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December 30, 2003

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

DECEIVED FPSC

Re: Docket No. 030851-TP Implementation of requirements arising from Federal Communications Commission's triennial UNE Review: Local Circuit Switching for Mass Market Customers

Dear Ms. Bayo:

Please find enclosed for filing an original and 15 copies of Verizon Florida Inc.'s Request for Confidential Classification and Motion for Protective Order in connection with the Company's responses to AT&T's Second Request for Production of Documents and Second Set of Interrogatories in the above matter. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at 813-483-1256.

RECEIVED & FILED

SESC-BURHAU OF RECORDS

Sincerely,

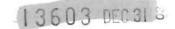
Richard M. Chaples

Richard A. Chapkis

AUS **RAC:tas** CAF Enclosures CMP COM CTR ECR GCL OPC MMS SEC OTH records

This confidentiality request was filed by or for a "telco" for DN <u>3604-03</u>. 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.

DOCUMENT NUMPERS DATE



FPSC-COMMISSION CLERY

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising ) from Federal Communications Commission's ) Triennial UNE review: Local Circuit Switching ) for Mass Market Customers ) Docket No. 030851-TP Filed: December 30, 2003

## VERIZON FLORIDA INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER

Under Commission Rule 25-22.006, F.A.C., Verizon Florida Inc. (Verizon) seeks confidential classification and a protective order for certain information contained in the Company's responses to AT&T's Second Request for Production of Documents (No. 32) and Second Set of Interrogatories (No. 112) in this proceeding.

All of the information for which Verizon seeks confidential treatment falls

within Florida Statutes section 364.183(3), which defines "proprietary confidential

business information" as:

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.

Florida Statutes section 364.183(3)(a) expressly provide that "trade secrets" fall within the definition of "proprietary confidential business information." Florida Statutes section 364.183(3)(e), further provides that "proprietary confidential business information" includes "information relating to competitive interests, the

POCUMENT HUMPER-PATE 13603 DEC 31 & FPSC-CONTLODION CLEFT disclosure of which would impair the competitive business of the provider of information."

If competitors were able to acquire this detailed and sensitive information regarding Verizon, they could more easily develop entry and marketing strategies to ensure success in competing with Verizon. This would afford them an unfair advantage while severely jeopardizing Verizon's competitive position. In a competitive business, any knowledge obtained about a competitor can be used to the detriment of the entity to which it pertains, often in ways that cannot be fully anticipated. This unfair advantage skews the operation of the market, to the ultimate detriment of the telecommunications consumer. Accordingly, Verizon respectfully requests that the Commission classify the identified documents as confidential and enter an appropriate protective order.

While a ruling on this request is pending, Verizon understands that the information at issue is exempt from Florida Statutes section 119.07(1) and Staff will accord it the stringent protection from disclosure required by Rule 25-22.006(3)(d).

One highlighted copy of the confidential information is attached to the original of this Request as Exhibit A. Two redacted copies are attached as Exhibit B. A detailed justification of the confidentiality of the information at issue is attached as Exhibit C.

Respectfully submitted on December 30, 2003.

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By:

Richard M. Chaples

Richard Chapkis P. O. Box 110, FLTC0717 Tampa, FL 33602 (813) 483-1256

Attorney for Verizon Florida Inc.

## EXHIBIT C

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DOCUMENT	LINE(S)/COLUMN(S)	REASON
Attachment INT 112	All highlighted text	This is competitively sensitive,
(Bates Nos. VZ 1127 - VZ 1135)		confidential and proprietary
		business information that has
Attachment POD 32	All highlighted text	been confidentially maintained by
(Bates Nos. VZ 1138 - VZ 1139)		Verizon. Disclosure of this
		information would cause harm to
		Verizon by giving its competitors
		an unfair advantage in developing, pricing and marketing
		their services. It would be
		particularly unfair to disclose this
		information because similar
		information about competitive
		carriers is not made available to
		the public.

I HEREBY CERTIFY that copies of Verizon Florida Inc.'s Request for Confidential Classification and Motion for Protective Order in Docket No. 030851-TP were sent via electronic mail and U. S. mail on December 30, 2003 to:

> Staff Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Nancy White c/o Nancy Sims BellSouth-Telecomm. Inc. 150 S. Monroe Street, Suite 400 Tallahassee, FL 32301-1556

Tracy Hatch AT&T 101 N. Monroe, Suite 700 Tallahassee, FL 32301

Michael Gross Florida Cable Telecomm. Assn. 246 East 6<sup>th</sup> Avenue Tallahassee, FL 32303

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> Bo Russell Nuvox Communications Inc. 301 North Main Street Greenville, SC 29601

> Thomas M. Koutsky Z-Tel Communications, Inc. 1200 19<sup>th</sup> Street, N.W. Suite 500 Washington, DC 20036

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