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July 15, 2005

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

RECEIVED-FPSC
JUL 15 PM 4:48
COMMISSION
CLERK

Re: Docket No. 041464-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated are the original and 15 copies of Sprint's Request for Confidential Classification for Sprint's Rebuttal Testimony filed on June 24, 2005.

In preparing this request, Sprint has determined that certain information Sprint claimed is confidential in Document No. 06040-05 is not confidential. None of the highlighted information in Exhibit JMM-1 is confidential and Exhibit JMM-1 can be moved to the public file. The highlighted information in columns (h) and (i) of page 1 and 2 of Exhibit JMM-2 is not confidential. An appropriately redacted version of Exhibit JMM-2 is attached to Sprint's Request for Confidential Classification.

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

- CMP
- COM
- CTR
- ECR
- GCL
- OPC
- MMS
- RCA
- SCR
- SEC
- OTH

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

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

This confidentiality request was filed by or for a "telco" for DN 06778-05. 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 DNS 06440-05, 06441-05 + 06442-05)

DOCUMENT NUMBER-DATE

06777 JUL 15 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 041464-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. mail on this 15th day of July, 2005 to the following:

Kira Scott
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

David Dowds
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Maitland, FL 32751-7025

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KSOPHN0212-2A303
6450 Sprint Pkwy
Overland Park, KS 66251-6100



Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Sprint-Florida, Inc.)
For Arbitration of an Interconnection)
Agreement with Florida Digital)
Network, Inc., Pursuant to Section)
252 of the Telecommunications Act)
of 1996.)

Docket No. 041464-TP

Filed: July 15, 2005

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

Sprint-Florida, Incorporated (hereinafter, "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 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 4. Sprint previously filed a Notice of Intent to Request Confidential Classification related to this information and is filing this request pursuant to Rule 25-22.006, F.A.C. The following documents or excerpts from documents are the subject of this request:

Highlighted information on line 4 on page 2 of Exhibit JMM-2
Highlighted information on lines 14-17 on page 4 of Jimmy R. Davis' Rebuttal Testimony
Highlighted information on line 23 on page 2 & lines 2, 3, & 13 on page 3 of Peter Sywenki's Rebuttal Testimony

2. Two redacted copies of the information are attached to this request. One unredacted copy of the information was filed under separate cover on:

Document No. 06041-05 on June 24, 2005

Document No. 06042-05 on June 24, 2005

DOCUMENT NUMBER-DATE

06777 JUL 15 05

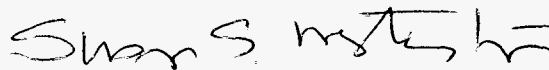
FPSC-COMMISSION CLERK

3. In preparing this request, Sprint has determined that certain information Sprint claimed as confidential in Document No. 06040-05 is not confidential. None of the highlighted information in Exhibit JMM-1 is confidential nor is the highlighted information in columns (h) and (i) of page 1 and 2 of Exhibit JMM-2. Exhibit JMM-1 can be moved to the public filed. Two redacted copies and one unredacted copy of the confidential information in Exhibit JMM-2 are attached to this request.
4. The information for which the Request is submitted contains information that is either FDN confidential business information or confidential information of Sprint. Detailed justification for the request for confidential classification is set forth in Attachment A.
5. 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.
- 6. 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.
- 7. The subject information has not been publicly released by Sprint.

Based on the forgoing, 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 15th day of July, 2005.



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ATTORNEY FOR SPRINT

ATTACHMENT A

Document and page and line numbers	Justification for Confidential Treatment
Highlighted information on line 4 on page 2 of Exhibit JMM-2	This information is proprietary confidential business information of Sprint, which if made public, would provide Sprint's competitors with information that could be used to harm Sprint.
Highlighted information on lines 14-17 on page 4 of Jimmy R. Davis' Rebuttal Testimony	This information is confidential business information of FDN that Sprint is required by contract to keep confidential.
Highlighted information on line 23 on page 2 & lines 2, 3, & 13 on page 3 of Peter Sywenki's Rebuttal Testimony	This information is proprietary confidential business information of Sprint, which if made public, would provide Sprint's competitors with information that could be used to harm Sprint.

