

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for certificate )  
to provide alternative local exchange )  
telecommunications service by )  
Premiere Network Services, Inc.)

Docket No. 990931-TX  
Filed: August 6, 1999

RECORDS AND REPORTING

AUG - 6 PM 3:55

RECEIVED FPC

REQUEST FOR CONFIDENTIAL CLASSIFICATION

Premiere Network Services, Inc. ("Premiere"), by and through undersigned counsel, pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, requests that the Florida Public Service Commission (the "Commission") classify as confidential Exhibit "B" to Premiere's application for authority to provide alternative local exchange service within the state of Florida (the "ALEC Application"). In support of its request, Premiere states:

1. On July 16, 1999, Premiere filed its ALEC Application with the Commission. On that same date, Premiere filed, under seal, Exhibit "B" to its ALEC Application along with a Notice of Intent to Request Confidential Classification of Exhibit "B."

2. Section 364.337, Florida Statutes, states that: "The [C]ommission shall grant a certificate of authority to provide alternative local exchange service upon a showing that the applicant has sufficient technical, financial, and managerial capability to provide such service in the geographic area proposed to be served. . . ." § 364.337(3), Fla. Stat. (1997) (emphasis added). Thus, Premiere is required to show that is has the financial capability to provide alternative local

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

DOCUMENT NUMBER-DATE

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FPC-RECORDS/REPORTING

exchange service in Florida before the Commission can grant it a certificate of authority to provide such service.

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3. Premiere is qualified financially to provide high quality alternative local exchange service in Florida. However, Premiere's available historical financial information is limited. Additionally, Premiere's strategy differs from most other ALECs which is set forth more specifically in Exhibit "B". Exhibit "B" to Premiere's ALEC Application contains Premiere's currently available financial information.

4. Exhibit "B" to Premiere's ALEC Application was filed with the Commission on July 16, 1999 under seal and under cover of a Notice of Intent to Request Confidential Classification pursuant to Rule 25-22.006, Florida Administrative Code. This request is being filed within 21 days of the date that Exhibit "B" and Premiere's Notice of Intent to Request Confidential Classification of Exhibit "B" were filed with the Commission. Through this request, Premiere seeks to maintain the continued confidential handling of Exhibit "B" to its ALEC Application.

5. Exhibit "B" is intended to be, and has been treated by Premiere, as private and has not been disclosed unless disclosed pursuant to a statutory provision, order of a court or administrative body, or private agreement that provides that the information in Exhibit "B" will not be released to the public.

6. Exhibit "B" is entitled to confidential classification pursuant to Section 364.183(1), Florida Statutes, and is exempt from Section 119.07(1), Florida

Statutes, and Article I, Section 24(a) of the Florida Constitution. Section 364.183(3) defines “proprietary confidential business information” as:

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information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person’s or company’s business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public.

§ 364.183(1), Fla. Stat. (Supp. 1996). Section 364.183(3) further provides that “proprietary confidential business information” includes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.” § 364.183(3)(e), Fla. Stat. (Supp. 1996).

7. Exhibit “B” to Premiere’s ALEC Application constitutes “proprietary confidential business information” within the meaning of that term as described in Section 364.183(3). Public disclosure of Exhibit “B” would allow competitors to have access to information about the financial resources and stability of Premiere. Accordingly, public disclosure of Exhibit “B” would irreparably harm Premiere.

8. Attached hereto in a sealed envelope is a copy of Exhibit “B” to Premiere’s ALEC Application for which confidential classification is requested. Also attached hereto are two edited copies of Exhibit “B” on which the confidential material has been redacted. Because all of the financial information in Exhibit “B” is confidential, there is no basis for articulating a line-by-line justification for the confidential treatment of information. Premiere, however, has summarized the

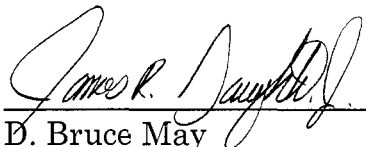
confidential information contained in Exhibit "B" in this Request for Confidential Classification.

