

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Verizon Florida Inc. to reform intrastate network access and basic local telecommunications rates in accordance with Section 364.164, Florida Statutes.

DOCKET NO. 030867-TL

In re: Petition by Sprint-Florida, Incorporated to reduce intrastate switched network access rates to interstate parity in revenue-neutral manner pursuant to Section 364.164(1), Florida Statutes.

DOCKET NO. 030868-TL

In re: Petition for implementation of Section 364.164, Florida Statutes, by rebalancing rates in a revenue-neutral manner through decreases in intrastate switched access charges with offsetting rate adjustments for basic services, by BellSouth Telecommunications, Inc.

DOCKET NO. 030869-TL

In re: Flow-through of LEC switched access reductions by IXC's, pursuant to Section 364.163(2), Florida Statutes.

DOCKET NO. 030961-TI
ORDER NO. PSC-03-1326-CFO-TL
ISSUED: November 20, 2003

ORDER GRANTING SPRINT'S REQUESTS FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NOS. 08011-03, 08944-03, 08996-03, 09489-03, 09578-03,
09621-03, 09829-03, 10142-03, 10288-03, 10587-03, 10776-03,
10838-03, 10846-03, 11002-03, AND 11532-03)

On August 27, 2003, Verizon Florida Inc. (Verizon), Sprint-Florida, Incorporated (Sprint), and BellSouth Telecommunications, Inc. (BellSouth), each filed petitions pursuant to Section 364.164, Florida Statutes, and respective Dockets Nos. 030867-TL, 030868-TL, and 030869-TL have been opened to address these petitions in the

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time frame provided by Section 364.164, Florida Statutes. During the 2003 Regular Session, the Florida Legislature enacted the Tele-Competition Innovation and Infrastructure Enhancement Act (Tele-Competition Act or Act). The Act became effective on May 23, 2003. Part of the new Tele-Competition Act is the new Section 364.164, Florida Statutes, whereby the Legislature established a process by which each incumbent local exchange telecommunications carrier (ILEC) may petition the Commission to reduce its intrastate switched network access rate in a revenue-neutral manner. This matter has been set for hearing on December 10-12, 2003.

On August 27, 2003, Sprint-Florida, Incorporated (Sprint) filed a request for confidential classification. In its request, Sprint seeks confidential treatment of certain documents included in Sprint's pre-filed Direct Testimony of John Felz and attached exhibits, as well as portions of Exhibit KWD-2 to witness Dickerson's testimony (Document No. 08011-03) (See Attachment A to this Order). Thereafter, on October 1, 2003, Sprint filed a Request for Confidential Classification of certain information in the Amended Direct Testimony on witness Felz (Document No. 09489-03) (See Attachment B to this Order). On October 3, 2003, Sprint filed a Request for Confidential Classification of information in staff audit workpapers associated with Audit Control No. 03-247-2-2 (Document No. 09621-03; cross-referenced 08996-03) (See Attachment C to this Order). On October 9, 2003, Sprint filed a Request for Confidential Classification for information contained in documents in Sprint's Response to Request No. 5 of the Citizen's First Request for Production of Documents (Document No. 09829-03; cross-referenced 08944-03). On October 21, 2003, Sprint filed a Request for Confidential Classification of documents in its Response to Staff's First Set of Interrogatories and Staff's First Request for Production of Documents (Document No. 10288-03; cross-referenced 09578-03) (See Attachment D to this Order). On November 5, 2003, Sprint filed a Request for Confidential Classification of information contained in its Responses to Staff's Second Request for Production of Documents (Nos. 16 and 19) (Document No. 11002-03; cross-referenced 10142-03) (See Attachment E to this Order). On November 17, 2003, Sprint filed a Request for Confidential Classification of information in Sprint's Response to Request No. 6 of the Citizen's First Request for Production of Documents (Document No. 11533-03; cross-referenced 10776-03 and 10587-03) (See Attachment F to this Order). Attachments A-F, attached hereto and

incorporated herein, outline the location and specific justification for the requests addressed herein, with the exception of Sprint's Response to Citizen's Request for Production No. 5, which is set forth below. Sprint asserts that it treats this information as confidential and that it has not otherwise been released.

Specifically, with regard to its Response to Citizen's Request for Production No. 5, Sprint asks that the information in Columns H and I, lines 4 through 637, of pages 1 through 13 of its response be treated as confidential, because it sets forth the number and percentage of end-user customers using Sprint's competitive Extended Calling Service. Sprint contends that this information is highly competitive information, which, if released, would impair Sprint's ability to compete for certain business customers. Sprint contends that this information meets the definition of "proprietary confidential business information" contained in Section 364.183(3), Florida Statutes.

