

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for)
Temporary Waiver of Collocation)
Requirements in the Maitland)
Central Office by Sprint-)
Florida, Incorporated)
_____)

Docket No.: 010122-TL

Filed: February 28, 2001

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

Sprint-Florida, Incorporated hereby requests that the Florida Public Service Commission (Commission) classify certain documents and/or records identified herein as confidential, exempt from the 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 the exhibits to the Post-Tour Report filed in this docket.

1. The following document is the subject of this request:
Attachments 1 & 2 of the Post-Tour Report (floor plans)
2. One unredacted copy of the pages of the Report indicated above, has been submitted to the Division of Records and Reporting under seal this same day.
3. The information for which this request is submitted is trade secret and other highly proprietary contractual, competitive or valuable information and thus meets the definition of confidential proprietary business information pursuant to Section 364.183(3)(a), (d), and (e). Section 364.183(3) provides:

record per Rule 25-22.006(8)(b), FAC.
This confidentiality request was filed by or for
a "telco" for DN 02739-01. No ruling is
required unless the material is subject to a
request per 119.07, FS, or is admitted in the

DOCUMENT NUMBER-DATE

02738 FEB 28 2001

FPSC-RECORDS/REPORTING

(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 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:

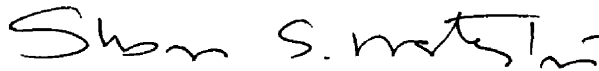
- (4) “Trade secret” means information, including a formula, pattern, compilation, program, device, method technique, or process that:
 - (a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons 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 information for which confidentiality is requested identifies equipment and facilities deployed by Sprint and constitutes both trade secrets and information that relates to competitive interests of Sprint.

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 28th day of February 2001.

SPRINT-FLORIDA, INCORPORATED



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850-599-1560

CERTIFICATE OF SERVICE
DOCKET NO. 010122-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail or *Hand delivery this 28th day of February, 2001 to the following:

NorthPoint Communications, Inc.
Jack Whitley
222 Sutter Street, 7th Floor
San Francisco, CA 94108

FPL FiberNet
Brett Bayag
9250 W. Flagler Street
Miami, FL 33178

BlueStar Networks, Inc.
Michelle Seals
801 Crescent Centre Dr.
5 Corporate Ctr. Suite 600
Franklin, TM 37067

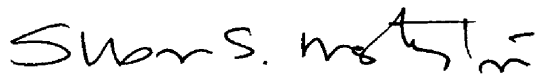
Timer Warner Telecom
Mike Siracuse
2301 Lucien Way, Suite 300
Maitland, FL 32751

Progress Telecommunications
Corporation, "PTC"
Kim Hart
100 Second Avenue South
Suite 500 South, CC4A
St. Petersburg, FL 33701

BroadRiver Communications
Rashaan Owens
13000 Deerfield Parkway,
Suite 210
Alpharetta, GA 30004

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Fran Urbania
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