9. Because Exhibit "B" contains confidential information relating to Premiere's financial condition, the information in Exhibit "B" will continue to be "proprietary confidential business information".

10. Premiere has good cause and justification for its request, and continued confidentiality of Exhibit "B" will not prejudice the Commission, or any other persons or entities that may become parties to this docket.

WHEREFORE, Premiere respectfully requests that the Commission determine that Exhibit "B" is confidential and exempt from the Public Records Act, Chapter 119, Florida Statutes, and Article I, Section 24(a) of the Florida Constitution.

Respectfully submitted,



D. Bruce May  
Florida Bar No. 354473  
Jim Daughton  
Florida Bar No. 0148910  
HOLLAND & KNIGHT LLP  
P. O. Drawer 810  
Tallahassee, FL 32301  
(850) 224-7000

**Attorneys for Premiere Network  
Services, Inc.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT a true and correct copy of the foregoing was furnished by hand delivery to Kimberly Pena, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 and by U.S. Mail to Jack Shreve, Office of Public Counsel, 111 W. Madison Street, Suite 812, Tallahassee, Florida 32399 this 6<sup>th</sup> day of August, 1999.

  
\_\_\_\_\_  
Jim Daughton

TAL- 138033

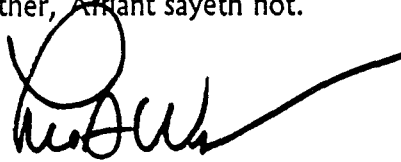
# AFFIDAVIT

STATE OF TEXAS

BEFORE ME, the undersigned authority on this date personally appeared Leo A. Wrobel Jr. who swore upon his oath that the following is true:

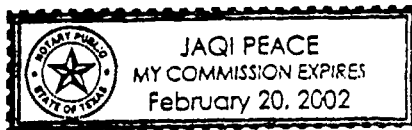
1. My name is Leo A. Wrobel Jr. I am of sound mind and have never been convicted of a felony. I am over 18 years of age, capable of making this affidavit, and am fully competent to testify to the matters stated herein. I have personal knowledge of each of the facts stated herein and to the best of my knowledge, each is true and correct.
2. I am currently President of Premiere Network Services Inc.
3. The attached information is CONFIDENTIAL and portrays an accurate estimate of the financial posture of Premiere Network Services in terms of its financial condition, credit worthiness, and ability to meet the working capital requirements of its certification.

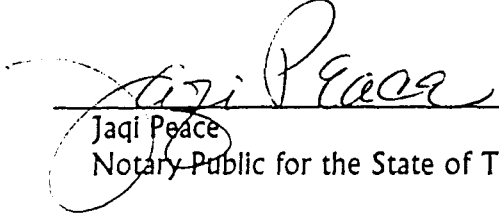
Further, Affiant sayeth not.



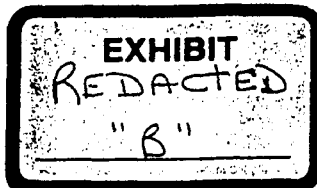
Leo A. Wrobel, Affiant

SWORN AND SUBSCRIBED before me on this, the 22 day of JUNE, 1999.



  
Jaqi Peace  
Notary Public for the State of Texas

My Commission Expires:    /    /



# Premiere Network Services Inc.

"For Your Information... We've Got Connections!"™



From the Office of  
Leo A. Wrobel, President

1510 N. Hampton, Suite 210, DeSoto, TX 75115  
Direct: (972) 228-8881  
Fax: (972) 228-8889

June 22, 1999

## CONFIDENTIAL

State of Florida  
Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FLORIDA 32399-0850

Dear Florida Commission:

Enclosed is a confidential summary of Premiere's finances, to be filed only under an appropriate protective order.

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I hope this helps you better understand our financial posture. I stand ready to answer specific questions as the need arises.

Yours truly,

Leo A. Wrobel

Attachments:

████████████████████  
████████████████████  
████████████████████

**Confidential Financial Performance Overview of  
Premiere Network Services, Inc.**

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*A Texas "Subchapter S" Corporation  
Incorporated May 16, 1986*

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**Premiere Network Services, Inc.**  
**Balance Sheet**  
As of December 31, 1997

06/22/99

Dec 31, '97

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Premiere Network Services, Inc.

