



ORIGINAL

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED-FPSC  
07 FEB 26 PM 3:18

-M-E-M-O-R-A-N-D-U-M-

COMMISSION  
CLERK

**DATE:** February 5, 2007

**TO:** Patrick Wiggins, Attorney Supervisor, Office of the General Counsel  
Jason Fudge, Senior Attorney, Office of the General Counsel

**FROM:** Dale R. Buys, Regulatory Analyst III, Division of Competitive Markets & Enforcement *DRB*

**RE:** **Treviso Bay Development, LLC's Request for Confidential Classification and Treatment in Docket No. 060763-TL;** Petition by Embarq Florida, Inc. under section 364.025(6)(d), Florida Statutes, for relief from its carrier of last resort obligations. *DRB*

On January 25, 2007, Treviso Bay Development, LLC (Treviso Bay) filed its request pursuant to Rule 25-22.006, F.A.C., and Section 364.183(1), Florida Statutes, for confidential classification and treatment of certain information contained in **FPSC Document Number 00773-07** which consists of portions of Exhibit DJW-4 and related information that appears in the testimony of Don J. Wood. The information contained in Exhibit DJW-4 and Mr. Wood's testimony involves Embarq Florida, Inc.'s (Embarq's) market share information and financial cash flow analyses related to the provision of telephone service at the Treviso Bay development for which Treviso Bay claims the disclosure of which would be adverse to Embarq's competitive business interests.

Treviso Bay and Embarq have entered into a confidentiality agreement whereby the parties share pertinent confidential information for the purposes of discovery in this docket. Wherein either party's response to an interrogatory or a request for production of documents contains proprietary information concerning the other party, the responding party is obligated to request that the information be treated as confidential.

**CMP** \_\_\_\_\_ Upon review of the information contained in the document, technical staff concurs with  
**COM** \_\_\_\_\_ Treviso Bay that the information meets the requirements for confidential classification pursuant  
**CTR** \_\_\_\_\_ to Section 364.183, Florida Statutes, and Rule 25-22.006(5), F.A.C., and as such, the information  
**ECR** \_\_\_\_\_ should be treated as confidential.

**GCL** \_\_\_\_\_  
**JPC** \_\_\_\_\_

**RCA** \_\_\_\_\_ cc: Della Fordham  
 Blanca Bayo

**SCR** \_\_\_\_\_  
**SGA** \_\_\_\_\_

**SEC** \_\_\_\_\_  
**JTH** *Marguerite*

DOCUMENT NUMBER-DATE

01807 FEB 26 5

FPSC-COMMISSION CLERK