

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of the Attorney ) DOCKET NO. 910060-TP  
General and Public Counsel ) ORDER NO. 24597  
to adopt rules governing 900 ) ISSUED: 5/30/91  
services. )  
\_\_\_\_\_ )

ORDER GRANTING CONFIDENTIALITY

By Request For Confidential Classification and Motion For a Permanent Protective Order filed March 13, 1991, Sprint Gateways (Sprint) has asked that we treat as confidential its response to certain data requests of Commission staff among a larger number of such requests dated February 19, 1991.

Division of Research staff has recommended that confidential status be approved for Sprint's responses to data requests numbers 3, 4, 5, 6, and 7, noting that Sprint's information was significantly more detailed and useful than responses to these requests supplied by Sprint's competitors. Sprint's Request and Motion have been served on all of the participants in this docket listed in the Certificate of Service without eliciting any objection.

The specific data requests at issue are as follows:

3. Please identify and estimate the amounts of any additional collection costs or savings associated with the proposed rule changes.
4. Please identify and estimate the amounts of any additional carrying costs or savings with the proposed rule changes.
5. Please identify and estimate the amount of any additional bad debt expenses or savings associated with the proposed rule changes.
6. Please identify and give the amounts of any estimated revenue increases or decreases associated with the proposed rule changes. Explain the reasons for expected revenue changes.
7. Please identify and estimate the amounts of any other costs or savings for the company or ratepayers from implementation of the proposed rule changes.

DOCUMENT NUMBER-DATE

05418 MAY 30 1991

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As to each request, Sprint has supplied an edited response as well as a complete response identified as proprietary and confidential. The only difference between the two versions is that in the edited version, the actual dollar amount has been deleted.

Sprint has characterized the information for which confidentiality is sought as

valuable, competitively sensitive information about Sprint Gateways' customers, services, and financial data, including uncollectible accounts and revenues. Sprint Gateways' competitors could use the requested proprietary information to target particular customers and services, or to make critical decisions to enter or avoid particular markets.

Sprint has selected only sensitive portions of its responses rather than the entire document, while supplying more detailed and useful information to research staff than other responders to these data requests. We find that Sprint has met its burden to demonstrate a need for confidential treatment of this material under subsection 364.183(3)(e), Florida Statutes.<sup>1</sup> Having reviewed the responses and having found them to be what Sprint describes them to be, we grant confidential status to data request responses 3, 4, 5, 6, and 7. However, in the absence of allegations demonstrating that the duration of this docket will require a permanent protective order, we deny as premature Sprint's motion therefor.

Accordingly, it is

ORDERED by Commissioner Michael M. Wilson, as Prehearing Officer that Sprint Gateways' Request for Confidential Treatment of Data Requests 3, 4, 5, 6, and 7 is granted. It is further


ORDERED that Sprint's Motion For Permanent Protective Order is denied.

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<sup>1</sup>Subsection 364.183(3)(e), Florida Statutes (Supp. 1990) provides confidential treatment for "Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information."

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By ORDER of Commissioner Michael M. Wilson, this 30th day of  
MAY, 1991.



MICHAEL M. WILSON, Commissioner  
and Prehearing Officer

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.