

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by residents of ) DOCKET NO. 930172-TL  
Boca Grande for extended area ) ORDER NO. PSC-95-0819-CFO-TL  
service (EAS) between Boca ) ISSUED: July 10, 1995  
Grande, and North Ft. Myers, )  
North Port, Venice, Englewood, )  
Pine Island, North Cape Coral )  
and Cape Coral. )  
\_\_\_\_\_)

ORDER GRANTING EXTENSION OF CONFIDENTIAL PERIOD TO SPECIFIC  
INFORMATION CONTAINED IN DOCUMENT NO. 6375-93

On March 23, 1993, By Order No. PSC-93-0416-PCO-TL, the Commission required GTE Florida Incorporated (GTEFL or the Company) to file traffic studies on the routes under consideration in this Docket. On June 14, 1993, GTEFL filed the required traffic studies along with a Request for Confidential Treatment of certain specified information contained therein. The studies in question were assigned Document No. 6375-93. By Order No. PSC-93-1072-CFO-TL, the Commission granted Document No. 6375-93 confidential classification. The period for confidential classification was scheduled to expire on January 26, 1995. On January 19, 1995, GTEFL filed a Motion for Extension of Confidential Period. On March 24, 1995, GTEFL filed an Amended Request for Extension of Confidential Period.

Rule 25-22.006(8)(c), Florida Administrative Code, provides that confidential information not returned at the conclusion of the period established under paragraph (a) of this subsection, shall no longer be exempt from section 119.07(1), Florida Statutes, unless the utility or affected person shows, and the Commission finds, that the information continues to be confidential.

The information, for which GTEFL requests an extension of the confidential period, consists of studies that contain detailed statistics on the number of messages, minutes, and revenue for interLATA toll routes. These studies, GTEFL contends, rely on information which belongs to AT&T Communications of the Southern States, Inc. (ATT-C). GTEFL states its use of ATT-C's statistics was explicitly conditioned on GTEFL's filing an appropriate request for their confidential treatment. GTEFL has verified with ATT-C's counsel that ATT-C still wishes to protect the data at issue from public disclosure. GTEFL asserts that if the information is declassified, ATT-C will likely be much more reluctant to permit GTEFL to use its confidential information in future traffic studies.

DOCUMENT NUMBER-DATE

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The Company states that no extended area service has been ordered for the routes included in this docket, therefore, the information remains confidential for the same reasons that earlier justified its protection from public disclosure. According to GTEFL, in a competitive business any knowledge obtained about a competitor can be used to the detriment of the entity to which the information pertains. Further, the Company states that because of the Commission's recent authorization of intraLATA toll presubscription, as well as incipient State and federal legislative changes, companies' toll statistics are one of the most highly sensitive and closely guarded types of competitive data.

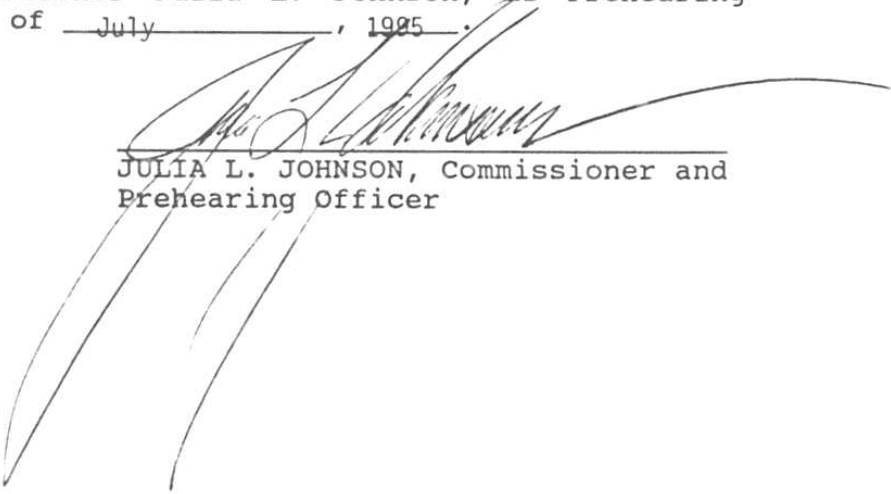
Upon review, I find that the material contained in document 6375-93 continues to be proprietary business information pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. Accordingly, it shall be kept confidential and exempt from Section 119.07(1), Florida Statutes.

Based on the foregoing, it is

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer, that GTE Florida Incorporated's Request for Extension of Confidential Period of Document No. 6375-93 is granted. 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 months from the date of issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183, Florida Statutes.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this ~~10th~~ day of July, 1995.



JULIA L. JOHNSON, Commissioner and  
Prehearing Officer

( S E A L )

MMB

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.