

LAW OFFICES
MESSER, CAPARELLO, MADSEN, GOLDMAN & METZ
A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE (904) 222-0720
TELECOPIERS (904) 224-4359 (904) 425-1942
June 13, 1996

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Room 110, Easley Building
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

BY HAND DELIVERY

960729-TX

Dear Ms. Bayo:

Enclosed for filing on behalf of Cypress Telecommunications Corporation are an original and six copies of the Application for Authority to Provide Local Telecommunications Service Statewide together with attachments thereto, and a check in the amount of \$250.00 for the filing fee.

Also enclosed is the original and ten copies of a Request for Confidential Treatment of Information attached to the application. The exhibit which is considered confidential, is in a separate envelope attached to the Motion and a redacted copy is attached to the application.

Please indicate receipt of this document by stamping the enclosed two extra copies of this letter.

Your attention to this filing is appreciated.

Sincerely,

Norman Horton Jr.
Norman H. Horton, Jr.

NHH/alb
Enclosures

cc: Ms. Beverly Turner

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

Initials of person who forwarded check

Coy
DOCUMENT NUMBER-DATE

06430 JUN 13 1996

FPSC-RECORDS/REPORTING

Request
DOCUMENT NUMBER-DATE

06429 JUN 13 1996

FPSC-RECORDS/REPORTING

App
DOCUMENT NUMBER-DATE

06428 JUN 13 1996

FPSC-RECORDS/REPORTING

M E M O R A N D U M

June 13, 1996

TO: _____ DIVISION OF APPEALS
_____ DIVISION OF AUDITING AND FINANCIAL ANALYSIS
XX _____ DIVISION OF COMMUNICATIONS
_____ DIVISION OF ELECTRIC AND GAS
_____ DIVISION OF RESEARCH
_____ DIVISION OF WATER AND WASTEWATER
_____ DIVISION OF LEGAL SERVICES

FROM: DIVISION OF RECORDS AND REPORTING (WILLIAMS)

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 06430-96

DESCRIPTION: Financial information

SOURCE: CYPRESS TELECOMMUNICATION CORPORATION

DOCKET NO.: 960729-TX

The above material was received with a request for confidentiality (attached). Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of Records and Reporting and to the Division of Appeals.

Please read each of the following and check if applicable.

_____ The document(s) is (are), in fact, what the utility asserts it (them) to be.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Cypress Telecommunications)
Corporation Application for)
Authority to Provide Alternative)
Local Exchange Service)
_____)

Docket No. 960729-TX
Filed: June 13, 1996

**CYPRESS TELECOMMUNICATIONS CORPORATION'S REQUEST
FOR SPECIFIED CONFIDENTIAL TREATMENT**

COMES CYPRESS TELECOMMUNICATIONS CORPORATION ("Cypress")
through its undersigned counsel and pursuant to section 364.183,
Florida Statutes and Rule 25-22.006, Florida Administrative Code,
and requests entry of an order granting confidential treatment to
the documents described herein. As basis Cypress would state as
follows:

1. The name and address of the applicant is:

Cypress Telecommunications Corporation
11811 North Freeway, Suite 800
Houston, TX 77060

2. Correspondence regarding this motion should be provided

to:

Ms. Beverly Turner
Cypress Telecommunications
Corporation
Suite 800
11811 North Freeway
Houston, TX 77060
(713) 591-3000

Norman H. Horton, Jr., Esq.
Messer, Caparello, Madsen,
Goldman & Metz, P.A.
215 S. Monroe Street, Suite 701
Post Office Box 1876
Tallahassee, FL 32302-1876
(904) 222-0720

3. Simultaneous with this request, Cypress has submitted an

DOCUMENT NUMBER-DATE

06429 JUN 13 96

FPSC-RECORDS/REPORTING

application for authority to provide Alternative Local Exchange Service ("ALEC") within the state. As required by Commission rules, Cypress has completed the necessary application and exhibits reflecting that it has the managerial, technical and financial capabilities necessary for issuance of the certificate.

4. The rules applicable to ALECs are found in Florida Administrative Code Chapter 25-24, Part XV. Rule 25-24.810 directs that applications be submitted on forms developed by the PSC. Within the PSC application form is a requirement to attach the applicant's financial statements. Although section 364.337, Florida Statutes, requires the Commission to grant a certificate to an ALEC applicant upon a showing that the applicant has "sufficient . . . financial . . . capability to provide such service . . ." there is no specific requirement in this section or in current PSC rules for financial statements to be filed. Neither is there a requirement for filing any financial statements subsequent to the initial application.

5. Cypress is a privately owned corporation doing business in states other than Florida. As a privately owned corporation Cypress considers and treats its financial statements and underlying data to be confidential and proprietary. The financial statements provide valuable information about Cypress. An analysis

of the financial statement would reflect competitive ability, strength in the market, management philosophies and market plans, among other valuable information. The fact that the Commission requires the financial statements is itself an indication of the value of this information. Public disclosure of this information would enable competitors to analyze the information and benefit to the detriment of Cypress. Since Cypress provides service in areas other than Florida, access to this information would impair the ability of Cypress to successfully compete in these areas as well since the competitors would be able to determine long range plans and efforts from the financial statements.

6. Cypress does not object to providing financial statements for review by the Commission in order for the Commission to meet their obligation and assure themselves that Cypress has the financial capability to provide service. To this end, an unedited version of the financial statement for Cypress is being provided to the Commission as required by Rule 25-22.006, Florida Administrative Code, with the information deemed confidential highlighted. Cypress does not file financial statements as a public document or disclose these statements in any jurisdiction as a privately owned corporation. Cypress is not required to file or disclose these statements with any other agency.

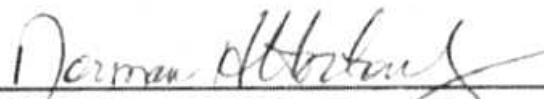
7. The information for which confidential treatment is sought is deemed confidential individually and as a total report for the reasons cited herein.

8. The unedited financial statements are submitted for use by the Commission in issuing the certificate. That analysis can be accomplished by reviewing the statements while maintaining their confidentiality. Cypress would request, however, that the financial statements be treated as proprietary and confidential pursuant to section 364.183, Florida Statutes and Rule 25-22.006, Florida Administrative Code.

WHEREFORE, Cypress Telecommunications Corporation respectfully requests the Commission grant its Request for Specified Confidential Treatment of the information identified in Exhibit "A".

Dated this 13th day of June, 1996.

MESSER, CAPARELLO, MADSEN,
GOLDMAN & METZ, P.A.
215 S. Monroe Street, Suite 701
Post Office Box 1876
Tallahassee, FL 32302-1876
(904) 222-0720



NORMAN H. HORTON, JR., ESQ.
FLOYD R. SELF, ESQ.

Attorneys for Cypress Telecommunications
Corporation