

BEFORE  
THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by Wireless One Network, L.P.,	)	
for Arbitration of Certain Terms and Conditions	)	
of a Proposed Agreement with Sprint Florida,	)	Docket No. 971194-TP
Incorporated Pursuant to Section 252 of the	)	
Telecommunications Act of 1996.	)	

*Wireless One Network's Request for Confidential Classification  
and Motion for Protective Order*

Wireless One Network, L.P. ("Wireless One") seeks, pursuant to Rules 25-22.006(4) and 25-22.006(6), Florida Admin. Code, confidential classification and a permanent protective order for portions of the testimony and exhibits filed in this proceeding at the direction of the Commission's staff. In support of this request, Wireless One states as follows:

1. On October 7, 1997, Wireless One filed one complete copy of the direct testimony of Francis J. Heaton (Wireless One Network Arbitration Exhibit 1.0) and related exhibits with the confidential material highlighted. It also filed an additional fifteen copies of this testimony and exhibits with the confidential material redacted. Wireless One filed a Notice of Intent to Request Confidential Treatment of these materials filed this same date.
2. On October 28, 1997, Wireless One also filed the rebuttal testimony of Mr. Heaton (Arbitration Exhibit 1.0R) and related exhibits with the confidential material highlighted. It also has filed an additional fifteen copies of the rebuttal testimony and exhibits with the confidential material redacted. Concurrent with this filing, Wireless One sought continued confidential treatment of the redacted portions of the Mr. Heaton's rebuttal

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testimony, as well as the redacted portions of Mr. Heaton's direct testimony and exhibits filed October 7, 1997, by filing a Claim of Confidential Treatment pursuant to Fl. Stat. § 364.183 and Rule 25-22.006(5), Florida Admin. Code.

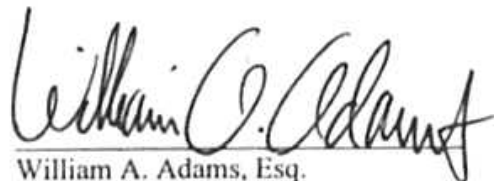
3. Wireless One submits this Request for Confidential Classification and Motion for Protective Order pursuant to Rules 25-22.006(4) and 25-22.006(6), Florida Admin. Code, because it now appears that this information will be submitted as evidence in this proceeding.
  
4. The redacted material for which Wireless One seeks confidential classification and a protective order falls within Fl. Stat. § 364.183(3)(c), 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." The material in question contains competitively sensitive information regarding the configuration of Wireless One's wireless network, including the nature of the facilities it employs, the manner in which its calls are routed, and the specific points and types of interconnection it maintains with other carriers. This material is intended to be and is treated by Wireless One as private and has not been disclosed to the general public.

If this sensitive information detailing Wireless One's network operations were disclosed, Wireless One's competitors would be able to

devise market strategies that would provide them an unfair competitive advantage over Wireless One as to its customers and service areas. This unfair advantage would skew the operation of the market to the detriment of Wireless One, and ultimately to the detriment of consumers.

5. During the pendency of a ruling on this request, Wireless One understands that the materials at issue are exempt from Fl. Stat. § 119.07(1) and that the Commission's Staff will afford it the stringent protection from disclosure required by Rule 25-22.006(3)(d).
6. Highlighted, unredacted copies of the Mr. Heaton's direct and rebuttal testimony and exhibits thereto already have been submitted in this proceeding, as have the redacted copies of the materials on October 7 and 28, 1997. The direct and rebuttal testimony, together with the exhibits thereto, are incorporated by reference herein.
7. Attached to this Request, as Attachment A, is a line-by-line description of the confidential information at issue.

Respectfully submitted,



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## ATTACHMENT A

### I. Direct Testimony, Francis J. Heaton Wireless One Network Arbitration Exhibit 1.0

<u>Page(s)</u>	<u>Line(s)</u>	<u>Justification</u>
15 16	17-21 1-2	This testimony gives an overview of Wireless One's operating network. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
16 17	4-22 1-15	This testimony gives a detailed description of the facilities employed in Wireless One's operating network. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
17 18	16-22 1-7	This testimony gives a detailed description of the facilities employed and types of interconnections maintained in Wireless One's operating network, as well as the benefits of its particular design. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
18 19 20	9-14; 16-22 1- 22 1-15	This testimony gives a detailed description of the interconnections maintained in Wireless One's operating network. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.

<u>Page(s)</u>	<u>Line(s)</u>	<u>Justification</u>
20	16-22	This testimony gives a detailed description of the facilities employed and types of interconnections maintained in Wireless One's operating network, as well as the benefits of its particular design. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
21	1-22	
22	2-8	
Exhibit FJH 1.2		This exhibit is a detailed map of Wireless One's tandems and end offices in its serving area. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
Exhibit FJH 1.3		This exhibit is a detailed map of Wireless One's network in the Ft. Myers' LATA, showing the cellular end offices that directly connect to Wireless One's proprietary microwave transmission facilities. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
Exhibit FJH 1.4		This exhibit is a detailed map of Wireless One's network in the Ft. Myers' tandem including everything in Exhibit FJH 1.3 plus all cellular end offices connected by leased lines. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.

**II. Rebuttal Testimony, Francis J. Heaton  
Wireless One Network Arbitration Exhibit 1.0R**

<u>Page(s)</u>	<u>Line(s)</u>	<u>Justification</u>
2	14	This testimony gives a detailed description of the interconnections maintained in Wireless One's operating network. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
5	11-12	This testimony reveals the percentage of monthly Reverse Option charges that Wireless One could save if traffic were delivered between the carriers' end offices. If Wireless One's competitor's obtained the amounts of these costs/savings, they would be in a better position to price their own services in direct competition with Wireless One.
6	8-12	This testimony gives a detailed description of the interconnections maintained in Wireless One's operating network. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.
13	7-15	This testimony gives an overview of Wireless One's operating network. Having detailed information about Wireless One's operating network would permit Wireless One's competitors to devise unfair business strategies in direct competition with Wireless One.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Request for Confidential Classification and Motion for Protective Order was served upon the parties listed below via U.S. mail or overnight delivery, postage prepaid, on November 7, 1997.

  
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