Florida law presumes that documents submitted to governmental agencies shall be public records. The only exceptions to this presumption are the specific statutory exemptions provided in the law and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision. This presumption is based on the concept that government should operate in the "sunshine." Rule 25-22.006(4)(c), Florida Administrative Code, provides that it is the Company's burden to demonstrate that the documents fall into one of the statutory examples set out in Section 364.183, Florida Statutes, or to demonstrate that the information is proprietary confidential information, the disclosure of which will cause the Company or its ratepayers harm.

Section 364.183(3), Florida Statutes, in pertinent part, provides:

The term "proprietary confidential business information" means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's

business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public.

Based on the definition of proprietary confidential business information in Section 364.183(3), Florida Statutes, it appears that the material described in Attachments A-F is proprietary business information in accordance with Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. Disclosure of this information would harm Sprint's competitive business interests and unfairly impair its ability to compete. As such, Sprint's Requests for Confidential Classification identified herein are hereby granted.

Based on the foregoing, it is

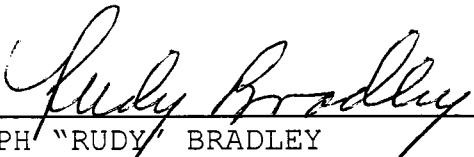
ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that Sprint-Florida, Incorporated's Requests for Confidential Classification of Document Nos. 08011-03, 08944-03, 08996-03, 09489-03, 09578-03, 09621-03, 09829-03, 10142-03, 10288-03, 10587-03, 10776-03, 10838-03, 10846-03, 11002-03, and 11532-03, as set forth in the body of this Order and also in Attachments A through F, which are incorporated herein by reference, are hereby granted. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the confidentiality granted to the material specified herein shall expire eighteen (18) months from the date of the issuance of this Order, in the absence of a renewed request for confidentiality pursuant to Section 364.183, Florida Statutes. 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 Rudolph "Rudy" Bradley, as Prehearing Officer, this 20th Day of November, 2003.



RUDOLPH "RUDY" BRADLEY
Commissioner 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 the

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Commission Clerk and Administrative Services, 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.

ATTACHMENT A

Document and Page and Line Numbers	Justification for Confidential Treatment
Highlighted portions of page 9, line 18 of the Direct Testimony of John M. Felz	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit JMF-4, column B, lines 4 & 5	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2, page 1, column D, line 4	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2, page 2, column D, line 2 & column F, lines 2, 5 & 6	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2 page 3, column D, line 2 & column F, lines 2, 5, 6 & 7	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2 page 5, columns I & J, line 1	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2 page 6, column D, lines 1-4 & column F, lines 1-6	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2 page 7, column D, lines 1-6 & column E, lines 1-6, 7 & 9	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)

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ATTACHMENT B

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ATTACHMENT A

Document and Page and Line Numbers	Justification for Confidential Treatment
Highlighted portions of page 9, line 18 of the Amended Direct Testimony of John M. Felz	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)

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ATTACHMENT A

Document and Page and Line Numbers	Justification for Confidential Treatment
Schedule entitled "Business Weighted Average Increase" Column H, lines 9-20 and Column M, lines 9-20	Contains information concerning Sprint's business customers, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)

ATTACHMENT A

Document and Page and Line Numbers	Justification for Confidential Treatment
a. Highlighted portions of Sprint's Response to Staff's Interrogatory No. 21	Contains information concerning Sprint's average revenue per customer from providing Sprint's competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
b. Sprint's Response to Staff's Request for Production of Documents No. 2, "Basic Local Service Rate Changes," (CD-ROM); and highlighted portion of paper copies, pages 1 through 33 of 33, columns B, D and G, lines 10 through 494	Contains information concerning Sprint's competitive services billing units, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
c. Exhibit KWD-2, page 1, column D, line 4	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2, page 2, column D, line 2 & column F, lines 2, 5 & 6	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2, page 2, column D, line 2 & column F, lines 2, 5, 6 & 7	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2, page 5, columns I & J, line 1	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2, page 6, column D, line 1-4 & column F, lines 1-6	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)
Exhibit KWD-2 page 7, column D, lines 1-6 & column E, lines 1-6, 7 & 9	Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)

