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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for certificate)
to provide interexchange)
telecommunications service by)
NexGen Telecom, LLC)
_____ /

Docket No. 010590-TI
Filed: _____

REQUEST FOR CONFIDENTIAL CLASSIFICATION

NexGen Telecom, LLC ("NexGen"), 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 the income statement, projected balance sheet, and summary of significant forecast assumptions and accounting policies (collectively the "Financial Documents") contained in Composite Exhibit "C" to NexGen's application for authority to provide interexchange telecommunications service, specifically prepaid calling card service, within the state of Florida (the "IXC Application"). In support of its request, NexGen states:

1. NexGen is filing contemporaneously herewith its IXC Application. Section 364.337, Florida Statutes, states that: "The [C]ommission shall grant a certificate of authority to provide intrastate interexchange telecommunications 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. (2000) (emphasis added). Thus, NexGen is required to show that it has the financial capability to provide interexchange

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

2. As described below, the Financial Documents contained in Composite Exhibit "C" to the IXC Application constitute proprietary confidential business information. Therefore, through this request, NexGen seeks the confidential handling by the Commission of such documents.

3. The Financial Documents in Composite Exhibit "C" are intended to be, and have been treated by NexGen, as private and have 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 will not be released to the public.

4. The Financial Documents in Composite Exhibit "C" are entitled to confidential classification pursuant to Section 364.183(1), Florida Statutes, and are 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:

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. (2000). Section 364.183(3) further provides that "proprietary confidential business information" includes "[i]nternal auditing controls and

reports of internal auditors" and "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information." § 364.183(3)(C), (e), Fla. Stat. (2000).

5. The Financial Documents in Composite Exhibit "C" to NexGen's IXC Application constitute "proprietary confidential business information" within the meaning of that term as described in Section 364.183(3). The Financial Documents are internal reports describing NexGen's operating revenues, operating expenses, net income, cash flow and forecast assumptions. public disclosure of the Financial Documents would allow competitors to have access to information about the financial resources and stability of NexGen. Accordingly, public disclosure of the Financial Documents would irreparably harm NexGen.

6. Attached hereto is: (a) a separate, sealed envelope containing one copy of Composite Exhibit "C" with the information for which confidential classification is requested highlighted; and (C) two edited copies of Composite Exhibit "C" on which the confidential material has been redacted. Only the redacted copies may be made available for public inspection.

7. Because all of the information on the Financial Documents in Composite Exhibit "C" is confidential, with the exception of headings, there is no basis for articulating a line-by-line justification for the confidential treatment of the information. NexGen, however, has summarized the confidential information contained in Composite Exhibit "C" in this Request for Confidential Classification.

8. NexGen has good cause and justification for its request, and confidential treatment of the Financial Documents in Composite Exhibit "C" will not prejudice the Commission, or any other persons or entities that may become parties to this docket.

WHEREFORE, NexGen respectfully requests that the Commission determine that the Financial Documents in Composite Exhibit "C" to NexGen's IXC Application are confidential and exempt from the public Records Act, Chapter 119, Florida Statutes, and Article I, Section 24(a) of the Florida Constitution.

Respectfully submitted,

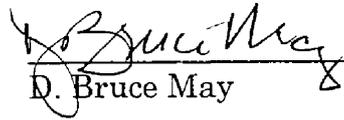


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by United State Mail to Jack Shreve, Office of public Counsel, 111 W. Madison Street, Suite 812, Tallahassee, Florida 32399 this 24th day of April, 2001.



D. Bruce May

TAL1 #233195 v1

NexGen Telecom, LLC

SUMMARY OF SIGNIFICANT FORECAST ASSUMPTIONS AND ACCOUNTING POLICIES

NATURE AND LIMITATIONS OF FORECASTS

[REDACTED]

NATURE OF OPERATIONS

[REDACTED]

Percentage Breakdown of Major Prepaid Calling Card Revenue Segment in 2000



[REDACTED] ap

The Ethnic Market

[REDACTED]

Mainstream Group

[REDACTED]

College Students

[REDACTED]

Business Use

[REDACTED]
sp

GENERAL INFORMATION AND OPERATING CONSIDERATIONS

GENERAL

[REDACTED]

SALES AND ACCOUNTS RECEIVABLE

[REDACTED]
d

EARNINGS

[REDACTED]

COST OF SALES

[REDACTED]

INVESTMENTS

[REDACTED]

PROPERTY, PLANT, AND EQUIPMENT AND DEPRECIATION

[REDACTED]

DEBT AND PAYABLES

[REDACTED]

EXPENSES

[REDACTED]

[REDACTED]

NEXGEN TELECOM, LLC
PROJECTED BALANCE SHEET - FISCAL 2001

Initial

Q1 - FY 2001

Q2 - FY 2001

Q3 - FY 2001

Q4 - FY 2001

FINAL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NexGen Telecom, LLC

SUMMARY OF SIGNIFICANT FORECAST ASSUMPTIONS AND ACCOUNTING POLICIES

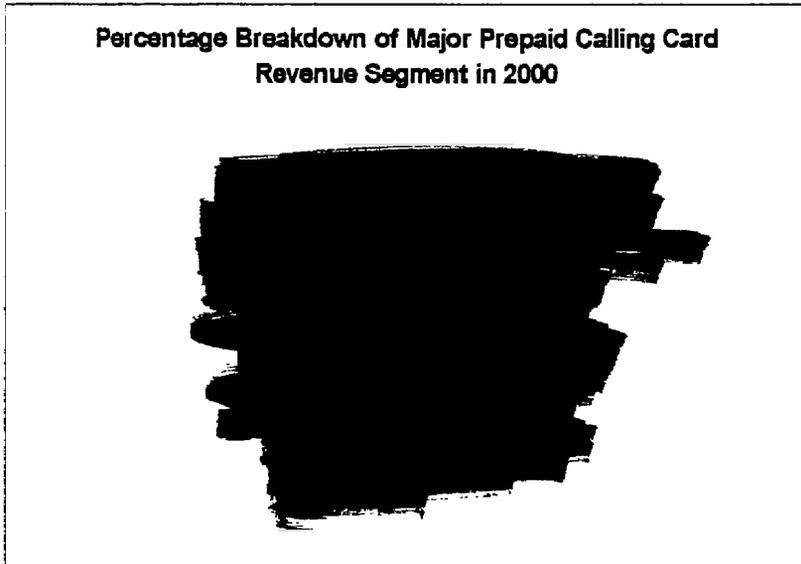
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NATURE OF OPERATIONS

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[REDACTED]

COST OF SALES

[REDACTED]

INVESTMENTS

[REDACTED] as
s
will

PROPERTY, PLANT, AND EQUIPMENT AND DEPRECIATION

[REDACTED] for

DEBT AND PAYABLES

[REDACTED]

EXPENSES

[REDACTED]

[REDACTED]