

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate ) DOCKET NO. 910980-TL  
increase by UNITED TELEPHONE ) ORDER NO. PSC-92-0084-PCO-TL  
COMPANY OF FLORIDA. ) ISSUED: 3/23/92  
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INTERIM PROTECTIVE ORDER

By Motions for Temporary Protective Order, United Telephone Company of Florida (United), with the concurrence of the Office of Public Counsel (Public Counsel), pursuant to Rule 25-22.006, Florida Administrative Code, has requested that this Commission issue an interim protective Order for materials and information requested by Public Counsel. United has delivered into Public Counsel's possession materials and information in response to Public Counsel's First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Eleventh, Twelfth, and Thirteenth Requests for Production of Documents, as well as Public Counsel's Requests for Informal Interviews. Specifically, United's request is for interim confidential treatment for documents produced in response to:

1. First Request for Production of Documents. Information has been provided to Public Counsel.

2. Second Request for Production of Documents - Materials have been made available in United's Tallahassee Office. The materials consist of four boxes which Public Counsel has requested be provided to its offices.

3. Third, Fourth, and Fifth Requests for Production of Documents. Materials have been made available in United's Tallahassee and Apopka offices. Public Counsel has requested that six of the twenty boxes of material produced be provided in its offices.

4. Third, Fourth, and Fifth Requests for Production of Documents. Materials have been made available in United Telecommunications, Inc.'s offices in Westwood, Kansas. Public Counsel has requested that two of sixteen boxes of materials be provided at its offices.

5. Sixth, Seventh, and Eighth Requests for Production of Documents. Materials have been made available in United's offices in Apopka. Public Counsel has requested that one box of the materials be provided at its offices.

DOCUMENT NUMBER-DATE

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6. Ninth Request for Production of Documents. Materials have been made available in United's Tallahassee Office. Public Counsel has requested that one box of materials provided at its offices.

7. Eleventh Request for Production of Documents. Materials have been made available in United's Tallahassee Office. Public Counsel has requested that one box of materials be provided at its offices.

8. Twelfth Request for Production of Documents. Materials have been made available in United's Tallahassee Office. Public Counsel has requested that one box of materials be provided at its offices.

9. Thirteenth Request for Production of Documents. Materials have been made available in United's Tallahassee office, and UTI's offices in Westwood, Kansas. Public Counsel has requested that one box of materials be provided at its offices.

10. Public Counsel conducted informal interviews at United's offices on February 19 and 20, 1992, and during those interviews requested certain documents. Public Counsel has requested that the material and information produced at those interviews be provided in its offices or at the offices of its consultants.

11. Sixteenth Request for Production of Documents. Materials have been made available in United's Tallahassee Office. Public Counsel has requested that documents, consisting of less than one box of material, be provided at its offices or at the offices of its consultant.


United asserts that interspersed among the materials and information provided in response to the above requests for production by Public Counsel, is information which this Commission has found in past dockets to be confidential, and other information for which United intends to seek confidential treatment if the information is needed in this Docket. United requests that the materials and information described above provided in response to Public Counsel's requests for production be granted the protection of an Interim Protective Order which will protect the materials and information from disclosure until the Public Counsel completes its review. At the completion of its review, the Public Counsel will notify United of the specific materials it intends to use in this docket, and United will request proprietary confidential treatment of those portions of the materials and information for which it is

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necessary. The remainder of the materials and information will be returned to United by Public Counsel. United states that this procedure will reduce the volume of material for which confidential treatment must be sought.

Based on the foregoing, I find it appropriate, pursuant to this Commission's authority under Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, to grant United's Requests for Interim Protective Orders. Accordingly, the documents received by Public Counsel from United shall be kept confidential and be exempt from public disclosure under Section 119.07(1), Florida Statutes, for the duration of this Interim Protective Order. This Interim Protective Order shall expire on June 12, 1992, by which time Public Counsel shall return to United all materials not used. This Order shall have no effect on the subsequent determination of any request for specified confidential classification of any of these materials and information.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 23rd day of MARCH, 1992.

  
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SUSAN F. CLARK, Commissioner  
and Prehearing Officer

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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 wastewater 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.