

MACFARLANE AUSLEY FERGUSON & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(904) 224-9115 FAX (904) 222-7880

111 MADISON STREET, SUITE 2300
P.O. BOX 1531 (ZIP 33601)
TAMPA, FLORIDA 33602
(813) 273-4200 FAX (813) 273-4388

400 CLEVELAND STREET
P. O. BOX 1888 (ZIP 34617)
CLEARWATER, FLORIDA 34618
(813) 441-8888 FAX (813) 442-8470

April 26, 1994

IN REPLY REFER TO:
Tallahassee

BY HAND DELIVERY

ORIGINAL
FILE COPY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

Re: In re: Expanded Interconnection Phase II and
Local Transport Restructure; Docket Nos. 93074-TP,
930955-TL, 940014-TL, 940020-TL and 931196-TL

Dear Ms. Bayo:

Enclosed for filing in the above-styled docket are the original and fifteen (15) copies of United Telephone Company of Florida's Motion for Interim Protective Order.

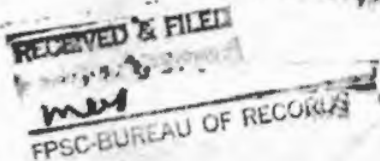
Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

ACK _____
AFM 2 _____
AFP _____
CAF _____
CAM (circled) _____
CFR _____
ENG _____
LEB IN _____
LIM 6 _____
OPC _____
RCH _____
SEC L _____
WAS _____
OTH AS _____

Thank you for your assistance in this matter.

Yours truly,

John P. Fons



DOCUMENT NUMBER-DATE

03912 APR 26 94

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Expanded Interconnection) Docket Nos. 921074-TP,
Phase II and Local Transport) 930955-TL, 940014-TL,
Restructure) 940020-TL, and 931196-TL

) Filed: April 26, 1994

MOTION FOR INTERIM PROTECTIVE ORDER

United Telephone Company of Florida ("United"), pursuant to Rule 25-22.006, Florida Administrative Code, moves the Florida Public Service Commission for an Interim Protective Order in this docket, and as grounds therefore states:

1. On March 17, 1994, the Office of Public Counsel ("Public Counsel") served its First Request for Production of Documents to United. This request consisted of fourteen (14) individual requests ("First POD"). Public Counsel seeks United's response to the First POD on or before April 21, 1994.

2. The materials and information which may be responsive to Public Counsel's First POD are substantial. Interspersed among the materials and documents that may be responsive to the First POD is information which United claims is proprietary confidential business information, and is of a type this Commission has found in past dockets to be confidential. United believes that many of these documents are within the scope of Section 364.183, Florida Statutes, and must be afforded protections as proprietary confidential business information.

3. Public Counsel has indicated its desire to have certain of the materials and information it has requested made available so

DOCUMENT NUMBER-DATE

03912 APR 26 8

FPSC-RECORDS/REPORTING

that it may more closely review certain materials and information provided over a longer period of time and to provide copies of certain documents for review by its consultants. One objective of this review would be to reduce the volume of materials and information actually taken into possession by Public Counsel and, ultimately, the volume of proprietary confidential materials and information which will be needed as evidence or supporting documentation in this docket. This review, in United's opinion, has the potential to significantly reduce the volume of materials and information for which final proprietary confidential treatment must eventually be requested.

4. By this Motion, United requests that the information and materials made available for inspection in response to Public Counsel's First POD be granted the protection of an Interim Protective Order as provided for by Rule 25-22.006(5)(c), Florida Administrative Code. This Interim Protective Order will protect the materials and information from disclosure until Public Counsel completes his review of the materials and information. Once the review is completed, Public Counsel will notify United of the materials and information he intends to use in this docket, and United, in accordance with Rule 25-22.006(5)(a), will request proprietary confidential treatment of those portions of the materials and information which are, in its opinion, entitled to such treatment. The remainder of any such materials and information which Public Counsel has taken possession of pursuant to this Interim Protective Order will be returned to United by

Public Counsel pursuant to Rule 25-22.006(5)(c). United anticipates that this procedure will greatly reduce the volume of materials for which proprietary confidential treatment must be sought. The alternative to this approach entails lengthy, but ultimately needless, review by the parties and by the Commission of materials which Public Counsel does not find necessary for its purposes in this docket.

