



ORIGINAL
FILE COPY

Marcell Morrell**
Vice President & General Counsel - Florida

GTE Telephone Operations

Associate General Counsel
Anthony P. Gillman**
Leslie Reicin Stein*

One Tampa City Center
201 North Franklin Street, FLTC0007
Post Office Box 110
Tampa, Florida 33601
813-483-2606
813-204-8870 (Facsimile)

Attorneys*
Kimberly Caswell
M. Eric Edgington
Ernesto Mayor, Jr.

* Licensed in Florida
** Certified in Florida as Authorized House Counsel

September 12, 1997

Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

97000-70

Re: Docket No.
GTE Florida Incorporated's Responses to Data Request for Marketing of
Caller Identification Equipment and Services

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of GTE Florida Incorporated's
Request for Confidential Classification and Motion for Protective Order in connection
with the above-referenced matter. If there are any questions regarding this filing,
please contact me at (813) 483-2615.

Very truly yours,

Anthony P. Gillman
Anthony P. Gillman

APG:tas
Enclosures

c: Staff Counsel (w/e)
Walter D'Haeseleer (w/e)

This document has been placed in confidential storage
pending advice from OPR staff on further handling.

RECEIVED & FILED
A part of GTE Corporation

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09303-SEP 12 97

FPSC-RECORDS/REPORTING

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN
- OPC
- RCH
- SEC
- WAS
- DTH

ORIGINAL
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: GTE Florida Incorporated's Responses)
to Data Request for Marketing of Caller)
Identification Equipment and Services)
_____)

Docket No.
Filed: September 12, 1997

GTE FLORIDA INCORPORATED'S REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER

GTE Florida Incorporated (GTE) seeks confidential classification and a permanent protective order for certain information provided in its responses to a Commission data request for marketing of caller identification equipment and services. Specifically, the information in question relates to outside agents marketing caller identification services with GTE in Florida (responses to Request Nos. 1 and 5), compensation/consideration paid to GTE's contractors and/or agents (response to Request No. 4), and confidential subscriber name and telephone number information.

This information falls within Florida Statutes §364.183(3)(e), which defines the term "proprietary confidential business information" to include "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of that information." In this case, the information designated as confidential falls within this definition as is explained in detail below.

Responses to Request Nos. 1 and 5: In these responses, GTE provides the names and addresses of companies retained by GTE to market its services as part of a nationwide program. GTE has designated the names, addresses and telephone numbers as being confidential. The identity of third party vendors with whom GTE contracts is confidential under Section 364.183(3)(d) because it constitutes "contractual data, the

DOCUMENT NUMBER-DATE
09303 SEP 12 97
FPSC-RECORDS/REPORTING

disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms." Clearly, public disclosure of the names and addresses of the contracted companies could potentially be used by competitors in their fields to attempt to obtain GTE's business. Even if this information could be obtained through normal market processes, it should not be disclosed in a proceeding such as this. Also, disclosure of this information to the public could damage GTE's relationship with these vendors.

Response to Request No. 4: In this response, not only does GTE provide the names of third party vendors, it also provides the terms of the agreements with GTE. Again, public disclosure of the confidential terms and conditions of GTE's contracts with third party vendors is confidential under Section 364.183(3)(d) because it contains "contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms." If this information is publicly disclosed, the competitive position of the companies in question will be damaged because with this information competitors can develop their own compensation plans which could be used underbid these companies, not only with respect to GTE, but potentially to other companies who have also retained these vendors.

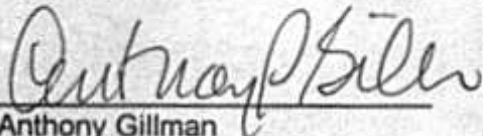
Attachment I, Columns A and B: These columns contain the name (column A) and telephone number (column B) of GTE customers who have been contacted during the marketing campaign in question regarding Caller ID. This information is confidential and, if disclosed, could damage GTE's position in the marketplace. The local exchange market is now open to numerous competitors, many of whom are providing, or will provide, Caller

ID and other local services. If this information is disclosed, GTE will be disclosing a portion of its customer list and providing information about the services which GTE provides to those customers. GTE's competitors could use this information to attempt to take away these customers and to otherwise improve their marketing efforts in the local marketplace. This affords such companies an unfair advantage while severely jeopardizing GTE's competitive position.

In a competitive business, any such knowledge obtained about a competitor can be used to the detriment of the entity to which it pertains. This unfair advantage skews the operation of the market, to the ultimate detriment of the consumer. It is especially unfair that the information would be disclosed to competitors through a regulatory proceeding-- rather than through legitimate market trial and error processes. This effect is particularly troublesome in the context of present regulatory environment in Florida which is intended to foster fair, rational and efficient competition, rather than providing any entity a competitive advantage.

While a ruling on this request is pending, GTE understands that the information at issue is exempt from Florida Statutes, Section 119.01(1) and Staff will accord it the stringent protection from disclosure required by Rule 25-22.006(3)(d). One highlighted, unredacted copy of the confidential material, labeled Exhibit A, is attached to the original of this Request. A redacted copy of the information is attached to this Request as Exhibit B.

Respectfully submitted on September 12, 1997.

