

MEMORANDUM

March 30, 1994

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (MURPHY) *H for CWM*
RE: DOCKET NO. 921074-TP - PETITION FOR EXPANDED
INTERCONNECTION FOR ALTERNATE ACCESS VENDORS WITHIN
LOCAL EXCHANGE COMPANY CENTRAL OFFICES BY INTERMEDIA
COMMUNICATIONS OF FLORIDA, INC.

0369-CFO

Attached is an ORDER GRANTING CONFIDENTIAL TREATMENT TO DOCUMENT NO. 10318-93 (CROSS REFERENCE DOCUMENT NO. 9749-93) to be issued in the above referenced docket. (Number of pages in Order - 3)

CWM/clp
Attachment
cc: Division of Communications
I:confzzz.cwm

MUST GO TODAY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for expanded) DOCKET NO. 921074-TP
interconnection for alternate) ORDER NO. PSC-94-0369-CFO-TP
access vendors within local) ISSUED: March 30, 1994
exchange company central offices)
by INTERMEDIA COMMUNICATIONS OF)
FLORIDA, INC. (PHASE I))

ORDER GRANTING CONFIDENTIAL TREATMENT
TO DOCUMENT NO 10318-93
(CROSS REFERENCE DOCUMENT NO. 9749-93)

On September 9, 1993, Northeast Telephone Company requested confidential treatment for specific information contained in its response to Staff's First Set of Interrogatories, No. 6(a). The request was determined to be deficient on its face, and the Company was asked to resubmit its request and include the required line-by-line justification and a redacted version of the response. On September 24, 1993, the Company filed an updated request which complies with our rules. The response has been assigned Document No. 10318-93 (cross reference Document No. 9749-93).

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.

The material at issue reveals the Company's largest users of intraLATA private line and interLATA special access services along with the monthly revenue data. The Company argues that disclosure of this information would harm the Company. Thus, the Company contends that the specifically identified information contained in its response is entitled to confidential treatment pursuant to Section 364.183, Florida Statutes.

Upon review, I find that the material at issue is proprietary business information pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. As such, it shall be kept confidential and shall be exempt from Section 119.07(1), Florida Statutes.

DOCUMENT NUMBER-DATE

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Therefore, it is

ORDERED by Chairman J. Terry Deason, that the Company's request for confidential treatment of the specifically identified material contained in Document No. 10318-93 (cross reference Document No. 9749-93) is hereby granted confidential classification. It is further

ORDERED that pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidentiality granted to the material specified herein shall expire eighteen (18) months from the date of issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183. 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 J. Terry Deason, as Prehearing Officer, this 30th day of March, 1994.



J. TERRY DEASON, Chairman 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.