**Balance Sheet**

As of December 31, 1998

06/22/99

Dec 31, '98

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Premiere Network Services, Inc.  
**Balance Sheet**  
As of December 31, 1998

06/22/99

Dec 31, '98

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Premiere Network Services, Inc.  
**Balance Sheet**  
As of June 22, 1999

06/22/99

Jun 22, '99

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Premiere Network Services, Inc.

**Balance Sheet**

As of June 22, 1999

06/22/99

Jun 22, '99

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Bank One, Lincoln Centre  
P. O. Box 655415  
Dallas, TX 75265-5415

Items Enclosed 36

PREMIERE NETWORK SERVICES INC  
1510 N HAMPTON 210  
DESOTO TX 75115

Acct # [REDACTED]  
Taxpayer ID # 00-3469559

May 1 to May 31, 1999

Page 1 of 3

*AS OF 4-1-99, ANY ELECTRONIC FUNDS TRANSFER ERROR REPORTED THAT TAKES MORE THAN 10 BUSINESS DAYS TO RESOLVE (20 BUSINESS DAYS FOR NEW ACCOUNTS AS OF 5-1-99), THE BANK WILL PROVISIONALLY CREDIT YOUR ACCOUNT WHILE RESEARCHING IT. AS OF 5-1-99, FOR ANY ERROR ON NEW ACCOUNTS, RESEARCH WILL BE COMPLETED WITHIN 90 DAYS.*

*ACCOUNT INQUIRIES ————— 972-647-1111  
HEARING IMPAIRED (TX ONLY) ————— 800-685-1112*

Acct # [REDACTED]

May 1 to May 31, 1999

Page 2 of 3

Acct # [REDACTED]

May 1 to May 31, 1999

Page 3 of 3

*Your minimum balance this statement period was \$ [REDACTED]*

*WE'RE READY TO ASSIST YOU WITH YOUR BANK ONE ACCOUNT OR OPEN NEW BUSINESS ACCOUNTS 24-HOURS A DAY. CALL BANK ONE BUSINESS SOLUTIONS AT 1-800-404-4111 AND SPEAK WITH ONE OF OUR BUSINESS BANKING EXPERTS TODAY! CALL BUSINESS LOAN BY PHONE AT 1-800-404-4111 WHEN YOU NEED MONEY FOR YOUR BUSINESS.*

*THE BUSINESS LINE OF CREDIT FROM BANK ONE IS A POWERFUL TOOL FOR KEEPING YOUR COMPANY'S CASH FLOWING SMOOTHLY. BEST OF ALL, IT'S EASY TO USE. CALL NOW TO APPLY... 1-877-891-2403.*

*BANK ONE ONLINE VISIT [WWW.BANKONE.COM](http://WWW.BANKONE.COM)  
RECEIVE AND PAY YOUR BILLS ONLINE WITH THE CLICK OF A MOUSE!  
EXCITING NEW GRAPHICS AND FRIENDLIER NAVIGATION COMING SOON!  
IT'S BANKING WHENEVER AND WHEREVER IT'S CONVENIENT FOR YOU.*





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Bank One, Lincoln Centre  
P. O. Box 655415  
Dallas, TX 75265-5415

Items Enclosed 37

Acct # [REDACTED]  
Taxpayer ID # 00-3469559

Apr 1 to Apr 30, 1999

Page 1 of 3

PREMIERE NETWORK SERVICES INC  
1510 N HAMPTON 210  
DESOTO TX 75115

*YOUR CHECKING ACCOUNT CONSISTS OF A TRANSACTION SUBACCOUNT AND A SAVINGS SUBACCOUNT. THIS INTERNAL ACCOUNTING PROCESS DOES NOT AFFECT THE OPERATION OF YOUR ACCOUNT INCLUDING THE STATEMENT, BALANCE, OR FEES. THE SAVINGS SUBACCOUNT IS SUBJECT TO THE TERMS OF THE ACCOUNT AGREEMENT GOVERNING SAVINGS.*

