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October 24, 2005

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OCT 24 PM 3:25
COMMISSION CLERK

VIA HAND DELIVERY

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

Re: Docket No. 050693-TL; Alltel Florida, Inc.'s Petition to Reduce Intrastate Switched Access Rates in a Revenue Neutral Manner Pursuant to Section 364.164, Florida Statutes.

CMP 1 Dear Ms. Bayo:

COM 3 Enclosed for filing on behalf of Alltel Florida, Inc. ("Alltel") are the original and fifteen CTR (15) copies of Alltel's Third Motion for Temporary Protective Order.

ECR Please acknowledge receipt and filing of the above by stamping the duplicate copy of this GCL 1 letter and returning the same to this writer.

OPC Thank you for your assistance in this matter.

RCA

SCR

SGA

SEC 1

OTH Kim P. Lockard

Enclosures

Sincerely,

J. Jeffrey Wahlen

cc: Charles J. Beck, Office of Public Counsel (w/encls.)
Jason Rojas, Staff Counsel (w/encls.)

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RECEIVED & FILED

R.V.P

FPSC-BUREAU OF RECORDS

(conf. DN 10318-05)

DOCUMENT NUMBER-DATE

10316 OCT 24 05

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Alltel Florida, Inc.'s Petition	)	
To Reduce Intrastate Switched Network	)	
Access Rates In A Revenue Neutral	)	Docket No.: 050693-TL
Manner Pursuant to Section 364.164,	)	Filed: 10.24.05
Florida Statutes	)	
_____	)	

**ALLTEL'S THIRD MOTION FOR TEMPORARY PROTECTIVE ORDER**

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183(2), Florida Statutes, Alltel-Florida, Inc. ("Alltel") by and through its undersigned counsel, requests that the Florida Public Service Commission enter a Temporary Protective Order covering certain proprietary information provided to the Office of Public Counsel in response to Citizens' Second Request for Production of Documents ("OPC Second RPD"), exempting the information from Section 119.07(1), Florida Statutes. In support, Alltel states as follows:

1. Contemporaneous with the filing of this request, Alltel served its Response to Citizens' Second Request for Production of Documents on counsel for the Staff and Office of Public Counsel. Alltel's responses contain information that Alltel asserts is proprietary confidential business information, specifically, Alltel's Responses to Citizens' Second Request for Production of Documents, Nos. 18, 19, 20 and 21 [hereinafter "Confidential Material"]. This Confidential Material was provided to Office of Public Counsel and Staff on a CD that was filed with the Division of Commission Clerk and Administrative Services and Alltel's Third Notice of Intent to Request Confidential Classification.

2. Section 364.183(2), Florida Statutes, provides in relevant part:

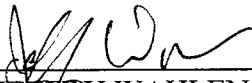
Any records provided pursuant to a discovery request for which proprietary confidential business information status is requested

shall be treated by the commission and the Office of Public Counsel and any other party subject to the public records law as confidential and shall be exempt from s. 119.07(1), pending a formal ruling on such request by the commission or the return of the records to the person providing the records.

3. Alltel considers the Confidential Material described above to be proprietary and confidential. Pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, Alltel is requesting this temporary protective order to protect the confidentiality of the information while in possession of the Office of Public Counsel and the Commission pending Alltel's submission of a Request for Confidential Classification and a determination as to whether the Confidential materials will be used in a proceeding before the Commission. Pending further ruling by the Commission regarding the confidential classification of the information, the information should be treated in a confidential manner pursuant to Section 364.183(2), Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

WHEREFORE, Alltel requests a Temporary Protective Order exempting from Section 119.07(1), Florida Statutes, the Confidential Material described herein while in the possession of the Office of Public Counsel, pending Alltel's submission of a Request for Confidential Classification specifically addressing those materials.

DATED this 24<sup>th</sup> day of October, 2005.

  
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and

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Little Rock, AR 72203-2177  
(501) 905-8460

ATTORNEYS FOR  
ALTEL FLORIDA, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct of the foregoing was served by hand delivery and electronic mail this 24<sup>th</sup> day of October, 2005, to the following:

Jason Rojas  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Charles J. Beck, Deputy Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399-1400

  
\_\_\_\_\_  
Attorney