

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a Rate) DOCKET NO. 920310-TL
Increase by Central Telephone) ORDER NO. PSC-92-0706-PCO-TL
Company of Florida) ISSUED: 07/24/92
_____)

INTERIM PROTECTIVE ORDER

BY THE PREHEARING OFFICER:

By Motion for Interim Protective Order, filed May 14, 1992, Central Telephone Company of Florida ("Central Telephone-Florida") has requested pursuant to Rule 25-22.006, Florida Administrative Code, that this Commission enter an Interim Protective Order for materials and information requested by Office of Public Counsel ("OPC"). Central Telephone-Florida intends to deliver into OPC's possession materials and information responsive to OPC's First and subsequent Requests for Production of Documents.

Central Telephone-Florida asserts that throughout the documents which are responsive to the above noted requests for production are materials which fall within the statutory criteria for confidential treatment. The Company requests that the Commission protect from disclosure such materials and information until OPC is able to complete a review of the materials and information. At the completion of its review, OPC will notify the Company of the specific materials and information it intends to use in this proceeding. At that time, the Company will request specified confidential classification of those specific materials and information for which it is necessary. By this method, the Company asserts that the discovery process will be much more efficient and less time consuming, which will benefit all parties.

In its opposition to Central Telephone-Florida's Motion for Interim Protective Order, OPC requested that the Commission require Centel to segregate the documents between those that have a colorable claim of confidentiality and those which do not. Central Telephone-Florida has agreed with OPC on this point and has proposed a series of procedures as follows:

- a. Before producing documents to OPC, the Company will segregate documents with a colorable claim of confidentiality from those which do not have a colorable claim of confidentiality.
- b. Documents with a colorable claim of confidentiality shall be stamped "Confidential." Where less than the entire document is confidential, the specific portions of documents which contain confidential information shall be highlighted by the Company. If the entire document is

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confidential, the entire document shall be highlighted by the Company.

- c. After documents with a colorable claim of confidentiality have been stamped "Confidential" and highlighted such documents shall be numbered consecutively beginning with the number "1". The Company shall keep an index of documents with a colorable claim of confidentiality which includes the document number and a general description of the document.
- d. Documents with a colorable claim of confidentiality shall be delivered to OPC together with the index described above in envelopes or boxes clearly marked confidential.

OPC has agreed that this set of procedures is acceptable.

Based on the foregoing, I find it appropriate, pursuant to our authority in Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, to grant Central Telephone-Florida's request for an interim protective order. Accordingly, all documents designated "confidential" in accordance with the procedures outlined above and received by OPC from Centel shall be kept confidential and shall be exempt from public disclosure under Section 119.07(1), Florida Statutes for the duration of this interim protective order. By November 1, 1992, OPC shall identify from the documents covered by this interim protective order those which it intends to utilize in the final hearing in this matter. The Company shall then file any request for specified confidential classification that it intends to file for such documents no later than November 21, 1992. This interim protective order shall expire on February 25, 1993. Any document not identified by OPC to be utilized in the final hearing by said date shall be returned to the Company. 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 J. TERRY DEASON, as Prehearing Officer, this 24th day of July, 1992.



J. TERRY DEASON, COMMISSIONER

(S E A L)