

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Comprehensive review of) DOCKET NO. 920260-TL
the revenue requirements and)
rate stabilization plan of)
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY.)

In Re: Show cause proceedings) DOCKET NO. 900960-TL
against SOUTHERN BELL TELEPHONE)
AND TELEGRAPH COMPANY for)
misbilling customers.)

In Re: Petition on behalf of) DOCKET NO. 910163-TL
Citizens of the State of Florida)
to initiate investigation into)
integrity of SOUTHERN BELL)
TELEPHONE AND TELEGRAPH)
COMPANY'S repair service)
activities and reports.)

In Re: Investigation into) DOCKET NO. 910727-TL
SOUTHERN BELL TELEPHONE AND) ORDER NO. PSC-93-0964-CFO-TL
TELEGRAPH COMPANY's compliance) ISSUED: June 28, 1993
with Rule 25-4.110(2), F.A.C.,)
Rebates.)

ORDER DENYING IN PART AND GRANTING IN PART REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 03916-93

On April 9, 1993, BellSouth Telecommunications d/b/a Southern Bell Telephone and Telegraph Company filed a Request for Confidential Classification of specified information provided in its response to item number 372 in Staff's Fourteenth Set of Interrogatories. The Response has been assigned Document No. 3916-93 by the Commission.

Florida law provides, in Section 119.01, Florida Statutes, that documents submitted to governmental agencies shall be public records. This law derives from the concept that government should operate in the "sunshine." The only exceptions to this law are specific statutory exemptions and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision.

Accordingly, pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, it is the Company's burden to show that the material submitted is qualified for specified confidential classification. Rule 25-22.006 provides

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that the Company may fulfill its burden by demonstrating that the documents fall into one of the statutory examples set forth in Section 364.183 or by demonstrating that the information is proprietary confidential information, the disclosure of which will cause the Company or its ratepayers harm.

To this end, the Company asserts that the material includes both customer specific information and proprietary business information. Southern Bell cites no specific authority for the confidential classification of this material beyond a general reference to Section 364.183(3).

The type of material described by the Company is entitled to confidential classification. However, not all of the material described by the Company as competitive business information is of sufficient specificity to warrant confidential classification. The following information is aggregated or general information which would result in no competitive harm to the company if made public.

<u>PAGE</u>	<u>ITEM</u>	<u>REASON</u>
F01B14Y 000019	All	Aggregated
F01B14Y 000402	All	Aggregated on LATA basis
F01B14Y 000403	All	Aggregated on LATA basis and general information
F01B14Y 000417	All	Aggregated on LATA basis
F01B14Y 000418	All	Aggregated on LATA basis and general information
F01B14Y 000536	Line 8	Aggregated on LATA basis

The remaining material at issue is entitled to be classified as proprietary confidential business information pursuant to Section 364.183(3)(a),(e), Florida Statutes and is listed in the Appendix to this Order. Accordingly, the Company's Request for Confidential Classification of Document No. 3916-93 is denied in part and granted in part as described herein.

Based upon the foregoing, it is

ORDERED by Commissioner Susan F. Clark, as Prehearing Officer, that BellSouth Telecommunication, Inc. d/b/a Southern Bell Telephone and Telegraph Company's request for confidential classification is granted with the exceptions of those items described in the body of this Order. It is further

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ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, any confidentiality granted to the documents specified herein shall expire eighteen (18) months from the date of issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

By ORDER of Commissioner Susan F. Clark, as Prehearing Officer, this 28th day of June, 1993.


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),

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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.

APPENDIX

<u>PAGE</u>	<u>ITEM</u>
F01B14Y 00011-00013	Items 4-7, 9-16 all columns
F01B14Y 00022	Items 4-7, 9-16 all columns
F01B14Y 00023-00026	Columns 2, 4-11
F01B14Y 00045-00047	Items 4-7, 9-16 all columns
F01B14Y 00072-00076	Items numbered 4-7, 9-16 all columns
F01B14Y 00080	Lines 22-25
F01B14Y 000142-000148	Items numbered 4-7, 9-16 all columns
F01B14Y 000208	Items number 4-7, 9-16
F01B14Y 000208	Line 14
F01B14Y 00204-00249	All numerical columnar info
F01B14Y 00272	Lines 26-29
F01B14Y 00272	Lines 13-15, 19-20, 22
F01B14Y 00442	Lines 12, 13, 16, 21, 22, and 30
F01B14Y 00443	Lines 31, 32, 38
F01B14Y 00444	Item 1
F01B14Y 00469	Items 4-7, 9-16 all columns
F01B14Y 00470	Items 4-7, & 9-16 all columns
F01B14Y 00535	Items 2-16 all columns
F01B14Y 00536	Items 1-7 all columns
F01B14Y 00537	All items all columns