

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by subscribers) DOCKET NO. 940419-TL
of Indiantown exchange) ORDER NO. PSC-95-0711-CFO-TL
requesting extended area service) ISSUED: June 13, 1995
(EAS) to Port St. Lucie, Jensen)
Beach, and Fort Pierce)
exchanges.)
_____)

ORDER GRANTING REQUEST FOR SPECIFIED
CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 8578-94

Pursuant to a petition filed by certain subscribers of the Indiantown exchange, we have been requested to consider requiring implementation of extended area service (EAS) from the Indiantown exchange to the Port St. Lucie, Jensen Beach, and Fort Pierce exchanges. The Indiantown exchange is served by Indiantown Telephone System, Inc. The Port St. Lucie, Jensen Beach, and Fort Pierce exchanges are provided telephone service by BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company (Southern Bell). All of these exchanges are located in the Southeast LATA (local access transport area).

The companies were directed to perform traffic studies on the routes under consideration by Order No. PSC-94-0606-FOF-TL, issued May 23, 1994. On August 22, 1994, Southern Bell filed the traffic study data, along with a Request for Specified Confidential Classification (Request) of certain portions of the traffic study data, as identified in Appendix "A" to this Order. The Request has not been opposed by any party to this proceeding.

Pursuant to Section 119.01, Florida Statutes, documents submitted to this Commission are public records. The only exceptions to this law are specific statutory exemptions and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision.

Pursuant to the provisions of Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the Company has the burden of demonstrating that the materials qualify for specified confidential classification. According to Rule 25-22.006, Florida Administrative Code, the Company must meet this burden by demonstrating that the materials fall into one of the statutory examples set forth in Section 364.183, Florida Statutes, or by demonstrating that the information is proprietary confidential business information, the disclosure of which will cause the Company or its ratepayers harm.

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ASSOCIATED W/CC/REPORTING

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The information for which Southern Bell has requested specified confidential treatment consists of traffic data that indicates which routes at issue in this case contain the most concentrated traffic. According to Southern Bell, disclosure of this information would allow Southern Bell's competitors in the intraLATA toll market to target the most lucrative routes, thereby competitively harming the Company. This traffic data, which relates to toll usage, is used by Southern Bell to plan its network deployment based on traffic demand over the respective toll routes.

Southern Bell asserts that the information for which confidential treatment has been requested is intended to be, and is treated as, confidential by Southern Bell and has not been disclosed to the public.

Upon review, the data identified in Document No. 8578-94 is hereby found to be proprietary confidential business' information pursuant to Section 364.183, Florida Statutes. As such, it shall be kept confidential and shall be exempt from Section 119.07(1), Florida Statutes.

It is therefore

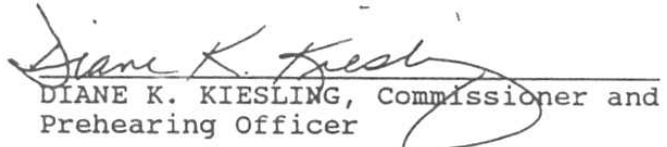
ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Request for Specified Confidential Classification of certain information identified in Document No. 8578-94, filed by BellSouth Telecommunications, Inc., d/b/a Southern Bell Telephone and Telegraph Company, is hereby granted pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183, Florida Statutes, for the reasons set forth in the body of this Order. 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 documents 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.

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By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 13th day of June, 1995.


DIANE K. KIESLING, Commissioner and
Prehearing Officer

(S E A L)

DLC

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.

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APPENDIX "A"

INDEX OF CONFIDENTIAL INFORMATION
CONTAINED IN COMMISSION DOCUMENT NO. 8578-94

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