<p>d. Highlighted portions of Sprint's Response to Staff's Request for Production of Documents No. 4., Non-Recurring Charges, Residential Monthly Billing Units, pages 1 and 2 of 2, columns B through O, lines 9 to 63; and Non-Recurring Charges, Business Monthly Billing Units, pages 1 and 2 of 2, columns B through O, lines 9 through 65</p>	<p>Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)</p>
<p>e. Sprint's Response to Staff's Request for Production of Documents No. 15 (CD-ROM) all fields of each separate calculation and work paper referred to in Staff's Interrogatories Nos. 30 through 34.</p>	<p>Contains information concerning Sprint's cost to provide competitive services, disclosure of which will harm Sprint's competitive business interests (s. 364.183(3) (e), F.S.)</p>

ATTACHMENT A

Document and Page and Line Numbers	Justification for Confidential Treatment
<p>a. Sprint's Response to Staff's 2nd Request for Production of Documents No. 16, Switching Inputs, page 1 of 5 (CD-ROM)</p> <ul style="list-style-type: none"> - Column E, lines 7-52 - Column F, lines 7, 36-46 - Column G, lines 36-48 - Column J, lines 40-52 - Column K, lines 12, 13 and 53 - Column L, lines 12, 13 and 15 - Column M, lines 12, 13 and 15 - Column N, lines 12, 13, 15, 16 18 and 20 	<p>The switch-related data is proprietary to Sprint's switch vendor and Sprint. The disclosure of this information would harm Sprint's ability to negotiate favorable terms and conditions with its switching vendors and would provide Sprint's competitors with costing information that would enhance their ability to price switch-related services to Sprint's detriment.</p>
<p>b. Sprint's Response to Staff's Second Request for Production of Documents No. 19, Florida Customer Usage Study, page 1 through 3 of 3</p> <ul style="list-style-type: none"> - page 1 of 3, column B, lines 17, 18, 20 and 21 - page 2 of 3, columns C-N, lines 11, 12, 19, 20, 27 and 28 - page 3 of 3, columns C, D, and O-Y, lines 11, 12, 19 and 20; columns C and D, lines 27 and 28 	<p>The customer usage information relates to a competitive Sprint service. The disclosure of this user information would be of significant value to Sprint's competitors who would have this information at no cost to them. In turn, Sprint's competitors could use this information to price and market their comparable services in a manner which would adversely affect Sprint's ability to market its service.</p>

ATTACHMENT A

Document and Page and Line Numbers	Justification for Confidential Treatment
<p>a. Sprint's Supplemental Response to Citizens' 1st Request for Production of Documents No. 6, Sprint Corporation "Maximus" document</p> <ul style="list-style-type: none"> - Pages 1 through 3 of 12, Column B, lines 7-16, 9-23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 48-51, 54-58, 61-65, 67, 69, 71, 76-78, 79-81, 83, 84, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107-111, 113-118, 121-125, 127, 129, 131, 133, 136-142, 144, 145, 148, 150, 153-156, 159-163, 166-169, 171, 173, 175, 177-184, 188, 190, 192, 194, 198, 200, 202, 204, 207, 208, 210, 212, 214, 219, 221, 223, 225 - Pages 4 through 8 of 12, Column B, lines 7-10, 13-16, 18, 23-27, 29-34, 37, 41, 42, 45, 46, 48-51, 54-59, 61, 62, 65-70, 72-74, 76, 79-82, 85-92, 94, 96, 99-102, 105-108, 111-118, 120, 122, 134-137, 140-149, 151, 156-159, 162-167, 171, 173, 177-180, 183-190, 192, 194, 196-198, 202-208, 212-218, 221-228, 230, 231, 236, 237, 240, 245-248, 251-260, 264-267, 270-277, 279, 283-286, 289-296, 298, 301, 304-306, 309-311, 313, 314, 317-319, 321, 324-326, 329-331, 335-338, 340, 343-345, 349 - Page 9 of 12, Columns B through W, lines 5, 9, 12, 16, 20; Column H, line 13 - Page 10 of 12, Columns X through AR, lines 5, 9, 12, 16, 20 - Page 11 of 12, Columns AS through BL, lines 5, 9, 12, 16, 20 - Page 12 of 12, Columns BM through BR, lines 5, 9, 12, 16, 20 	<p>This document contains confidential business information created by Sprint to ascertain the ability of Sprint to successfully enter the residential market in Florida. This information would be of considerable value to Sprint's competitors, and its public disclosure would seriously hamper Sprint's ability to compete in the residential market.</p>