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July 18, 2005

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**VIA OVERNIGHT UPS**

Sue Ollila, Division of Competitive Markets & Enforcement  
Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

*undocketed*

Re: 2005 CLEC Local Competition Report Data Request:  
**Claim of Confidentiality Included**

Dear Sue:

Please find attached a two (2) public versions and one (1) sealed confidential version of RNK Telecom, Inc.'s ("RNK") 2005 CLEC Local Competition Report Data Request responses. As requested in the Commission notice, RNK has also included a disk containing electronic copies of the *Public* and *Confidential* versions of the responses.

RNK contemporaneously files a Request for Protective Order, as provided in Rule 25-22-006(5)(a) of the Commission's rules, requesting confidential treatment of the information contained in a sealed manila envelope labeled "Confidential". This version contains sensitive information, which RNK considers proprietary and confidential. Disclosure of the confidential information could adversely effect RNK's business affairs and give competitors an unfair advantage. RNK respectfully requests that the identified responses be viewed by Commission staff only in the discharging of its duties, and not be released to the public, consistent with RNK's request, if granted.

In addition, Thank you for allowing RNK for files this information late. As discussed on Friday, RNK had a massive computer infestation which necessitated the lateness of this filing. Please stamp and return in the self-addressed postage paid envelope included the sheets marked "copy" of this transmittal letter. If you need more information, please contact me at your earliest opportunity.

Sincerely yours,

Michael Tenore  
Counsel  
Phone: (781) 613-6119  
Email: mtenore@rnktel.com

cc: Administrative Service  
Commission Clerk

- CMP
- COM
- CTR
- ECR
- GCL
- OPC
- RCA
- SCR
- SGA
- SEC
- OTH

*(DN's 07080-05, 07081-05  
& 07082-05 appear  
to be duplicates of  
06921-05, 06922-05  
& 06923-05) [initials]*

DOCUMENT NUMBER-DATE

07080 JUL 25 '05

# ORIGINAL

## BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA

In the Matter of the 2005            )  
 Competitive Local                    )  
 Exchange Carrier (CLEC)            )     Docket No. \_\_\_\_\_  
 Data Request of RNK                 )  
 Telecom, Inc.                         )

### CLAIM OF CONFIDENTIAL TREATMENT

RNK Telecom, Inc. ("Respondent"), pursuant to Rule 25-22.006(5)(a) of the Florida Administrative Code hereby requests confidential treatment for certain responses 5(a) and 5(f) to the *2005 Competitive Local Exchange Carrier Data Request* from the Florida Public Service Commission. This request pertains to confidential customer location, marketing plans and product deployment estimates (hereinafter, "Proprietary Documents") submitted with Respondent's *2005 Competitive Local Exchange Carrier Data Request*. In support of its request, Respondent states as follows:

### JUSTIFICATION

The material contained within the Proprietary Documents comprise highly confidential customer location data and product deployment schedules, information that would be of significant benefit to competitors. By reviewing customer locations<sup>1</sup>, competitors could determine the extent of Respondent's operations, which could cause significant and possibly irreparable harm to Respondent. Further, Respondent's information regarding marketing plans and deployment schedules will give competitors the ability to realize potential markets and thereby unfairly usurp Respondent's research and work. The

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<sup>1</sup> While RNK is seeking protection of its specific responses, RNK does not believe that this will prevent the Commission from utilizing the data in the aggregate combined with other CLEC data.

information contained within the Proprietary Documents is of no benefit to the general public. Release of the information contained within the Proprietary Documents to competitors or potential competitors could cause **irreparable** harm to the Respondent. The protection sought herein is consistent with relief granted to other Respondent's under similar circumstances in past proceedings.

CONCLUSION

WHEREFORE, Respondent respectfully submits that there is substantial basis for restricting public disclosure of its financial statements, and therefore, requests that the Proprietary Documents be withheld from public inspection.

Respectfully submitted this 15<sup>th</sup> day of July, 2005.

RNK Telecom, Inc., by:



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Legal & Regulatory Affairs  
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