

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by the Palm) DOCKET NO. 921193-TL
Beach County Board of County) ORDER NO. PSC-94-0318-CFO-TL
Commissioners for extended area) ISSUED: March 21, 1994
service between all exchanges in)
Palm Beach County)
_____)

ORDER GRANTING REQUEST FOR CONFIDENTIAL
CLASSIFICATION OF PORTIONS OF DOCUMENT NO. 00612-94

By Order No. PSC-93-0764-PCO-TL, issued January 6, 1993, the Commission required BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) to file traffic studies. On June 7, 1993, Southern Bell filed the required information. Southern Bell later discovered that some of the information provided was incorrect and, on January 10, 1994, filed a Modification of the Traffic Studies and a Request for Confidential Classification for certain information contained therein. The Modification has been designated as Document No. 00612-94 (cross reference Document No. 00307-94).

Under Section 119.01, Florida Statutes, all documents submitted to this Commission are public records. The only exceptions to this law are documents which are exempt pursuant to specific statutory provisions. Moreover, under Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the burden of demonstrating that materials qualify for confidential classification falls upon the person requesting such treatment.

To that end, Southern Bell argues that the information at issue reveals toll usage over the various routes the Commission asked the Company to study. Competitors could use the information to target the most traffic intensive, and most lucrative, routes which would result in competitive harm to the Company and its ratepayers.

Upon consideration, I find that Southern Bell's arguments have merit. The information is as described by Southern Bell, and it appears that its disclosure could subject the Company to competitive harm. Accordingly, pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Southern Bell's Request for Confidential Classification of specified information in Document No. 00612-94 (cross reference Document No. 00307-94) is granted.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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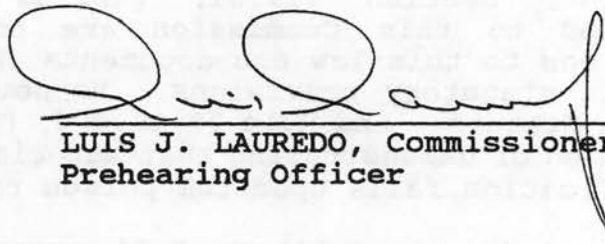
It is, therefore,

ORDERED by Commissioner Luis J. Lauredo, as Prehearing Officer, that Southern Bell's January 19, 1994, Request for Confidential Classification of specified information in Document No. 00612-94 (cross reference Document No. 00307-94) is granted. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, absent a renewed request for confidential classification, the confidentiality granted hereby shall expire eighteen (18) months from the date of this Order. It is further

ORDERED that this Order shall be the only notification by the Commission regarding expiration of the confidential classification.

By ORDER of Commissioner Luis J. Lauredo, as Prehearing Officer, this 21st day of March, 1994.



LUIS J. LAUREDO, Commissioner and
Prehearing Officer

(S E A L)

LMB

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.

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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.