1 Meets DS-3 and Dark Fiber Transport Non-Impairment Criteria

2	FL	Goldenrod	GLRDFLXA							< 24,000	3	
3	FL	Lake Brantley	LKBRFLXA							< 24,000	3	
4	FL	Tallahassee	TLHSFLXD	████	████	████	████████	████	████████	████	30,951	< 3

Sprint Proprietary - subject to Non-disclosure Agreement

1 Facility modifications which meet conditions “a” and “c” above are constructed
2 under conditions where Sprint could not use the facility to serve its own customers
3 or to serve customers of other carriers due to a lack of demand. Modifications
4 which meet condition “b” above would not be used by Sprint to serve its own
5 customers or to serve customers of other carriers due their non-standard attributes.
6 Rather Sprint would simply utilize available facilities constructed using Sprint
7 standards because supporting systems and processes (e.g. spare card inventories)
8 for using standard facilities are already in place. In short these facilities will only
9 be used by the requesting CLEC; therefore, the cost recovery for providing these
10 facilities must come from the requesting CLEC.

11
12 **Q. What are some examples of network modifications requested by FDN that**
13 **meet the criterion of special construction?**

14 A. FDN has requested a price for a [REDACTED]
15 [REDACTED]
16 [REDACTED] This request meets the
17 second criterion of special construction listed above because the [REDACTED]
18 is a facility “other than that which Sprint would otherwise utilize in furnishing the
19 requested service.” Only facility modifications involving standard equipment will
20 be used by Sprint to serve its end customers due to the need for minimizing related
21 costs including technician training and spare card inventories for maintenance.
22 Therefore, the costs of any non-standard equipment used by FDN must be
23 recovered from FDN. In like manner, any facility placed on behalf of FDN that

1 different intercarrier compensation scheme than other carriers, and I explain why
2 his reference to an intercarrier compensation agreement between FDN and
3 BellSouth provides no basis for determining intercarrier compensation between
4 FDN and Sprint. In addition, I address Mr. Smith's contentions regarding the
5 establishment of interconnection points and intercarrier compensation for VNXX
6 and VoIP traffic. The Commission should adopt Sprint's contract provisions to
7 ensure appropriate intercarrier compensation based on the existing definitions of
8 local and long distance traffic and to ensure efficient establishment of
9 interconnection points.

10

11 **SECTION II – DISCUSSION OF UNRESOLVED ISSUES IN FDN's DIRECT**
12 **TESTIMONY**

13

14 **Q. In his testimony, Mr. Smith complains about the level of competition in**
15 **Sprint territory. Do you agree with his complaint?**

16 **A.** No. Mr. Smith's own testimony shows that competition is rapidly expanding in
17 Sprint's territory. In his reference to the last PSC competition report, he shows
18 that CLEC market share in Sprint's territory has doubled in just two years (Smith
19 at page 5, lines 1-4). A cursory review of current facts readily demonstrates that
20 competition is indeed taking a firm hold and is rapidly expanding in Sprint's
21 territory. For example, in spite of the fact that there have been 74,000 residential
22 housing starts in Sprint's territory over the past year, Sprint experienced a
23 reduction in residential access lines of nearly [REDACTED] lines, approximately [REDACTED]

1 lines lost per day, over this period. For 2005, through May Sprint has lost nearly
2 █████ residential lines, an average of █████ lines per day. And, for the first 19
3 days of June, Sprint is experiencing an average loss of █████ lines per day.
4 Moreover, line losses do not capture the impact of losses from competitive long
5 distance service substitution. In addition to the loss of long distance and access
6 revenue when Sprint loses a line to a competitor, the popularity of wireless, email,
7 instant messaging, and other forms of internet and long distance communication
8 have all contributed to the rapid erosion of long distance and switched access
9 minutes and revenue. Even if a customer maintains a line with Sprint, customers
10 have many choices and are exercising these choices for their long distance
11 communications needs. Despite ongoing, significant reductions in long distance
12 rates which would tend to stimulate usage, Sprint's originating intrastate switched
13 access minutes have declined by nearly █████ since 2001 in Florida. These
14 numbers clearly show that long distance is fully competitive and the line loss data
15 shows that local competition is rapidly expanding. Finally, Mr. Smith's
16 comparison of the level of competition in Sprint territory to that found in
17 BellSouth territory is of no value. Sprint's service territory is much more rural
18 than BellSouth's. In the words of FDN's witness, "Sprint does not serve as many
19 large urban centers as does BellSouth" and "in the initial phases of competition, at
20 least, the influx of CLECs focused on larger urban areas." (Smith at page 5, lines
21 14-16). Given these obvious and undisputed differences between Sprint and
22 BellSouth service territories, FDN's comparison is meaningless. Despite FDN's
23 attempt to downplay the level of competition in Sprint territory, the evidence

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