*AS OF 4-1-99, ANY ELECTRONIC FUNDS TRANSFER ERROR REPORTED THAT TAKES MORE THAN 10 BUSINESS DAYS TO RESOLVE (20 BUSINESS DAYS FOR NEW ACCOUNTS AS OF 5-1-99), THE BANK WILL PROVISIONALLY CREDIT YOUR ACCOUNT WHILE RESEARCHING IT. AS OF 5-1-99, FOR ANY ERROR ON NEW ACCOUNTS, RESEARCH WILL BE COMPLETED WITHIN 90 DAYS.*

ACCOUNT INQUIRIES ————— 972-647-1111  
HEARING IMPAIRED (TX ONLY) ————— 800-685-1112

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## BUSINESS CHECKING

Account number 9770125083





PREMIERE NETWORK SERVICES INC

0 14077 358 156646 G

Acct # [REDACTED]

Apr 1 to Apr 30, 1999

Page 3 of 3

Daily Ending Balance

[REDACTED]

Your minimum balance this statement period was \$ [REDACTED]

WE'RE READY TO ASSIST YOU WITH YOUR BANK ONE ACCOUNT OR OPEN NEW BUSINESS ACCOUNTS 24-HOURS A DAY. CALL BANK ONE BUSINESS SOLUTIONS AT 1-800-404-4111 AND SPEAK WITH ONE OF OUR BUSINESS BANKING EXPERTS TODAY! CALL BUSINESS LOAN BY PHONE AT 1-800-404-4111 WHEN YOU NEED MONEY FOR YOUR BUSINESS.

ONE GROUP MUTUAL FUNDS CAN HELP PLAN YOUR FINANCIAL FUTURE, DIVERSIFY YOUR INVESTMENT PORTFOLIO, AND HELP TAXES. SEE THIS MONTHS INSERT FOR MORE DETAILS OR STOP BY ANY BANK ONE BANKING CENTER TO SPEAK WITH A BOSQ INVESTMENT REP.

\*\*\* NOT BANK GUARANTEED. NOT FDIC INSURED. MAY LOSE VALUE. \*\*\*



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Bank One, Lincoln Centre  
P. O. Box 655415  
Dallas, TX 75265-5415

Items Enclosed 44

PREMIERE NETWORK SERVICES INC  
1510 N HAMPTON 210  
DESOTO TX 75115

Acct # [REDACTED]  
Taxpayer ID # 00-3469559

Mar 1 to Mar 31, 1999

Page 1 of 3

*IMPORTANT NOTICE FOR BANK ONE BUSINESS MONEY ACCESS CARD AND THE ONE BUSINESS CARD CUSTOMERS. BANK ONE MAY AT ITS DISCRETION APPROVE MERCHANT PURCHASE TRANSACTIONS WHEN SUFFICIENT FUNDS ARE NOT AVAILABLE IN YOUR CHECKING ACCOUNT.*

*AS OF 4-1-99, ANY ELECTRONIC FUNDS TRANSFER ERROR REPORTED THAT TAKES MORE THAN 10 BUSINESS DAYS TO RESOLVE (20 BUSINESS DAYS FOR NEW ACCOUNTS AS OF 5-1-99), THE BANK WILL PROVISIONALLY CREDIT YOUR ACCOUNT WHILE RESEARCHING IT. AS OF 5-1-99, FOR ANY ERROR ON NEW ACCOUNTS, RESEARCH WILL BE COMPLETED WITHIN 90 DAYS.*

*ACCOUNT INQUIRIES ----- 972-647-1111  
HEARING IMPAIRED (TX ONLY) ----- 800-685-1112*

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## BUSINESS CHECKING

Account number [REDACTED]

Acct # [REDACTED]

Mar 1 to Mar 31, 1999

Page 2 of 3

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Checks paid



PREMIERE NETWORK SERVICES INC

0 14077 358 167357 G

Acct # [REDACTED]

