

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Complaint of Sprint-Florida, Incorporated	)	Docket No. 041144-TP
Against KMC Telecom III LLC,	)	
KMC Telecom V, Inc. and KMC Data LLC,	)	
for failure to pay intrastate	)	
Access charges pursuant to its interconnection	)	
Agreement and Sprint's tariffs and for violation of	)	
Section 364.16(3)(a), Florida Statutes.	)	Filed: April 14, 2005
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**Sprint-Florida, Incorporated's Request for Confidential Classification**  
**Pursuant to Section 364.183(1), Florida Statutes**

Sprint-Florida, Incorporated (hereinafter, "Sprint-Florida") 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.

1. The information that is the subject of this request is confidential and proprietary as set forth in paragraph 3. Sprint previously filed a Claim and Notice of Intent to Request Confidential Classification related to this information on September 24, 2004 and is filing this request pursuant to Rule 25-22-2006, F.A.C. The following documents or excerpts from documents are the subject of this request:

- a. Highlighted portions of Sprint's Complaint against KMC, pages 9-11, 13 and 15-18**
- b. Highlighted portions of Attachment 4 to Sprint's Complaint**
- c. Highlighted portions of Attachment 5 to Sprint's Complaint**
- d. Highlighted portions of Attachment 6 to Sprint's Complaint**

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

2. Two redacted copies of the information are attached to this request. One unredacted copy of the confidential information was filed under seal with the Division of Records and Reporting on September 24, 2004 (Document No. 10408-04).
3. The information for which the Request is submitted is KMC customer account information Sprint is required by law and contract (Sprint's interconnection agreements with KMC) to keep confidential, pursuant to s. 364.24, F.S. Specific justification for confidential treatment is set forth in Attachment A.
4. Section 364.183(3), F.S., 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. Section 364.24, Florida Statutes, prohibits a telecommunications company from intentionally disclosing customer account records, except as authorized by the customer or allowed by law.

6. The subject information has not been publicly released by 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 14<sup>th</sup> day of April 2005.

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ATTORNEY FOR SPRINT

## ATTACHMENT A

Document and page and line numbers	Justification for Confidential Treatment
Highlighted information on page 9, of Sprint's Complaint	This information is KMC customer account information (location of exchanges where KMC has local interconnection trunks with Sprint) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted information on page 10 of Sprint's Complaint	This information is KMC customer account information (location of exchanges where KMC has local interconnection trunks with Sprint and access charges Sprint alleges KMC owes Sprint) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted information on page 11 of Sprint's Complaint	This information is KMC customer account information (access charges Sprint alleges KMC owes Sprint) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted information on page 13 of Sprint's Complaint	This information is KMC customer account information (reciprocal compensation amounts) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted information on page 15, 16, 17, and 18 of Sprint's Complaint	This information is KMC customer account information (minutes of use and associated intercarrier compensation) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted information in Attachment 4 to Sprint's Complaint	This information is KMC customer account information (minutes of use and associated intercarrier compensation) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted information on page 2 of Attachment 5 to Sprint's Complaint	This information is KMC customer account information (access charges Sprint billed KMC) that Sprint is required by law and contract to keep confidential. Section 364.24, F.S.
Highlighted information on	This information is KMC customer account information (access charges Sprint billed KMC) that Sprint is required by law and contract

page 1 of Attachment 6 to Sprint's Complaint	to keep confidential. Section 364.24, F.S.
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