

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaint of Sprint-Florida, Incorporated )  
Against KMC Telecom III LLC, )  
KMC Telecom V, Inc. and KMC Data LLC, )  
for failure to pay intrastate )  
Access charges pursuant to its interconnection )  
Agreement and Sprint's tariffs and for violation of )  
Section 364.16(3)(a), Florida Statutes. )

Docket No. 041144-TP

Filed: April 14, 2005

**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 confidential and proprietary as set forth in paragraph 3. Sprint previously filed a Claim and Notice of Intent to Request Confidential Classification related to this information on February 28, 2005 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:

- a. **Highlighted portions of Mitchell S. Danforth's Direct Testimony, page 6, lines 12 & 13, 20-22, page 7, line 21 and page 8, line 3**
- b. **Exhibit MSD-1**
- c. **Highlighted portions of Kenneth J. Farnan's Direct Testimony, page 5, line 19**
- d. **Exhibits KJF-1, KJF-2 and KJF-3**
- e. **Highlighted portions of William L. Wiley's Direct Testimony, page 12, lines 15 & 16**
- f. **Exhibits WLW-3 and WLW-5 (CDs)**

DOCUMENT NUMBER-DATE

03666 APR 14 05

FPSC-COMMISSION CLERK

**g. Highlighted portions of James R. Burt's Direct Testimony, page 19, lines 21 & 22**

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 February 28, 2005 (Document No. 02033-05).
3. The information for which the Request is submitted is KMC customer account information Sprint is required by law and contract (Sprint's interconnection agreements with KMC) to keep confidential, pursuant to s. 364.24, F.S. 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. Section 364.24, Florida Statutes, prohibits a telecommunications company from intentionally disclosing customer account records, except as authorized by the customer or allowed by law.

6. The subject information has not been publicly released by 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 14<sup>th</sup> day of April 2005.

---

Susan S. Masterton  
Post Office Box 2214  
Tallahassee, Florida 32316-2214  
850/599-1560  
850-878-0777 (fax)  
[susan.masterton@mail.sprint.com](mailto:susan.masterton@mail.sprint.com)

ATTORNEY FOR SPRINT

**ATTACHMENT A**

Document and page and line numbers	Justification for Confidential Treatment
Highlighted Portions of Mitchell S. Danforth's Direct Testimony, page 6, lines 12, 13, and 20-22, page 7, line 21 and page 8, line 3	This information is KMC customer account information (minutes of use and associated reciprocal compensation amounts) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Exhibit MSD-1	This information is KMC customer account information (minutes of use and associated reciprocal compensation amounts) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted portions of Kenneth J. Farnan's Direct Testimony, page 5, line 19	This information is KMC customer account information (intercarrier compensation Sprint alleges KMC owes Sprint) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Exhibits KJF-1, KJF-2 and KJF-3	This information is KMC customer account information (minutes and percentages of use and associated intercarrier compensation amounts) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted portions of William L. Wiley's Direct Testimony, page 12, lines 15 & 16	This information is KMC customer account information (numbers of local interconnection trunks in Sprint exchanges) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Exhibits WLW-3 and WLW-5 (CDs)	This information (SS7 records relating to KMC's traffic terminating to Sprint over KMC's local interconnection trunks) is KMC customer account information that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.

Highlighted portions of James R. Burt's Direct Testimony, page 19, lines 21 & 22

This information is KMC customer account information (minutes of use) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.