

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Resolution by City of) DOCKET NO. 930978-TL
Fort Meade Requesting Extended) ORDER NO. PSC-94-0315-CFO-TL
Area service (EAS) from Fort) ISSUED: March 21, 1994
Meade to Lakeland, Winter Haven,)
Wauchula, Zolfo Springs and)
Mulberry Exchanges)
_____)

ORDER GRANTING REQUEST FOR CONFIDENTIAL
CLASSIFICATION OF PORTIONS OF DOCUMENT NO. 00475-94

By Order No. PSC-93-1521-PCO-TL, issued October 15, 1993, the Commission required United Telephone Company of Florida (United) to perform and file traffic studies on the routes in question in this docket. On January 14, 1994, United filed the required information which has been designated as Document No. 00475-94. A Request for Confidential Classification of certain of the information was also filed.

Under Section 119.01, Florida Statutes, all documents submitted to this Commission are public records. The only exceptions to this law are documents which are exempt pursuant to specific statutory terms or provisions. Moreover, under Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the burden of demonstrating that materials qualify for confidential classification falls upon the person requesting such treatment.

To that end, United argues that the information for which it has requested confidential classification consists of traffic on interLATA routes that represents confidential business information of AT&T Communications of the Southern States, Inc. (ATT-C). United asserts that public disclosure of this information would allow competitors of ATT-C an undue advantage in pinpointing those routes or segments of routes which are most susceptible to competition.

Upon consideration, we accept United's argument. The documents are as described by United, and it appears that disclosure of the information at issue would subject ATT-C to undue competitive harm. Accordingly, pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, United's Request for Confidential Classification of portions of Document No. 00475-94 is granted.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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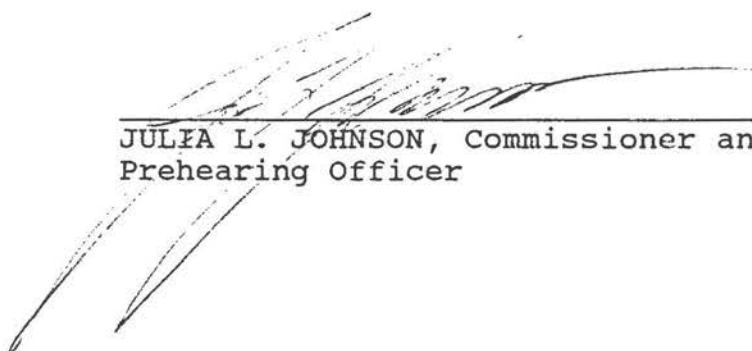
It is, therefore,

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that United's January 14, 1994 request for confidential classification of specific information contained in Document No. 00475-94 is granted. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, absent a renewed request for confidential classification, the confidentiality granted hereby shall expire eighteen (18) months from the date of this Order. It is further

ORDERED that this Order shall be the only notification by the Commission regarding expiration of the confidential classification.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 21st day of March, 1994.



JULIA L. JOHNSON, Commissioner and
Prehearing Officer

(S E A L)

MMB

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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.