Mar 1 to Mar 31, 1999

Page 3 of 3

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Daily Ending Balance

*Your minimum balance this statement period was \$ [REDACTED]*

*WE'RE READY TO ASSIST YOU WITH YOUR BANK ONE ACCOUNT OR OPEN NEW BUSINESS ACCOUNTS 24-HOURS A DAY. CALL BANK ONE BUSINESS SOLUTIONS AT 1-800-404-4111 AND SPEAK WITH ONE OF OUR BUSINESS BANKING EXPERTS TODAY! CALL BUSINESS LOAN BY PHONE AT 1-800-404-4111 WHEN YOU NEED MONEY FOR YOUR BUSINESS.*

*THE ONE BUSINESS CARD, WITH NO ANNUAL FEE, WORKS LIKE A CHECK AND IS ACCEPTED ANYWHERE THE VISA LOGO IS DISPLAYED. PURCHASES ARE AUTOMATICALLY DEDUCTED FROM YOUR BANK ONE BUSINESS CHECKING ACCOUNT AND ITEMIZED ON YOUR MONTHLY STATEMENT. CALL 1-800-404-4111 OR COME IN TO YOUR NEAREST BANKING CENTER TO APPLY.*



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Bank One, Lincoln Centre  
P. O. Box 655415  
Dallas, TX 75265-5415

RECEIVED MAR 04 1999

Items Enclosed 52

PREMIERE NETWORK SERVICES INC  
1510 N HAMPTON 210  
DESOTO TX 75115

Acct # [REDACTED]  
Taxpayer ID # 00-3469559

Feb 1 to Feb 28, 1999

Page 1 of 3

*WOULDN'T IT BE GREAT TO RECEIVE YOUR BUSINESS ACCOUNT BALANCE  
INFORMATION, VIA FAX, IN THE CONVENIENCE OF YOUR OFFICE EACH MORNING?  
TO GET INFORMATION ABOUT THIS AND OTHER MONEY MANAGEMENT IDEAS,  
PLEASE CALL BANC ONE BUSINESS SOLUTIONS AT 1-800-395-0010.*

*ACCOUNT INQUIRIES ————— 972-647-1111  
HEARING IMPAIRED (TX ONLY) ————— 800-685-1112*

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## **BUSINESS CHECKING**

Account number [REDACTED]

Acct # [REDACTED]

Feb 1 to Feb 28, 1999

Page 2 of 3





PREMIERE NETWORK SERVICES INC

0 14077 358 143471 G

Acct # [REDACTED]

Feb 1 to Feb 28, 1999

Page 3 of 3

*Your minimum balance this statement period was \$ [REDACTED]*

*WE'RE READY TO ASSIST YOU WITH YOUR BANK ONE ACCOUNT OR OPEN NEW BUSINESS ACCOUNTS 24-HOURS A DAY. CALL BANK ONE BUSINESS SOLUTIONS AT 1-800-404-4111 AND SPEAK WITH ONE OF OUR BUSINESS BANKING EXPERTS TODAY! CALL BUSINESS LOAN BY PHONE AT 1-800-404-4111 WHEN YOU NEED MONEY FOR YOUR BUSINESS.*



0 14077 358 138175 G

Bank One, Lincoln Centre  
P. O. Box 655415  
Dallas, TX 75265-5415

Items Enclosed 49

PREMIERE NETWORK SERVICES INC  
1510 N HAMPTON 210  
DESOTO TX 75115

Acct # [REDACTED]  
Taxpayer ID # 00-3469559

Jan 1 to Jan 31, 1999

Page 1 of 3

ACCOUNT INQUIRIES ————— 972-647-1111  
HEARING IMPAIRED (TX ONLY) ————— 800-685-1112

**BUSINESS CHECKING**  
Account number [REDACTED]

RECEIVED FEB 2 4 1999

continues

Acct # [REDACTED]

Jan 1 to Jan 31, 1999

Page 2 of 3

*\* Checks not listed were shown on a previous statement or had not yet cleared as of 01-31-99.*