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November 7, 2001

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

Re: Docket 990649B-TP (UNEs)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of Sprint – Florida, Incorporated Request for Confidential Classification for cost studies filed November 7, 2001 which we ask that you file in Docket 990649B-TP.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return copy to me. Copies have been served to the parties as shown on the attached Certificate of Service.

Sincerely,

Susan S. Masterton

cc: All Parties of Record

This confidentiality request was filed by or for a "telco" for DN 1418301. 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.
(See DN 06290-01)

DOCUMENT NUMBER-DATE

14182 NOV-7 000248

COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In Re: Investigation into)
Pricing of Unbundled Network)
Elements)**

Docket No. 990649B-TP

Filed: November 7, 2001

**Sprint's Request for Confidentiality 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 cost studies filed in this Docket.

1. The following documents or excerpts from documents are the subject of this request:

Volume II of III

I.	Inputs	6 pages
II.	Loop	1 page
III.	High Capacity Loops	6 pages
V.	Switching	5 pages
VI.A.	Transport	8 pages
VI.B.	Multiplexing	2 pages
VII.B.	Misc. UNEs – SS7	1 page

Volume III of III

I.	Loop	39 pages
II.	SS7	7 pages
IV.	Transport	14 pages

DOCUMENT NUMBER-DATE

14182 NOV-7 01

FPSC-COMMISSION CLERK

2. One unredacted copy of the documents has been submitted to the Division of the Commission Clerk and Administrative Services under seal this same day.
3. The confidential information is identified by gray highlighting. The information for which the Request is submitted is vendor-specific pricing information (or information from which such information can be derived), trade secret or 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) &(e), Florida Statutes.
4. 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 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.

5. 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

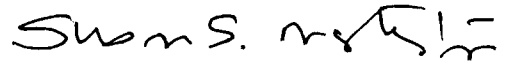
(b) Is the subject of efforts that are reasonable under the circumstances necessary to maintain its secrecy.

6. The subject information has not been publicly released and Sprint is required by contract to keep certain of the information confidential. Furthermore, release of the information could impair the efforts of the company or its affiliates to contract for goods or services on favorable terms, thus causing harm to the company's business operations.

7. The commission has found similar information to be confidential. See, Order No. PSC-00-1372-CFO-TP, Issued July 31, 2000; *In re: Investigation into pricing of unbundled network elements*. Docket No. 990649-TP.

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 7th day of November 2001.



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