

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceedings against Sprint-Florida, Incorporated for violation of service standards.

DOCKET NO. 991377-TL
ORDER NO. PSC-00-1122-PCO-TL
ISSUED: June 20, 2000

ORDER GRANTING TEMPORARY PROTECTIVE ORDER

On September 10, 1999, a docket was established to initiate show cause proceedings against Sprint-Florida (Sprint) for its apparent violations of service standards. On September 17, 1999, the Office of Public Counsel (OPC) filed a Notice of Intervention that was acknowledged by Order No. PSC-99-2493-PCO-TL, issued December 20, 1999. On February 2, 2000, Sprint filed a Motion for Temporary Protective Order and Request for Confidential Classification of Certain Information Provided in Response to Citizens First Request for Production of Documents and Citizens First Set of Interrogatories.

On March 23, 2000, our staff met with representatives of Sprint and OPC. During this meeting, our staff inquired whether any of the parties had an objection to the requests for temporary protective order and confidential treatment. None of the parties had an objection to the motion. In its February 2, 2000 requests, Sprint states that it believes that a substantial portion of the information provided in their responses is proprietary and confidential and should be afforded confidential treatment pursuant to Section 364.183(2), Florida Statutes, and Rules 25-22.034 and 25-22.006, Florida Administrative Code.

On May 10, 2000, Sprint-Florida, Incorporated filed a requests for temporary protective order and confidential classification of certain information provided in response to staff's First Request for Production of Documents. In the requests, Sprint asserts that staff's discovery request seeks copies of all documents provided to OPC in response to OPC's First and Second Request for Production of Documents and OPC's First Set of Interrogatories. Sprint asserts that it has only provided certain documents to OPC in response to their first discovery request and that those documents have been provided to staff. Sprint states that these documents should be given confidential treatment for the reasons set forth above. I have been informed by staff counsel that our staff has no objection to Sprint-Florida, Incorporated's Request for Temporary Protective Order and Request for Confidential Classification of Certain Information Provided in Response to Staff's First Request for Production of Documents. No

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objection to the motion has been filed, and the time for filing has expired.

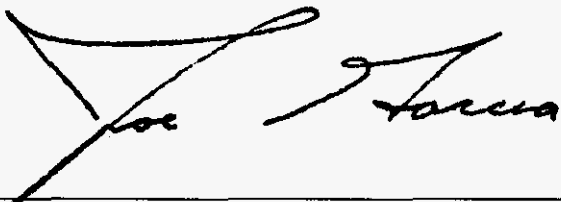
Upon preliminary review, it appears that Sprint's responses contain information that should be protected in accordance with Section 364.183, Florida Statutes. Pursuant to Section 364.183, Florida Statutes, proprietary confidential business information obtained by the Commission must be protected. Therefore, I hereby issue a temporary protective order exempting from Section 119.07(1), Florida Statutes, Sprint's responses to Citizen's First Request for Production of Documents, Citizen's First Set of Interrogatories, and Staff's First Request for Production of Documents pending a ruling on Sprint's Request for Confidential Treatment. While this information is protected by this Order, only Commission staff, Sprint, and OPC shall have access to the information.

Based on the foregoing, it is

ORDERED by Chairman Joe Garcia, as Prehearing Officer, that Sprint-Florida, Incorporated's responses to discovery in this Docket are protected as set forth in the body of this Order. It is further

ORDERED that the provisions of this Temporary Protective Order shall govern the conduct of this proceeding unless otherwise modified by the Prehearing Officer or the Commission.

By ORDER of Chairman Joe Garcia as Prehearing Officer, this 20th day of June, 2000.



JOE GARCIA
Chairman and Prehearing Officer

(S E A L)

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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.