

Sprint-Florida, Incorporated and Sprint Communications Company Limited Partnership (Sprint) hereby request that the Florida Public Service Commission ("Commission") classify certain documents and/or records identified herein as confidential, exempt from public disclosure under Chapter 119, Florida Statutes and issue any appropriate protective order reflecting such a decision. The information that is the subject of this request is contained in certain documents contained in Sprint's cost studies filed in this Docket.

1. The following documents or excerpts from documents are the subject of this request:

**Vol. II of III**

- 1. Inputs-----5 pgs
- 2. High Capacity Loops-----6 pgs
- 3. Switching-----5 pgs
- 4. Transport-----10 pgs
- 5. Multi-plexing-----2 pgs
- 6. Misc. UNE's – SS7-----1 pg

**Vol. III of III**

- 7. Loops-----16 pgs
- 8. SS7-----8 pgs
- 9. Transport-----14 pgs

2. One unredacted copy of the documents has been submitted to the Division of Records and Reporting under seal this same day.

3. The confidential information is identified by gray highlighting. The information for which the Request is submitted is vendor-specific pricing information (or information from which such information can be derived), trade secret or other highly proprietary contractual, competitive or valuable information and thus meets the definition of confidential proprietary business information pursuant to Section 364.183(3)(a)(d) & (e), Florida Statutes. Section 364.183(3), provides:

(3) The term "proprietary confidential business information" means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. The term includes, but is not limited to:

(a) Trade secrets.

(b) Internal auditing controls and reports of internal auditors.

(c) Security measures, systems, or procedures.

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms.

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

(f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

4. Furthermore, Section 688.002(4), Florida Statutes is instructive on what constitutes a trade secret and provides that:

(4) "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process that:

(a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use;

and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

5. The subject information has not been publicly released and Sprint is required by contract to keep certain of the information confidential. Furthermore, release of the information could impair the efforts of the company or its affiliates to contract for goods or services on favorable terms, thus causing harm to the company's business operations.

6. The commission has found similar information to be confidential. See, Order No. PSC-00-1372-CFO-TP, Issued July 31, 2000; *In re: Investigation into pricing of unbundled network elements*. Docket No. 990649-TP.

Based on the foregoing, Sprint respectfully requests that the Commission grant the request for Confidential Classification, exempt the information from disclosure under Chapter 119, Florida Statutes and issue any appropriate protective order, protecting the information from disclosure while it is maintained at the Commission.

RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of May 2001.

*Susan S. Masterton*

Susan S. Masterton

Sprint

Post Office Box 2214

MS: FLTLHO0107

Tallahassee, Florida 32316

850/599-1560

CERTIFICATE OF SERVICE

Docket No. 990649-TP

I HEREBY CERTIFY that a copy (redacted\* or non-redacted) of Sprint's Cost Studies has been furnished by overnight delivery, on this 17th day of May, 2001, to the following:

KMC Telecom Inc.\*  
Mr. John D. McLaughlin, Jr.  
1755 North Brown Road  
Lawrenceville, GA 30043

Nancy B. White\*  
C/o Nancy Sims  
BellSouth Telecommunications  
150 S. Monroe St., Suite 400  
Tallahassee, FL 32301-1556

Richard Melson  
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1200 Peachtree Street, N.E.  
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Florida Cable Telecommunications  
Assoc., Inc.  
246 East 6<sup>th</sup> Avenue  
Tallahassee, Florida 32303

Joseph McGlothlin  
McWhirter, Reeves, et al.  
117 South Gadsden Street  
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Tallahassee, FL 32303-4131

Z-Tel Communications, Inc.  
C/o Joseph McGlothlin  
McWhirter, Reeves et.al  
117 South Gadsden  
Tallahassee, Florida 32301

Susan S. Masterton  
Susan S. Masterton

**CERTIFICATE OF SERVICE**

**Docket No. 990649-TP**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by US Mail, on this 18th day of May, 2001, to the following:

Beth Keating  
Division of Legal Services  
Florida Public Service Comm.  
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