

MEMORANDUM

January 7, 1998

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FPSC - Records/Reporting

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK*

RE: DOCKET NO. 921074-TP - PETITION OF INTERMEDIA COMMUNICATIONS OF FLORIDA, INC. FOR EXPANDED INTERCONNECTION FOR AAVS WITHIN LEC CENTRAL OFFICES

psc - 98 - 0060 - OFD - TP

Attached is an ORDER GRANTING REQUESTS BY UNITED TELEPHONE COMPANY OF FLORIDA AND CENTRAL TELEPHONE COMPANY OF FLORIDA FOR CONFIDENTIAL TREATMENT OF DOCUMENT NOS. 11613-95, 11615-95, AND 12204-95 to be issued in the above-referenced docket. (Number of pages in Order - 5)

BK/anr
Attachment
cc: Division of Communications
I: 921074uc.bk

*faxed 2/12
checked.*

MUST GO TODAY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expanded interconnection for alternate access vendors within local exchange company central offices by INTERMEDIA COMMUNICATIONS OF FLORIDA, INC.

DOCKET NO. 921074-TP
ORDER NO. PSC-98-0061-CFO-TP
ISSUED: January 8, 1998

ORDER GRANTING REQUEST FOR EXTENSION OF CONFIDENTIAL PERIOD FOR DOCUMENT NO. 09341-93

On October 16, 1992, Intermedia Communications of Florida, Inc. (Intermedia or ICI) filed a petition seeking authorization for Alternative Access Vendors (AAVs) to provide certain services through collocation arrangements in local exchange company (LEC) central offices. In order to address Intermedia's petition, broader questions regarding private line and special access expanded interconnection had to be resolved. In Phase I of this proceeding we addressed expanded interconnection for special access and private line. Phase II was devoted to expanded interconnection for switched access.

By Order No. PSC-94-0137-CFO-TP, issued February 3, 1994, GTE Florida Incorporated's (GTEFL or Company) request for confidential treatment of Document No. 09341-93, hearing Exhibit 15, was granted for a period of eighteen months, ending August 3, 1995. The information contained in this document involves central office specific data which the Company asserted was of such detail that it would allow competitors to identify the most lucrative markets for private line and access services. Specifically, the information in Document No. 09341-93 that was granted confidential treatment was columns C, D, and E, lines 1-90 of attachment C to Interrogatory Number 64.

On July 3, 1995, GTEFL filed a Request for Extension of Confidential Period. In its request GTEFL sought extension of the period for which Document No. 09341-93 would be treated as confidential through February 3, 1997. GTEFL stated that it made the request because Commission staff wanted to retain the data for future study. On August 1, 1995, GTEFL filed a Supplement to its request to extend the date for confidential treatment of Document No. 09341-93. Therein, GTEFL stated that competition in the local market would make the information contained in Document No. 09341-93 even more sensitive than when it was first filed in 1993. GTEFL

DOCUMENT NUMBER-DATE

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stated that even though it is likely that the exact numbers identified in Document No. 09341-93 may have changed since 1993, the markets identified as particularly lucrative are likely still the most profitable for GTEFL. GTEFL asserted that if its competitors are given access to this information, they could target GTEFL's most lucrative markets for specific services in a manner that would harm GTEFL's ability to compete effectively. GTEFL asserted that disclosure of this information could cause the Company to suffer significant market damage. Thus, GTEFL contended that release of this information now would harm it as much or more than disclosure would have harmed it when the information was first granted confidential treatment by Order No. PSC-94-0137-CFO-TP.

Upon consideration and in accordance with Section 364.183, Florida Statutes, I hereby grant GTEFL's request for extension of the confidential period. In view of the fact that this information continues to be retained by this Commission for analysis and comparison, the confidential period shall be extended for a period of 18 months from the issuance of this order.

Based on the foregoing, it is therefore

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that GTE Florida Incorporated's July 3, 1995, Request for Extension of Confidential Period and August 1, 1995, Supplement to Motion for Extension of Time for Commission to Grant Confidential Classification of Document No. 09341-93 is hereby 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 material specified herein shall expire eighteen (18) months from the date of the issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 364.183, Florida Statutes. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

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By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 8th day of January, 1998.


J. TERRY DEASON, Commissioner and
Prehearing Officer

(S E A L)

BK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 25-22.0376, 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.

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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.