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January 30, 2004

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

JAN 30 PM 4:43
COMMISSION CLERK

Re: **Docket No. 030851-TP**

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated and Sprint Communications Limited Partnership are the original and 15 copies Sprint's Request for Confidential Classification.

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 my assistant. If you have any questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

Susan S. Masterton

Susan S. Masterton

Enclosure

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL
- OPC _____
- MMS _____
- SEC
- OTH _____

Cent records

RECEIVED & FILED
R.V.P.
FPSC-BUREAU OF RECORDS

This confidentiality request was filed by or for a "telco" for DN 00438-04. 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.

(See DN 00844-04)

(for DN 00438-04)
DOCUMENT NUMBER-DATE
01438 JAN 30 04
FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
DOCKET NO. 030851-TP & 030852-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. mail this 30th day of January, 2004 to the following:

AT&T
Tracy Hatch (+)
101 North Monroe Street, Suite
700
Tallahassee, FL 32301-1549

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Atlanta, GA 30309-3579

BellSouth Telecommunications,
Inc.
R. D. Lackey/M. Mays (+)/N.
White/J. Meza
c/o Ms. Nancy H. Sims
150 South Monroe Street, Suite
400
Tallahassee, FL 32301-1556

Covad Communications
Company
Mr. Charles E. Watkins
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FDN Communications
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Orlando, FL 32801-1640

Florida Cable
Telecommunications Assoc., Inc.

Michael A. Gross
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Tallahassee, FL 32303

ITC DeltaCom
Nanette Edwards
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KMC Telecom III, LLC
Marva Brown Johnson, Esq.
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Richard Chapkis (+)
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Susac/Pat Lee
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Florida Competitive Carriers
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Xspedius Communications
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Miller Isar, Inc.
Andrew O. Isar
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Gig Harbor, WA 98335

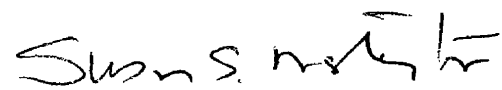
NewSouth Communications
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Charles J. Beck (+)
111 West Madison Street, #812
Tallahassee, FL 32399-1400


Susan S. Masterton

(+ Signed Protective Agreement)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising)	DOCKET NO. 030851-TP
from Federal Communications Commission's)	
Triennial UNE review: Local Circuit Switching)	FILED: January 30, 2004
for Mass Market Customers.)	
_____)	

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

Sprint-Florida, Incorporated (hereinafter, "Sprint-Florida") 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.

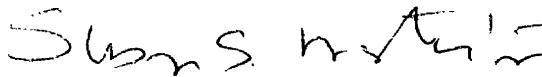
1. The information that is the subject of this request is information that either previously has been claimed confidential by another party in this proceeding or that is confidential and proprietary to Sprint, the release of which would impair the competitive business of Sprint. Sprint previously filed a Notice of Intent to Request Confidential Classification related to this information on January 9, 2004 and is filing this request pursuant to Rule 25-22-2006, F.A.C. The following documents or excerpts from documents are the subject of this request:

- Highlighted information on p. 43 of the Attachment to Staff's POD 18-A**
- Highlighted Information in Response to Staff's POD No. 23**
- Highlighted Information in Response to Staff's Interrogatory No. 28**
- Highlighted Information in Response to Staff's Interrogatory No. 30**

2. Two redacted copies of the information are attached to this request. One unredacted copy of the confidential information was filed under seal with the Division of Records and Reporting on January 9, 2004.
3. The information for which the Request is submitted is information the release of which would impair Sprint's competitive business interests and is confidential and proprietary to Sprint. Specific justification for confidential treatment is set forth in Attachment A.
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 Sprint.

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 30th day of January 2004.



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

ATTORNEY FOR SPRINT

ATTACHMENT A

Document and page and line numbers	Justification for Confidential Treatment
Highlighted information on p. 43 of the Attachment to Staff's POD 18-A	This information is proprietary, competitively sensitive information relating to Sprint's channel bank investments. The information is information relating to Sprint's competitive interests, the disclosure of which would impair the competitive business of Sprint. Section 364.183(3)(e), F.S.
Highlighted Information in Response to Staff's POD No. 23	This information is subject to a claim of confidentiality previously filed with the Commission by KMC on 12-19-03.
Highlighted Information in Response to Staff's Interrogatory No. 28	This information is subject to a claim of confidentiality previously filed with the Commission by KMC on 12-19-03.
Highlighted Information in Response to Staff's Interrogatory No. 30	This information is subject to a claim of confidentiality previously filed with the Commission by KMC on 12-19-03.

