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RECORDS AND
REPORTING

Via Hand Delivery

ORIGINAL

May 11, 2000

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

990649-TP

Re: Sprint's Request for Confidential Classification Pursuant to Section 364.183(1), Florida Statutes.

Dear Ms. Bayó:


Enclosed with this letter are the original and 7 copies of Sprint's Request for Confidential Classification Pursuant to Section 364.183(1), Florida Statutes. Please indicate filing by stamping a copy of this letter and returning same to the undersigned.

Sincerely,

Charles J. Rehwinkel

Enclosure

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FPSC-BUREAU OF RECORDS

This confidentiality request was filed by or for a "telco" for DN 05893-00. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

DOCUMENT NUMBER-DATE

05905 MAY 12 8

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation into)
Pricing of unbundled network)
Elements)

Docket No. 990649-TP

Filed: May 11, 2000

Sprint's Request for Confidential Classification Pursuant to Section 364.183(1), Florida Statutes

Sprint-Florida, Incorporated (Sprint) hereby requests that the Florida Public Service Commission ("Commission") classify certain documents and/or records identified herein as confidential, exempt from public disclosure under Chapter 119, Florida Statutes and issue any appropriate protective order reflecting such a decision. The information that is the subject of this request is contained in certain documents contained in Sprint's response to Staff' Third Request for Production of Documents. IN support, Sprint states as follows:

1. The following documents are the subject of this request:
 1. 12 page excerpt from Sprint's response to Staff's Third Request for Production of Documents

2. One unredacted copy of the documents has been submitted to the Division of Records and Reporting under seal this same day.

3. The confidential information is identified by yellow highlighting. The information for which the Request is submitted is sensitive financial information (or information from which such information can be derived), trade secret and other highly proprietary contractual, competitive or valuable information and thus meets the definition of confidential

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proprietary business information pursuant to Section 364.183(3)(a)(d) & (e), Florida Statutes. Section 364.183(3), provides:

(3) The term "proprietary confidential business information" means 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. The term includes, but is not limited to:

(a) Trade secrets.

(b) Internal auditing controls and reports of internal auditors.

(c) Security measures, systems, or procedures.

(d) Information concerning bids or other 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.

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

(f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

4. Furthermore, Section 688.002(4), Florida Statutes is instructive on what constitutes a trade secret and provides that:

(4) "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process that:

(a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use;
and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

5. The subject information has not been publicly released and Sprint is required by law to keep certain of the information confidential.

6. The commission has found similar financial information to be Confidential. See, Order No. PSC-98-0054-CFO-TP, Docket No. Issued: January 8, 1998: *In re: Petition for expanded interconnection for alternate access vendors within local exchange company central offices by INTERMEDIA COMMUNICATIONS OF FLORIDA, Inc.*, 921074-TP.

WHEREFORE, based on the foregoing, Sprint respectfully requests that the Commission grant the request for Confidential Classification, exempt the information from disclosure under Chapter 119, Florida Statutes and issue any appropriate protective order, protecting the information from disclosure while it is maintained at the Commission.

RESPECTFULLY SUBMITTED this 11th day of May 2000.



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CERTIFICATE OF SERVICE
DOCKET NO. 990649-TP

I HEREBY CERTIFY that a true and correct copy of the Request for Confidentiality Classification was served by U.S. Mail on the 11th day of May, 2000 to the following:

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