

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to establish generic docket to consider amendments to interconnection agreements resulting from changes in law, by BellSouth Telecommunications, Inc.

DOCKET NO. 041269-TP
ORDER NO. PSC-07-0929-CFO-TP
ISSUED: November 20, 2007

ORDER GRANTING BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T
FLORIDA'S MOTION FOR EXTENSION OF DURATION OF
ORDER NOS. PSC-05-1058-CFO-TP, PSC-05-1059-CFO-TP, AND PSC-05-1060-CFO-TP
GRANTING CONFIDENTIAL CLASSIFICATION

On November 1, 2004, BellSouth filed a Petition asking this Commission to determine what changes are required in existing, approved interconnection agreements between BellSouth and CLECs in Florida as a result of changes in law from recent FCC and federal appellate court decisions.

A final administrative hearing was conducted on November 2-4, 2005, before a panel of three Commissioners.

On May 1, 2007, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T Florida) filed its Motion for Extension of Duration of Order Nos. PSC-05-1058-CFO-TP, PSC-05-1059-CFO-TP, and PSC-05-1060-CFO-TP granting its Request for Confidential Treatment of Document Nos. 08474-05, 09245-05, 08613-05, and 09187-05 (x-ref. 10105-05), filed as requests for specified confidential classification. AT&T Florida states that the reasons it asserted in support of the confidential treatment in the original Requests for Confidential Treatment continue to pertain. AT&T Florida contends that, specifically, there remains a need to protect proprietary business information, customer information and competitive interests which are not subject disclosure.

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.

Based on the definition of proprietary confidential business information in Section 364.183(3), Florida Statutes, it appears that the material described herein is proprietary business information in accordance with Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. The information at issue has been retained by our staff since this matter remains open. This information has been previously granted confidential treatment, and AT&T Florida asserts that it continues to treat the information as confidential. AT&T Florida asserts

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that there is still a need to protect proprietary business information, customer information and competitive interests. Therefore, AT&T Florida's request shall be granted. The confidentiality period shall be extended for a period of 18 months from the issuance of this Order.


Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Motion for Extension of Duration of Order Nos. PSC-05-1058-CFO-TP, PSC-05-1059-CFO-TP, and PSC-05-1060-CFO-TP granting its Request for Confidential Treatment of Document Nos. 08474-05, 09245-05, 08613-05, and 09187-05 (x-ref. 10105-05), is hereby granted and incorporated by reference into this Order. 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.

By ORDER of Chairman Lisa Polak Edgar, as Prehearing Officer, this 20th day of November, 2007.



LISA POLAK EDGAR
Chairman 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.

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; or (2) 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 Office of Commission Clerk, 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.