

# AUSLEY & McMULLEN

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November 28, 2005

## VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0870

Re: Docket No. 050693-TL; Alltel Florida, Inc.'s Petition to Reduce Intrastate Switched Access Rates in a Revenue Neutral Manner Pursuant to Section 364.164, Florida Statutes.

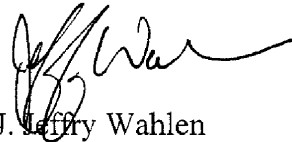
Dear Ms. Bayo:

Enclosed for filing on behalf of Alltel Florida, Inc. ("Alltel") are the original and fifteen (15) copies of Alltel's Fifth Motion for Temporary Protective Order.

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.

Sincerely,



J. Jeffrey Wahlen

Enclosures

cc: Charles J. Beck, Office of Public Counsel (w/encls.)  
Jeremy Susac, Staff Counsel (w/encls.)

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DOCUMENT NUMBER-DATE

11263 NOV 28 05

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Alltel Florida, Inc.'s Petition	)	
To Reduce Intrastate Switched Network	)	
Access Rates In A Revenue Neutral	)	Docket No.: 050693-TL
Manner Pursuant to Section 364.164,	)	Filed: 11.28.05
Florida Statutes	)	
_____	)	

**ALLTEL'S FIFTH MOTION FOR  
TEMPORARY PROTECTIVE ORDER**

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183(2), Florida Statutes, Alltel-Florida, Inc. ("Alltel") by and through its undersigned counsel, requests that the Florida Public Service Commission enter a Temporary Protective Order covering certain proprietary information provided to the Office of Public Counsel in response to Staff's Fourth (Nos. 93-105) and Fifth (Nos. 106-112) Set of Interrogatories, exempting the information from Section 119.07(1), Florida Statutes. In support, Alltel states as follows:

1. Contemporaneous with the filing of this motion, Alltel served its Answers to Staff's Fourth and Fifth Set of Interrogatories on counsel for the Staff and Office of Public Counsel. Alltel's answers contain information that Alltel asserts is proprietary confidential business information, specifically, Alltel's Answers to Staff's Fourth IRR, Nos. 98, 100, 101, 103 and 105 and Answers to Staff's Fifth IRR, Nos. 108 and 111 [hereinafter "Confidential Material"]. This Confidential Material was filed with the Division of Commission Clerk and Administrative Services and Alltel's Fifth Notice of Intent to Request Confidential Classification. The Confidential Material was also served on the Office of Public Counsel.

2. Section 364.183(2), Florida Statutes, provides in relevant part:

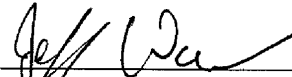
Any records provided pursuant to a discovery request for which proprietary confidential business information status is requested

shall be treated by the commission and the Office of Public Counsel and any other party subject to the public records law as confidential and shall be exempt from s. 119.07(1), pending a formal ruling on such request by the commission or the return of the records to the person providing the records.

3. Alltel considers the Confidential Material described above to be proprietary and confidential. Pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, Alltel is requesting this temporary protective order to protect the confidentiality of the information while in possession of the Office of Public Counsel and the Commission pending Alltel's submission of a Request for Confidential Classification and a determination as to whether the Confidential materials will be used in a proceeding before the Commission. Pending further ruling by the Commission regarding the confidential classification of the information, the information should be treated in a confidential manner pursuant to Section 364.183(2), Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

WHEREFORE, Alltel requests a Temporary Protective Order exempting from s. 119.07(1), Florida Statutes, the Confidential Material described herein while in the possession of the Office of Public Counsel, pending Alltel's submission of a Request for Confidential Classification specifically addressing those materials.

DATED this 28th day of November, 2005.



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and

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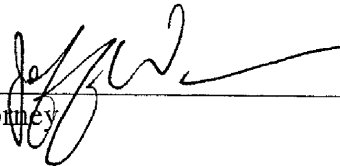
ATTORNEYS FOR  
ALLTEL FLORIDA, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct of the foregoing was served by hand delivery and electronic mail this 28th day of November, 2005, to the following:

Jeremy Susac  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Charles J. Beck, Deputy Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399-1400



Attorney