

State of Florida



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**DATE:** January 9, 2007

**TO:** Patrick Wiggins, Attorney Supervisor, Office of the General Counsel  
Jason Fudge, Senior Attorney, Office of the General Counsel

**FROM:** Dale R. Buys, Regulatory Analyst III, Division of Competitive Markets & Enforcement *DRB*

**RE:** **Embarq Florida, Inc.'s Request for Confidential Classification Under Section 364.183(1), Florida Statutes, in Docket No. 060763-TL;** Petition by Embarq Florida, Inc. under section 364.025(6)(d), Florida Statutes, for relief from its carrier of last resort obligations.

On December 13, 2006, Embarq Florida, Inc. (Embarq) submitted its request for confidential classification of the information contained in **FPSC Document Number 11434-06** which consists of information contained in Direct Testimony filed with Embarq's Amended Petition for relief from its carrier of last resort obligation at Treviso Bay. The following documents or excerpts from documents are the subject of Embarq's request:

- a) Highlighted information on pages 5 of Direct Testimony of Michael J. DeChellis.
- b) Highlighted information on pages 3, 4, and 5 of Testimony of Kent W. Dickerson.
- c) Entire Exhibit KWD-1, attached to the Direct Testimony of Kent W. Dickerson.
- d) Highlighted information on line 1 - 12 of column 2, and lines 13-23 of columns 2-21 of Exhibit KWD-2, attached to the Direct Testimony of Kent W. Dickerson.

Embarq claims that the information concerns the location and type of Embarq's facilities, information concerning Embarq's projected penetration rates and information concerning Embarq's costs and revenues, or information from which this information could be derived. This information relates to Embarq's competitive interests, the disclosure of which would impair Embarq's competitive business (see, section 364.183(3)(e), Florida Statutes). In addition, protection of the location and type of Embarq's facilities is necessary to protect Embarq's security interests.

Upon review of the information contained in the documents, technical staff concurs with Embarq that the information meets the requirements for confidential classification pursuant to Section 364.183, Florida Statutes, and Rule 25-22.006(5), F.A.C., and as such, the information should be treated as confidential.

cc: Della Fordham

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