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Susan S. Masterton Attorney

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September 30, 2002

COMMISSION CLERK

Ms. Blanca S. Bayó, Director Division of the Commission Clerk And Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re: Docket No. 001503-TP Sprint-Florida, Incorporated's Petition for Cost Recovery and Sprint's Request for Confidential Classification

Dear Ms. Bayó:

Enclosed for filing is the original and fifteen (15) copies of:

- Sprint's Petition for Cost Recovery
- 2. Sprint's Request for Confidential Classification

Copies of this have been served pursuant to the attached Certificate of Service.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

Susan S. Masterton

Enclosure

AUS

This confidentiality request was filed by or for a "telco" for DN 10500-02. 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.

CERTIFICATE OF SERVICE DOCKET NO. 001503-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by hand delivery* or U.S. Mail this 30th day of September, 2002 to the following:

ALLTEL Communications, Inc. c/o Ausley Law Firm
Jeffrey Wahlen
P.O. Box 391
Tallahassee, FL 32302

AT&T Communications of the Southern States, Inc.
101 N. Monroe St., #700
Tallahassee, FL 32301

BellSouth Telecommunications, Inc. Nancy White/M. Goggin/R. D. Lackey c/o Nancy H. Sims 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1556

MCI WorldCom Network Services, Inc. Ms. Donna C. McNulty 325 John Knox Road, Suite 105 Tallahassee, FL 32303-4131

Messer Law Firm Floyd Self P.O. Box 1876 Tallahassee, FL 32302

Office of Public Counsel Charles Beck c/o The Florida Legislature 111 W. Madison St., #812 Tallahassee, FL 32399-1400

Pennington Law Firm Peter Dunbar/Karen Camechis P.O. Box 10095 Tallahassee, FL 32302-2095 Rutledge Law Firm Kenneth Hoffman P.O. Box 551 Tallahassee, FL 32302-0551

Sprint PCS Jeff Pfaff 6160 Sprint Parkway, 4th Floor KSOPHIO414 Overland Park, KS 66251

Time Warner Telecom of Florida, L.P. Ms. Carolyn Marek 233 Bramerton Court Franklin, TN 37069-4002

Verizon Florida, Inc. Kimberly Caswell P. O. Box 110, FLTC0007 Tampa, FL 33601-0110

Verizon Wireless Anne Hoskins, Esq. 1300 I Street, NW Suite 400 West Washington, DC 20005

Florida Public Service Commission Patricia Christensen * 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0870

Florida Public Service Commission Bob Casey * 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0870

Susan S Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: cost recovery and)	Docket No. 001503-TP
allocation issues for number)	
pooling trials in Florida.)	Filed: September 30, 2002
)	_

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 cost studies filed in this docket.

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

Highlighted portions of pages 3, 4, 9 & 12 of Attachment to Exhibit A to Sprint's Petition for Cost Recovery

2. Unredacted copies of the documents have been submitted to the Division of Records and Reporting under seal this same day. The confidential information is identified by yellow highlighting. Two redacted copies of the information are attached to this rquest.

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3. 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. Specific justification for confidential treatment is set forth in Attachment A.

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 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.
- 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 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, and could impair the competitive business of the company.
- 7. The commission has found similar information related to number pooling cost recovery to be confidential. See, *In re: Cost Recovery and allocation issues for number pooling trials in Florida*, Docket No. 001503-TP, Order No. PSC-02-1277-CFO-TP, issued September 18, 2002.

Based on the foregoing, Sprint respectfully requests that the Commission grant Sprint's 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 30th day of September 2002.

Susan S. Masterton

Post Office Box 2214

MS: FLTLHO0107

Tallahassee, Florida 32316

850/599-1560

ATTORNEY FOR SPRINT

ATTACHMENT A

Portions of	Justification for Confidential Treatment
Attachment to	
Exhibit A to	
Petition for	
Cost Recovery	
Treated as	
proprietary	
p.3, Column D, lines 3-15 &	Document contains investment amounts related to Sprint's switch upgrades which is third party proprietary data relating to Sprint's
lines 20-32 and Column I, lines 3-15 & 20-32	switching costs. Allowing competitors access to this information would impair Sprint's competitive business interests.
p. 4, Column E, lines 3-15 & lines 20-32 and Column J, lines 3-15 & lines 20-32	Document contains investment amounts related to Sprint's switch upgrades which is third party proprietary data relating to Sprint's switching costs. Allowing competitors access to this information would impair Sprint's competitive business interests.
p. 9, Column F, lines 2-15	Document contains investment amounts related to Sprint's switch upgrades which is third party proprietary data relating to Sprint's switching costs. Allowing competitors access to this information would impair Sprint's competitive business interests.
p. 12, Columns H-O, Rows 1,	Document contains data regarding investments related to OSS enhancements. This information is proprietary because it would allow
3, 5, and 7,	competitors to "back into" information relating to Sprint's switch
Column	upgrades, which is third party proprietary data relating to Sprint's switching costs. Allowing competitors access to this information would impair Sprint's competitive business interests.