

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for extended area) DOCKET NO. 920028-TL
service between the Sunny Hills) ORDER NO. PSC-92-0583-PCO-TL
and Panama City exchanges by the) ISSUED: 06/30/92
Washington County Board of)
Commissioners.)
_____)

ORDER GRANTING CONFIDENTIAL TREATMENT
TO DOCUMENT NO. 3280-92

On April 3, 1992, Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed a Request for Specified Confidential Classification (Request) for certain intraLATA traffic data. The Commission has assigned Document No. 3280-92 to the material at issue. The data was filed in response to Order No. 25688, which was issued on February 4, 1992, in this Docket. Southern Bell asks that the information at issue be held to be proprietary confidential business information pursuant to Rule 25-22.006, Florida Administrative Code. Such a determination would exempt the material from Section 119.07(1), Florida Statutes pursuant to Section 364.183, Florida Statutes. The Request has not been opposed by any party to this proceeding.

In its initial line-by-line justification, included as Attachment "C" to its Request, the Company stated simply: "SB Proprietary." Our staff contacted the Company and asked for a more specific rationale. On April 28, 1992, the Company filed an Amendment to its Request.

Southern Bell argues that intraLATA traffic data should be granted confidential treatment due to intraLATA competition in Florida. The Company cites two Commission Orders for the proposition that intraLATA competition exists and concludes that disclosure of intraLATA data would cause it competitive harm.

Upon review, I agree that intraLATA routes are now subject to competition and that disclosure of traffic data on such routes could result in competitive harm to Southern Bell. Thus, the material at issue falls within a statutory example of "proprietary confidential business information" as set forth at Section 364.183(3)(e), Florida Statutes. Such information is exempt from Section 119.07(1), Florida Statutes. Therefore, I grant the Company's Request.

Based upon the foregoing it is

ORDERED by Chairman Thomas M. Beard, as Prehearing Officer, that Southern Bell Telephone and Telegraph Company's Amended Request for Confidential Classification is granted.

DOCUMENT NUMBER-DATE

06961 JUN 30 1992

FPC-RECORDS/REPORTING

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By ORDER of Chairman Thomas M. Beard, as Prehearing Officer,
this 30th day of June, 1992.


THOMAS M. BEARD, Commissioner
and Prehearing Officer

(S E A L)

CWM

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.

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.