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Susan S. Masterton

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August 25, 2003

Ms. Blanca Bayó, Director Division of the Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

RE: Docket No. 030296-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint are the original and fifteen copies of Sprint's Request for Confidential Classification pursuant to Section 364.183(1), Florida Statutes.

Copies are being served on the parties in this docket pursuant to the attached Certificate of Service.

Please acknowledge receipt of this filing by stamping and initialing a copy of this letter and returning same to the courier. If you have any questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

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Susan S. Masterton

Enclosures



This confidentiality request was filed by or for a "telco" for DNO1001-03. 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.

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### CERTIFICATE OF SERVICE DOCKET NO. 030296-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served both Electronic Mail and U.S. Mail this 25<sup>nd</sup> day of August, 2003 to the following:

## AT&T

& TCG South Florida Ms. Lisa A. Riley 1200 Peachtree Street, N.E., Ste. 8026 Atlanta, GA 30309-3579 Email: <u>lisariley@att.com</u>

AT&T Communications of the Southern States, LLC Tracy Hatch 101 North Monroe Street, Suite 700 Tallahassee, FL 32301 Email: thatch@att.com

Womble Carlyle Law Firm Loretta A. Cecil, Esq. 1201 West Peachtree St. Suite 3500 Atlanta, GA 30309 Email: <u>lcecil@wcsr.com</u>

Linda Dodson, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0870 Email: <u>ldodson@psc.state.fl.us</u>

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Susan S. Masterton

### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of AT&T Communications of the ) Southern States, LLC and TCG South Florida ) For Arbitration of Certain Terms And Conditions ) Of A Proposed Interconnection Agreement with ) Sprint- Florida, Incorporated pursuant to 47 U.S.C. ) Section 252 ) Docket No. 030296-TP

Filed: August 25, 2003

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

Sprint-Florida, Incorporated (hereinafter "Sprint") hereby requests 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. Sprint previously filed a Notice of Intent to Request Confidential Classification on August 4, 2003 for this information and now files this Request for Confidential Classification pursuant to the requirements of Rule 25-22.006, F.A.C.

The information that is the subject of this request is information relating to the competitive interests of Sprint or Sprint's wholesale customers. The information was filed on August 4, 2003, under seal, with the Division of Records and Reporting.

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

#### Attachment 1 to Sprint's Response to AT&T's Interrogatory No. 5

2. The information contained in the entire document is confidential, therefore, Sprint has not attached redacted copies to this request. An unredacted copy of the document was

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DOCUMENT NUMBER DATE 07913 AUG 25 8 FPSC-COMMISSION CLERK previously filed, under seal, with the Division of Records and Reporting on August 4, 2003.

- 3. The information for which the Request is submitted is information detailing the location and nature of various Sprint and AT&T facilities and was developed or acquired in the context of the implementation of Sprint and AT&T's interconnection agreement. Such information is information relating to the competitive interests of Sprint or Sprint's wholesale customers (AT&T), the disclosure of which would impair Sprint's or its wholesale customers', specifically AT&T's, competitive business.
- 4. Section 364.183(3), F.S., 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.

5. The subject information has not been publicly released, and the interconnection agreement between the parties requires that the information be kept confidential. Furthermore, release of the information could impair Sprint's or its wholesale customer's (AT&T's) competitive business interests.

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 25th day of August 2003.

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Susan S. Masterton Post Office Box 2214 Tallahassee, Florida 32316-2214 850/599-1560

ATTORNEY FOR SPRINT