

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by residents of Ft. White requesting extended area service between Ft. White exchange in Columbia County and Gainesville exchange in Alachua County.

DOCKET NO. 971627-TL  
ORDER NO. PSC-98-0768-CFO-TL  
ISSUED: June 4, 1998

ORDER GRANTING REQUEST FOR CONFIDENTIAL CLASSIFICATION  
OF DOCUMENT NO. 04245-98

By Order No. PSC-98-0098-FOF-TL, issued January 15, 1998, the Commission required ALLTEL Florida, Inc. (ALLTEL) to file a traffic study of the routes under consideration for Extended Area Service (EAS) in this Docket. On April 14, 1998, ALLTEL filed the required study along with a Request for Confidential Classification of specific information contained in the study, Document No. 04245-98. ALLTEL asserts that the information for which it seeks confidential treatment is treated by ALLTEL as confidential and has not been disclosed, except in accordance with a protective agreement.

Specifically, ALLTEL seeks confidential treatment of information on page 3 of the study, in line 1, in Columns A - L. ALLTEL asserts that this information contains numbers of main stations, messages, M/A/M and percentage of customers making two or more calls, and call distribution data for the Ft. White/Gainesville route. ALLTEL states that this information is essentially a "blueprint" of toll usage on this route. Because the Commission has authorized intraLATA presubscription, ALLTEL asserts that the routes at issue may be subject to competition. ALLTEL further asserts that disclosure to the public of this information would give its competitors valuable information at no cost and allow competitors to target the most lucrative routes. Thus, ALLTEL argues that its ability to compete would be impaired.

ALLTEL also seeks confidential treatment of the information on page 6 of the study, in lines 1 - 12, in Column A. ALLTEL states that these lines include information regarding the number of access lines for the Ft. White exchange. This information also reflects the number of lines assigned for each service category. ALLTEL asserts that as the telecommunications market becomes increasingly

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competitive, this information will increase in value. ALLTEL further asserts that information regarding the number of access lines for an exchange indicates the profitability of the market. ALLTEL argues that this demographic information would allow potential competitors to harm ALLTEL's ability to compete.

Based on the definition of proprietary confidential business information in Section 364.183(3), Florida Statutes, it appears that the information for which ALLTEL seeks confidential classification is information that, if disclosed, would cause harm to ALLTEL or its ratepayers by impairing ALLTEL's ability to compete. Disclosure of this detailed information in this format would allow competitors to determine the value of the route at issue. It would also allow competitors to determine which service categories are the most lucrative. Competitors would, therefore, be able to target their marketing efforts at these specific areas, thereby placing ALLTEL at an unfair disadvantage and harming the company's competitive interests. Thus, this information qualifies as proprietary business information under Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. It shall, therefore, be granted confidential treatment in accordance with those provisions.

Based on the foregoing, it is therefore

ORDERED by Commissioner E. Leon Jacobs, as Prehearing Officer, that ALLTEL Florida, Inc.'s Request for Confidential Classification of information in Document No. 04245-98 is granted as set forth in the body of this Order. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, 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.

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By ORDER of Commissioner E. Leon Jacobs, Jr. as Prehearing Officer, this 4th Day of June, 1998.

  
E. LEON JACOBS, JR.  
Commissioner and Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.