5. Consistent with the procedures previously used by the parties, United proposes the following procedures for handling materials to which a colorable claim of confidentiality attaches:

- a. Before producing documents to Public Counsel, United will segregate documents with a colorable claim of confidentiality from those which do not have a colorable claim of confidentiality.
- b. Documents with a colorable claim of confidentiality shall be stamped "CONFIDENTIAL." Where less than the entire document is confidential, the specific portions of documents which contain confidential information shall be highlighted. If the entire document is confidential, the entire document shall be highlighted.
- c. After documents with a colorable claim of confidentiality have been stamped confidential and highlighted, such documents shall be numbered consecutively, beginning with the number "1." United shall keep and index of documents with a colorable claim of confidentiality, which includes

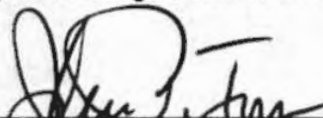
the document number and a general description of the document.

- d. Documents with a colorable claim of confidentiality shall be delivered to Public Counsel, together with the index described above in envelopes of boxes clearly marked "CONFIDENTIAL."

WHEREFORE, United respectfully moves the Commission for an Interim Protective Order covering the materials produced in response to Public Counsel's present and future Requests for Production of Documents and Interrogatories in this docket.

DATED this 26th day of April, 1994.

Respectfully submitted,



JOHN P. FONS
Macfarlane Ausley Ferguson
& McMullen
P. O. Box 391
Tallahassee, Florida 32302
(904) 224-9115

ATTORNEYS FOR UNITED TELEPHONE
COMPANY OF FLORIDA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) this 26th day of April, 1994, to the following:

Daniel V. Gregory
Quincy Telephone Company
P. O. Box 189
Quincy, FL 32351

John A. Carroll, Jr.
Northeast Florida Telephone
P. O. Box 485
Macclenny, FL 32063-0485

Michael W. Tye
AT&T Communications
106 E. College Ave., Suite 1410
Tallahassee, FL 32301

Joseph Gillan
Florida Interexchange Carriers
P. O. Box 541018
Orlando, FL 32854

Brad E. Mutschelknaus
Rachel J. Rothstein
Ann M. Szemplenski
Wiley, Rein & Fielding
1775 K Street, N.W.
Washington, DC 20006

Laura L. Wilson
Florida Cable Television Assn.
P. O. Box 10383
Tallahassee, FL 32302

Patrick K. Wiggins
Kathleen Villacorta
Wiggins & Villacorta
P. O. Drawer 1657
Tallahassee, FL 32302

Joseph A. McGlothlin
Vicki Gordon Kaufman
McWhirter, Reeves, et al.
315 S. Calhoun St., Suite 716
Tallahassee, FL 32301

Jack Shreve
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison St., Rm. 812
Tallahassee, FL 32399-1400

C. Everett Boyd, Jr.
Ervin, Varn, et al.
305 S. Gadsden Street
Tallahassee, FL 32301

Chanthina R. Bryant
Sprint
3065 Cumberland Circle
Atlanta, GA 30339

Paul Jones
Time Warner Cable
Corporate Headquarters
300 First Stamford Place
Stamford, CT 06902-6732

Jodie L. Donovan
Teleport Communications Group
1 Teleport Drive, Suite 301
Staten Island, NY 10311

Kenneth A. Hoffman
Floyd R. Self
Messer, Vickers, et al.
P. O. Box 1876
Tallahassee, FL 32302

Donna L. Canzano *
Charles Murphy
Division of Legal Services
Florida Public Service Comm.
101 East Gaines Street
Tallahassee, FL 32301

Marshall M. Criser, III
Southern Bell Telephone
and Telegraph Company
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

Mickey Henry
MCI Telecommunications Corp.
780 Johnson Ferry Road
Suite 700
Atlanta, GA 30342

Richard D. Melson
Hopping, Boyd, Green & Sams
P. O. Box 6526
Tallahassee, FL 32314

Peter Dunbar
Pennington, Haben, et al.
306 No. Monroe Street
Tallahassee, FL 32301

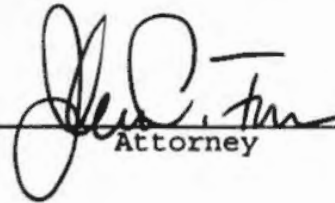
Benjamin H. Dickens, Jr.
Blooston, Mordkofsky, et al.
2120 L St., N.W., Suite 300
Washington, DC 20037-1527

Douglas S. Metcalf
Communications Consultants, Inc.
P. O. Box 1148
Winter Park, FL 32790-1148

Harriet Eudy
ALLTEL Florida, Inc.
P. O. Box 550
Live Oak, FL 32060

Richard Fletcher
c/o Beverly Menard
GTE-Florida
106 E. College Ave., Suite 1440
Tallahassee, FL 32301

Intermediate Communications
V.P., External Affairs
9280 Bay Plaza Blvd., Suite 720
Tampa, FL 32063



Attorney