By: 
Anthony Gillman
Kimberly Caswell
Post Office Box 110, FLTC0007
Tampa, Florida 33601
Telephone: 813-483-2615

Attorneys for GTE Florida Incorporated

**GTE FLORIDA'S RESPONSES TO DATA REQUEST
FOR MARKETING OF CALLER IDENTIFICATION EQUIPMENT AND SERVICES**

We have been contacted recently by several of your subscribers who believe they have been unreasonably pressured to purchase caller identification equipment and services. It is claimed that subscribers who decline to purchase caller identification equipment and services are sometimes harassed by callers (thought to be your marketing staff) who don't identify themselves, or upon answer hang up without any explanation. Such anonymous calls worry and confuse some of your subscribers.

Pursuant to Section 364.01(4)(c), Florida Statutes, to help us assess whether these complaints are justified, please provide the responses to the following questions.

- 1) Provide a contact name, company name, address and telephone number of any outside agents jointly marketing caller identification services with GTE in Florida.

Response:

GTE has contracted with _____ directly to perform a nationwide program that includes: direct mail, in/outbound telemarketing, CPE fulfillment and sales support for the CPE ("free" box). In addition, _____ was hired by _____ as a subcontractor for this program. The decision to use _____ was a joint decision by both GTE and _____. Outlined below is the data for these agents:

- 2) Explain what is typically marketed, i.e., the service independently, or jointly with subscriber equipment.

Response:

The Caller ID campaign markets a free GTE branded Caller ID display unit to customers nationwide which includes Florida.

- 3) Explain what, if any portion of the marketing is performed by GTE Florida.

REDACTED

Response:

GTE Florida does not market the Caller ID service with respect to this campaign.

- 4) If contractors and/or agents are used, please specify how the agent/contractor is compensated, per sale, per contact, etc., and whether GTE receives any consideration for equipment that is sold at the same time.

Response:

- 5) Describe the results of any monitoring of the sales solicitations that GTE Florida has undertaken, including any conclusions, disposition of complaints and whether refunds were made or should have been made.

Response:

When GTE engages a campaign with a telemarketing agency, agreements are in place that require the agency to perform daily monitoring and quality control. Additionally, the GTE Campaign Managers also monitor either weekly or daily (depending on the campaign) in order to identify any problem areas with training, product knowledge, scripting, sales skill, quality and the like.

With regard to monitoring of the representatives on the Caller ID campaign, there is a three step monitoring process. Initially, they did their own internal monitoring daily to listen to individual representatives as frequently as five times per month. As they listen in on the calls, they score the representatives for specific skills used or lack thereof. The representative then reviews the monitoring results, signs the form and their supervisor then provides coaching in any problem areas that may have been identified. Those problem areas are then followed up in subsequent monitoring sessions with the representative. Additionally, they monitor the representatives and separately scores them on specific categories

REDACTED

which include; correct usage of rebuttals to objections, presentation of the product offering, script adherence, verification of the sale and listening skills. GTE also monitors the Caller ID program for one hour; twice weekly. When a problem area is identified for a representative then corrective action is also noted with GTE also uses future monitoring sessions as a follow up to ensure that corrective action has been taken with the appropriate representative.

During the monitoring sessions if a sale was made, but it did not sound like a firm sale, the agency supervisor would call the customer back to ensure they understood the offer and to make sure that it was a good sale. At times, the order was canceled. Credit may also be given depending on the circumstance and the customer complaint if they should later call the GTE customer center. Neither or have the ability to issue credits for customer satisfaction, etc. If did get a call that required credit or further customer assistance, they could do a warm transfer to the appropriate GTE center.

Regarding the contacts to the Commission concerning the marketing of Caller ID, this has not been heard on any monitoring session. In addition, the agency systems used to make these customer contacts is a predictive dialer system which is in place at and which prevents the same number from being redialed within minutes, so a customer could not be called numerous times and hung up on in order to attempt to sell Caller ID. In addition, the representatives do not know what telephone number is being dialed as it is an automatic process.

- 6) Provide a list of 50 subscribers with phone numbers who have purchased caller identification services since June 1997.

Response:

See Attachment I.

- 7) Provide a list of 50 subscribers with phone numbers who have been solicited but declined to purchase call identification services since June 1997.

Response:

See Attachment I.

REDACTED

A B C D E

194240062=77142214190810804202729302122242526272829303132333435363738394041424344454647484950515253545556575859

name	phone	curdate	Sale	No Sale
		870617	x	
		870617	x	
		870614	x	
		870612	x	
		870612	x	
		870612	x	
		870613	x	
		870613	x	
		870623	x	
		870621	x	
		870612	x	
		870612	x	
		870623	x	
		870618	x	
		870613	x	
		870612	x	
		870612	x	
		870617	x	
		870613	x	
		870623	x	
		870612	x	
		870625	x	
		870612	x	
		870617	x	
		870613	x	
		870623	x	
		870620	x	
		870623	x	
		870612	x	
		870612	x	
		870612	x	
		870624	x	
		870620	x	
		870623	x	
		870623	x	
		870612	x	
		870618	x	
		870613	x	
		870618	x	
		870623	x	
		870613	x	
		870616	x	
		870612	x	
		870617	x	
		870612	x	
		870628	x	
		870612	x	
		870630	x	

REDACTED

6-21

	A	B	C	D	E
			970613		X
			970614		X
			970613		X

REDACTED