TRO Economic Business Case
DS0 to DS1 Cross Over

Customer Premises Channel Bank Investments

A	B	C	D	E	F
Row	Description	Material	Sales Tax	Total Investment	Cost
8	Factors				
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22	Total Channel Bank with Cards				\$43.99
23					
24					
25	Installation				
26	Channel Bank	Hours	Labor Rate	Labor Cost	Total Labor Cost
27	Installation of Channel Bank				
28	Engineering of Channel Bank				
29	Total Labor				\$ 411.49
30					
31	Inside Wire Connection				
32	Travel for Service Connection				
33	Connect 24 jumpers from termination block to inside wire				\$ 88.50
34					
35	Travel for Service Disconnection				
36	Disconnect 24 jumpers from termination block to inside wire				\$ 63.21
37					
38	Total Labor at Customer Premises				\$ 563.20

21. Please provide all documents that support your response to Interrogatory No. 5(a).

Response: Please see Sprint's previously filed requests for clarification.

22. If available, please provide a map or diagram that shows the MSAs in Florida which Sprint witness Staihr contends should serve as the basis geographic units for evaluating impairment.

Response: See attached map of the MSAs in Florida.

23. Referring to the direct testimony of Sprint witness Staihr, page 8, lines 17-19, please provide all documents that support this assertion.

Response: Staff should refer to [REDACTED] response to Staff's Interrogatories referenced in Sprint's response to Interrogatory No. 28. Referenced response is located at the Commission.

28. For purposes of the following request, please refer to the direct testimony of Sprint witness Staihr, page 8, lines 11-23.
- (a) Please identify specifically where it is stated in the Triennial Review Order that the actual locations of customers may be discounted when defining the market.
 - (a) Please identify all actual locations of CLEC mass market customers in Florida that are a remnant or by-product of a CLEC serving enterprise customers.

Answer:

- a. My direct testimony does not claim that it "is stated" in the TRO that customer locations may be discounted. The testimony on page 8 says that the TRO "suggests" that the data cannot be accepted at face value.
- b. Without being the actual CLEC in question it is impossible to know which mass market customers are a remnant or by-product of serving the enterprise market. However, it is possible to provide evidence that suggests, or is consistent with, serving mass market customers as a remnant or by-product of serving the mass market. For example, (the following is contained in my rebuttal testimony and is confidential), BellSouth claims that [REDACTED] is one of the self-provisioning CLECs that meets the trigger for BellSouth's Pensacola Zone 2 market. The total number of mass market customers served by [REDACTED] out of the switch that is serving part of Pensacola is exactly [REDACTED] customers. [REDACTED] also provided data regarding the utilized capacity of the switch in question, as measured in voice-grade equivalents, and the data shows that less than [REDACTED] of the utilized capacity of this switch is used to serve mass market customers. This means that [REDACTED] of the capacity of this switch is used to serve enterprise customers. This fact strongly supports the notion that the switch was not deployed to serve the mass market, but instead the [REDACTED] mass market customers could be considered a by-product of serving the enterprise market.

30. For purposes of the following request, please refer to the direct testimony of Sprint witness Staihr, page 12, lines 16-20.
- (a) Please define “used primarily to serve.”
 - (b) Please identify where in the TRO it is stated that a switch that serves both enterprise and mass market customers cannot be counted towards meeting the competitive trigger unless the majority of the customers served by the switch are mass market customers.

Answer:

- a. An example of a switch that is “used primarily to serve” enterprise customers is the switch discussed in the response to Interrogatory 28, where [REDACTED] of the utilized capacity is used to serve enterprise customers.
- b. The TRO does not state, nor does my testimony claim that it states, that a switch cannot be counted “unless the majority of the customers served by the switch are mass market customers.” The TRO discusses how 1) enterprises switches (their terminology) do not count toward the triggers (footnote 1534) and 2) there are indeed enterprise switches that serve mass market customers (paragraph 441). My testimony discusses one method of identifying what would be considered an “enterprise switch” by looking at whether the vast majority of the utilized capacity of the switch was used for enterprise customers, such as the switch discussed above.

TRO Economic Business Case
DS0 to DS1 Cross Over

Customer Premises Channel Bank Investments

A	B	C	D	E	F
Row	Description	Material	Sales Tax	Total Investment	Cost
8	Factors				
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14					
15					
16					
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