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March 16, 2001

Stephanie Cater  
Division of Competitive Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL, 32399

Re: Request for Confidential Treatment

*undocketed*

Dear Ms. Cater,

Enclosed please find WebLink Wireless, Inc.'s (i) Response to Florida Public Service Commission's Request for Information in connection with its number utilization audit and (ii) Request for Confidential Treatment of the enclosed information pursuant to Rule 25-22.006 of the Florida Public Service Commission Rules and Florida Statute Sections 350.121 and 364.183(3). If it is your intent to deny WebLink Wireless, Inc.'s Request for Confidential Treatment, please contact me directly at the number listed above **PRIOR** to opening and/or reviewing the documents enclosed in the attached sealed envelope.

Thank you for your cooperation regarding this matter.

Sincerely,

Jennifer P. Gaines  
Corporate Counsel

**This request for confidentiality was filed by or on behalf of a telecommunications company for undocketed Confidential Document No. 03443-01. No ruling is required unless the material is subject to a request per 119.07, FS. Your division director must obtain written permission from the EXD/Tech for you to access the confidential material.**

COMPETITIVE SERVICES  
DIVISION OF  
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3333 Lee Parkway  
Dallas, Texas 75219

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FPSC - RECORDS/REPORTING

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

\_\_\_\_\_) )  
In the Matter of ) )  
Audit of Number Utilization ) )  
Records of WebLink Wireless, Inc. ) )  
\_\_\_\_\_ ) )

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

WebLink Wireless, Inc. (“WebLink”), hereby submits this Request for Confidential Classification pursuant to Rule 25-22.006 of the Florida Public Service Commission Rules and Florida Statute Sections 350.121 and 364.183(3) with respect to all number utilization audit information provided by WebLink to the Florida Public Service Commission (“PSC”). WebLink respectfully requests that the material sent to the Commission be classified as confidential and thus, exempt from Florida Statute Section 119.07(1).

1. The documents that are the subject of this request are all portions of the audit information requested by the Commission. WebLink is submitting this audit information for the purpose of demonstrating compliance with the PSC’s numbering requirements. One copy of the unredacted information is being furnished by WebLink to the Division of Records and Reporting under seal this same day.

2. WebLink submits that there exists a compelling need to protect this audit information, which contains highly proprietary competitive or valuable information not otherwise available to the public and to WebLink competitors. Specifically, the information contains details regarding subscriber numbers through-out the State of

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Florida as well as in specific area codes, in addition to NXX data. This information is not shared with WebLink's competitors. Information as to the assignment and aging numbers can accurately provide competitors information about WebLink's Florida operation, with the reserved and available numbers providing insight into WebLink's business strategy.

3. WebLink's audit information thus meets the definition of confidential proprietary business information pursuant to Section 364.183(3)(a), (d) and (e). 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 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 terms 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 trade secrets and information that relates to competitive interests of WebLink.

6. In sum, WebLink submits that its audit information should be excepted from public disclosure due to the following; (1) the audit information, if released, would give an advantage to a competitor of WebLink; (2) the audit information may give a competitor the advantage of discovering the operation and projected revenues of WebLink, and (3) disclosure of the audit information would cause substantial competitive harm to WebLink.

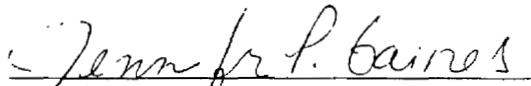
7. Further, the audit information is not publicly available, and WebLink takes reasonable precautions to maintain and protect its confidentiality.

8. Finally, The Commission has previously accorded such information confidential treatment. See Order PSC-01-0653-CFO-T2, released March 15, 2001; and BellSouth Telecommunications, Inc., Docket No. 13081-00 and 14275-00, dated March 15, 2001.

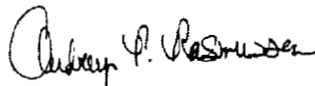
WHEREFORE, WebLink Wireless, Inc. requests that the Commission determine that the audit information is entitled to confidential classification and should not be part of the public record in this matter.

Respectfully submitted,

**WEBLINK WIRELESS, INC.**

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Its Attorneys

Dated: March 16, 2001