

Matilda Sanders

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From: McPike, Jessica L [EQ] [Jessica.L.Mcpike@embarq.com]
Sent: Tuesday, November 14, 2006 3:00 PM
To: Filings@psc.state.fl.us
Cc: Masterton, Susan S [EQ]
Subject: Docket # 060644, Embarq Florida, Inc.'s Request for Temporary Protective Order for Proprietary Information Provided in Response to Citizens First Request for Productions of Documents
Attachments: Bayo. Letter. Request for Temporary Protective Order.pdf

Filed on Behalf of: Susan S. Masterton

Counsel
Embarq Florida, Inc.
1313 Blair Stone Road
Tallahassee, FL 32301
Telephone: 850/599-1560
Email: susan.masterton@embarq.com

Docket No. 060644-TL

Title of filing: Embarq Florida, Inc.'s Request for Temporary Protective Order for Proprietary Information Provided in Response to Citizens First Request for Productions of Documents

Filed on behalf of: Susan Masterton

No of pages: 6

Description: Embarq Florida, Inc.'s Request for Temporary Protective Order for Proprietary Information Provided in Response to Citizens First Request for Productions of Documents

<<Bayo. Letter. Request for Temporary Protective Order.pdf>>
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November 14, 2006

Ms. Blanca Bayó, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Docket No. 060644-TL, Embarq Florida, Inc.'s Request for Temporary
Protective Order for Proprietary Information Provided in Response to Citizens
First Request for Production of Documents (No.1)

Dear Ms. Bayó:

Enclosed for filing on behalf of Embarq Florida, Inc., is:

1. Notice of Service and
2. Embarq Florida, Inc.'s Request for Temporary Protective Order for Proprietary Information Provided in Response to Citizens First Request for Production of Documents (No.1)

Copies are being served on the parties in this docket pursuant to the attached certificate of service

If you have any questions regarding this electronic filing, please do not hesitate to call me at 850/599-1560

Sincerely,

Susan S. Masterton

Enclosure

Susan S. Masterton
COUNSEL
LAW AND EXTERNAL AFFAIRS- REGULATORY
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No. 5 + Request TPO

DOCUMENT NUMBER-DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

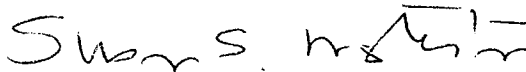
In Re: Petition by Embarq Florida Inc.)
to Recover 2005 Tropical System)
Related Costs and Expenses)

Docket No. 060644-TL

Filed: November 14, 2006

NOTICE OF SERVICE

Embarq Florida, Inc. serves this notice that, by and through undersigned counsel, it has served its Responses to Citizens' First Request for Production of Documents (No. 1) by hand delivery to Charles J. Beck, c/o The Florida Legislature, 111 W. Madison Street, Room 812, Tallahassee, FL 32399-1400 on this 14th day of November 2006.



Susan S. Masterton
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Counsel for Embarq Florida, Inc.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Embarq Florida,)	Docket No. 060644-TL
Inc., pursuant to section 364.051(4),)	
Florida Statutes, to recover 2005)	
Tropical system related costs and)	
Expenses)	Filed: November 14, 2006
)	

**EMBARQ FLORIDA, INC.'S REQUEST FOR TEMPORARY PROTECTIVE
ORDER FOR PROPRIETARY INFORMATION PROVIDED IN
RESPONSE TO CITIZENS FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS (NO. 1)**

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 364.183(2), Florida Statutes, Embarq Florida, Inc. ("Embarq") by and through its undersigned counsel, requests that the Florida Public Service Commission enter a Temporary Protective Order covering certain proprietary information provided in Embarq's Responses to Citizens First Request for Production of Documents No. 1, exempting the information from s. 119.07(1), F.S. In support Embarq states as follows:

1. On November 14, 2006, Embarq provided its Responses to Citizens First Request for Production of Documents (No. 1) to the Office of the Public Counsel.
2. Section 364.183(2) 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.

DOCUMENT NUMBER-DATE

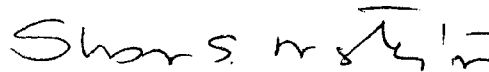
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3. The information requested includes Embarq's Responses to Staff's First Request for Production of Documents. Specifically, Embarq has claimed that certain information in provided in response to Staff's POD No. 2 is proprietary and confidential. Pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, Embarq is requesting this temporary protective order to protect the confidentiality of the information pending a determination as to whether it will be used in a proceeding before the Commission. As required by the rule, Embarq will file a specific request for confidentiality if the information is ultimately to 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), F.S. and Rule 25-22.006, F.A.C.

WHEREFORE, Embarq moves for entry of a Temporary Protective Order exempting from s. 119.07(1), F.S., the proprietary information provided in Embarq's Responses to Citizens First Request for Production of Documents.

RESPECTFULLY SUBMITTED this 14th day of November 2006.



Susan S. Masterton
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Counsel for Embarq Florida, Inc.

**CERTIFICATE OF SERVICE
DOCKET NO. 060644-TL**

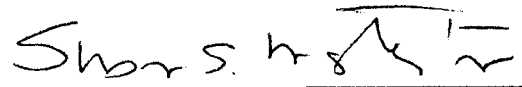
I HEREBY CERTIFY that a true and correct copy of the foregoing was served electronically and by US mail (*) or hand delivery (**) this 14th day of November, 2006 to the following:

Jason Fudge *
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Beth Salak *
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Office of Public Counsel
Charles J. Beck (**)
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Vicki Gordon Kaufman *
Moyle Flanigan Katz Raymond &
Sheehan, PA
118 North Gadsden Street
Tallahassee, FL 32301



Susan S. Masterton