AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

December 8, 2003

BY HAND DELIVERY

Ms. Blanca S. Bayo, Director Division of Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re: Docket No. 030868-TL

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of Sprint's Request for Confidential Classification and Protective Order Pursuant to Section 364.183(1), Florida Statutes.

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

Thank you for your assistance in this matter.

Enclosures

cc: Certificate of Service List

h'\jpf\sprint\access charges\corres\bayo rcc xmtl doc

DOOLMENT MI MEER - DATE

12607 DEC-88

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: SPRINT-FLORIDA, INCORPORATED'S PETITION TO REDUCE INTRASTATE SWITCHED NETWORK ACCESS RATES TO INTERSTATE PARITY IN A REVENUE NEUTRAL MANNER PURSUANT TO SECTION 364.164(1), FLORIDA STATUTES

DOCKET NO.: 030868-TL FILED: December 8, 2003

SPRINT'S REQUEST FOR CONFIDENTIAL CLASSIFICATION AND PROTECTIVE ORDER PURSUANT TO SECTION 364.183(1), FLORIDA STATUTES

Sprint-Florida, Incorporated and Sprint Communications Company L.P. (collectively "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 a protective order reflecting such decision and protecting the information in the possession of the Commission and the Office of the Public Counsel. The information that is the subject of this request is contained in certain documents contained in Sprint's Supplemental Answers to Citizens' Second Set of Interrogatories served on the Office of Public Counsel and the Commission on November 21, 2003, and Sprint's Second Supplemental Answers to Citizens' Second Set of Interrogatories served on the Office of Public Counsel and the Commission on this date.

- 1. The following documents or excerpts from documents are the subject of this request:
 - a. Sprint's Supplemental Answers to Citizens' Second Set of Interrogatories, Nos. 27-29
 - b. Sprint's Second Supplemental Answers to Citizens' Second Set of Interrogatories, Nos. 27-29

- 2. One Unreducted copy of the information has been submitted to the Division of Records and Reporting under seal this same day. The confidential information is identified by gray highlighting. Two reducted copies of the information are attached to this request.
- 3. The information for which the Request is submitted is trade secret or other highly proprietary competitive or valuable information and thus meets the definition of confidential proprietary business information pursuant to Section 364.183(3), Florida Statutes. Specific justification for confidential treatment is set forth in Attachment "A".
 - 4. 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.
- 5. 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.

6. The subject information has not been publicly released. Furthermore, release of the information could impair the company's ability to compete for, or negotiate with, certain business customers.

WHEREFORE, based on the foregoing, Sprint respectfully requests that the Commission grant Sprint's Request for Confidential Classification, exempt the information from disclosure under Chapter 119, Florida Statutes and issue a protective order, protecting the information from disclosure while it is maintained at the Commission and in the possession of the Office of the Public Counsel.

RESPECTFULLY SUBMITTED this 8th day of December, 2003.

JOHN P. FONS

Fla Bar No. 0280836 Ausley & McMullen

P.O. Box 391

Tallahassee, FL 32302

(850) 224-9115

and

SUSAN S. MASTERTON Fla. Bar No. 0494224 Sprint-Florida, Inc. P.O. Box 2214 Tallahassee, FL 32316-2214 (850) 599-1560

ATTORNEYS FOR SPRINT-FLORIDA, INCORPORATED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail, e-mail or hand delivery (*) this 8th day of December, 2003, to the following:

Beth Keating, Esq. (*)
Felicia Banks, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Richard Chapkis, Esq. Verizon-Florida P.O. Box 110, FLTC0007 Tampa, FL 33601-0110

Mark Cooper 504 Highgate Terrace Silver Spring, MD 20904

Michael A. Gross, Esq. FCTA 246 E. 6th Ave., Suite 100 Tallahassee, FL 32302

Michael B. Twomey P. O. Box 5256 Tallahassee, FL 32314-5256

John Feehan Knology, Inc. 1241 O.G. Skinner Drive West Point, GA 31833

Jack Shreve
Senior Special Counsel for Consumer Affairs
Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050

h:\jpf\sprint\access charges\pleadings\rcc - ctzns int 27-29.doc

Ben Wilcox Common Cause Florida 704 West Madison Street Tallahassee, FL 32304 Charles Beck (*)
Interim Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison St., Rm. 812
Tallahassee, FL 32399-1400

Tracy Hatch/Chris McDonald AT&T Communications 101 N. Monroe St., Suite 700 Tallahassee, FL 32301

Donna McNulty, Esq. MCI WorldCom 1203 Governors Square Blvd.; Suite 201 Tallahassee, FL 32301

Nancy White, Esq. c/o Nancy Sims BellSouth Telecommunications 150 S. Monroe St., Suite 400 Tallahassee, FL 32301

Floyd Self Messer, Caparello & Self, P.A. P. O. Box 1876 Tallahassee, FL 32302

George Meros Gray Robinson, P.A. P. O. Box 11189 Tallahassee, FL 32302-3189

Charles J. Rehwinkel Sprint Communications Company, L.P. P. O. Box 2214 Tallahassee, FL 32316-2214

ATTACHMENT A

Document and Page and Line Numbers	Justification for Confidential Treatment
a. Sprint's Supplemental Answers to Citizens' Interrogatories Nos. 27-29, Columns C-I, lines 5-6, 8-9, 11-29, 31, 33-37, 39-40, 42-48, and the second page titled "Residential," all columns, lines "2002" and "YTD 9/2003."	The information contained in these documents reflects highly confidential usage and revenue information for Sprint-Florida, Inc. and Sprint Communications Company L.P., the disclosure of which would harm these companies' ability to compete in the highly competitive Florida intrastate (intraLATA and interLATA) long distance markets.
b. Sprint's Second Supplemental Answers to Citizens' Interrogatories Nos. 27-29, "Business Mass Market," all columns, lines "2002" and "YTD 9/2003."	