

**Matilda Sanders**

**From:** Griffin, Kecia (CAO) [KGRIFFIN@miamidade.gov]  
**Sent:** Wednesday, October 11, 2006 3:37 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Hope, David (CAO); Hope, David (Airport); Martin B. Goldberg; James Meza; Sharon Liebman; Jean L. Kiddoo; Danielle C. Burt  
**Subject:** Miami-Dade County's - Request for Confidential Classification document - PDF format  
**Attachments:** Bellsouth - MDC's Request for Confidential Classification.pdf

**ORIGINAL**

October 11, 2006

Mrs. Blanca S. Bayó  
 Director, Division of the Commission Clerk  
 and Administrative Services  
 Florida Public Service Commission  
 2540 Shumard Oak Boulevard

**Re: Complaint by BellSouth Telecommunication, Inc., Regarding the  
 Operation of a Telecommunication Company by Miami-Dade County  
 in Violation of Florida Statutes and Commission Rules**

**(Docket No. 050257)**

Dear Mrs. Bayó:

Enclosed is an original Miami-Dade County's Request for Confidential Classification.

Copies have been served to the parties shown on the attached Certificate of Service.

cc: All Parties of Record  
 David Stephen Hope

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Complaint by BellSouth  
Telecommunications, Inc., Regarding  
The Operation of a Telecommunications  
Company by Miami-Dade County in  
Violation of Florida Statutes and  
Commission Rules

Docket No. 050257

MIAMI-DADE COUNTY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Pursuant to Rule 25-22.006(4), F.A.C., Miami-Dade County (the "County"), by and through its undersigned counsel, hereby requests the confidential classification of the entire document bates stamped MDC\_PSC(4) 00001 (the "Confidential Document"), which delineates its current list of customers, and was requested for production by the Florida Public Service Commission Staff ("Staff") and BellSouth Telecommunications, Inc. ("BellSouth") in this matter. In support of its request for confidential classification, the County states:

1. The Confidential Document constitutes a trade secret. § 812.081, Fla. Stat. (2005). "[T]rade secret information as defined in s. 812.081, and as provided for in s. 815.04(3), [is] expressly made confidential and exempt from the public records law ...." § 815.045, Fla. Stat. (2005). The Confidential Document qualifies for protection as proprietary confidential business information pursuant to § 364.183(3)(a), Florida Statutes.
2. *The Confidential Document is (i) confidential and exempt, (ii) intended to be and is treated by the County as private, and (iii) has not been disclosed.*

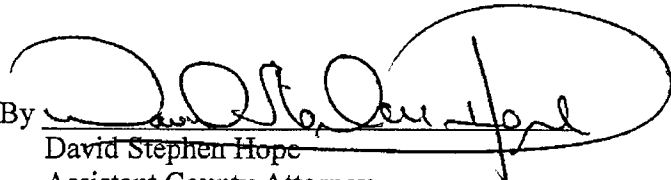
3. The Confidential Document is stamped "CONFIDENTIAL", and has only been produced to: (i) the Florida Public Service Commission ("PSC") Staff on July 3, 2006, in response to Staff's First Request for Production, and with the specific instruction that "[t]he County's current list of customers is confidential and exempt, and is not to be disclosed to third parties or non-Florida Public Service Commission entities. See *Sepro Corp. v. Fla. Dep't of Envtl. Prot.*, 839 So. 2d 781, 784 (Fla. 1st DCA 2003), review denied sub nom by *Crist v. Fla. Dep't of Envtl. Prot.*, 911 So. 2d 792 (Fla. 2005) (emphasis added)[;]" and (ii) BellSouth on October 10, 2006, pursuant to the PSC's Order No. PSC-06-0814-PCO-TL Governing the Handling of Confidential Information, dated October 3, 2006, and Order No. PSC-06-0815-PCO-TL Granting in Part and Denying in Part Motions to Strike and Extending Discovery Period, dated October 3, 2006, which subject the Confidential Document to the PSC's Protective Order and required its immediate production to BellSouth.

RESPECTFULLY SUBMITTED,

MURRAY A. GREENBERG  
MIAMI-DADE COUNTY ATTORNEY

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By

  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed, this *11th*  
day of October 2006, to:

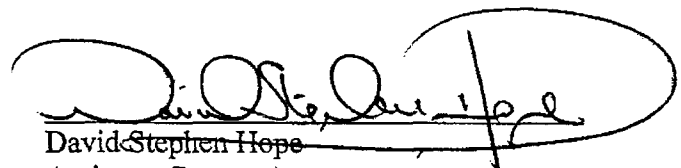
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David Stephen Hope  
Assistant County Attorney