

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Robert A. Butterworth,)
Attorney General, and the Citizens of the)
State of Florida, by and through the Office of)
Public Counsel, for initiation of formal)
proceedings pursuant to Section 120.57(1),)
Florida Statutes, to investigate the practice)
of "slamming," i.e. the unauthorized change)
of a customer's presubscribed carrier, and to)
determine the appropriate remedial measures)
_____)

Docket No. 970882-T1
Filed: October 17, 1997

**GTE FLORIDA INCORPORATED'S
MOTION FOR TEMPORARY PROTECTIVE ORDER**

In accordance with Fla. Stat. Ch. 364.183 (1995), Fla. Admin. Code Ann. R. 25-22.006, and Fla. R. Civ. P. 1.280(c), GTE Florida Incorporated (GTEFL) hereby seeks entry of a temporary protective order exempting certain confidential information from the provisions of Fla. Stat. Ch. 119.07(1) (1995). Said confidential information is being provided by GTEFL in response to the Office of Public Counsel's (OPC) First Set of Requests for Production of Documents. GTEFL requests that such material receive interim protection until the OPC notifies the Company which confidential documents will be used at the hearing in this case. At that time, GTEFL will file a detailed Motion for Permanent Confidential Classification. In support

of this request, GTEFL states as follows:

1. On September 10, 1997, OPC served upon GTEFL its first set of requests for production of documents in this proceeding. The responses to those discovery requests will require GTEFL to disclose confidential and proprietary business information. GTEFL does not object to providing information in response to relevant discovery requests as long as any confidential information produced is protected and made exempt from section 119.07(1).

2. This filing seeks to exempt the confidential portions of GTEFL's responses to all Public Counsel data requests from section 119.07(1) for the purpose of allowing Public Counsel

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FPSC-RECORDS/REPORTING

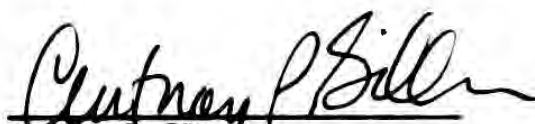
to take such confidential material into its possession. Temporary protection should suffice during this interim period. However, if Public Counsel informs GTEFL of its intent to use this information in a hearing before the Commission, GTEFL will file a specific request for protective order, in accordance with Rule 25-22.006.

3. The documents designated as confidential contain statistics regarding the number and percentage of slamming complaints by specific carriers and the names and telephone numbers of customers who complained that their carrier was changed without their consent. The documents in question have been Bates stamped nos. 16-33; 59-62; 181-196; and 199-204. The material in question is treated by GTEFL as confidential and has not been publicly disclosed. Public disclosure of this information could be very damaging to GTEFL and other carriers in the marketplace.

WHEREFORE, GTEFL moves the Florida Public Service Commission to issue a temporary protective order as requested herein, covering GTEFL's responses to all discovery requests (current and future) submitted by Public Counsel in this proceeding.

Respectfully submitted on October 17, 1997.

By:



Anthony P. Gillman

Kimberly Caswell

Post Office Box 110, FLTC0007

Tampa, Florida 33601

Telephone: 813-483-2615

Attorneys for GTE Florida Incorporated