

State of Florida



ORIGINAL

Public Service Commission

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COMMISSION
CLERK

DATE: February 1, 2007

TO: Division of Commission Clerk and Administrative Services (Cole, Lockard) *OL*

FROM: Division of Regulatory Compliance and Consumer Affairs (Freeman, Vandiver) *F*

RE: Docket 070000-TL, Recommendation to grant a claim of confidentiality concerning the Verizon Business (Verizon) request for confidential classification concerning certain staff working papers and audit report pages prepared during the audit entitled "Verizon Business (Formerly MCI Network Services, Inc.) Regulatory Assessment Fee Audit for the Six Months Ended June 30, 2005", Audit Control No. 05-244-4-2, Documents Numbered 00213-07, 00214-07, 00216-07 and 10414-06

On October 28, 2006, at the audit exit conference, Verizon requested that certain portions of staff's working papers and audit report prepared during the audit entitled "Verizon Business (Formerly MCI Network Services, Inc.) Regulatory Assessment Fee Audit for the Six Months Ended June 30, 2005", be held in a temporary confidential status in accordance with Rule 25-22.006(3)(a)2., Florida Administrative Code (FAC).

On January 9, 2007, staff filed those portions of the working papers and audit report with the Commission's Division of the Commission Clerk and Administrative Services (Documents 00213-07, 00214-07, and 00216-07).

On November 13, 2006, Verizon filed its request for confidential classification for certain portions of the working papers and audit report pursuant to Rule 25-22.006, FAC. Verizon's request included redacted copies of the materials for public use (Document 10415-06) and copies of the materials with the sensitive portions highlighted (Document 10414-06).

Documents 00213-07, 00214-07, 00216-07 and 10414-06 are currently held by the Commission's Division of the Commission Clerk and Administrative Services as confidential.

Pursuant to Section 119.07, Florida Statutes (F.S.), documents submitted to this Commission are public records. The only exceptions to this law are specific statutory exemptions and exemptions granted by governmental agencies pursuant to the specific items of a statutory provision.

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- SGA
- SEC
- OTH *Lockard*

February 1, 2007
Florida Public Utilities Company

Staff Recommendation

Section 364.183(1), F.S., as interpreted by Rule 25-22.006(5), FAC, allows telecommunications companies to claim confidential treatment in lieu of processing a request for confidentiality as described in Rule 25-22.006(4) FAC.

Verizon's filing meets the requirements of a claim of confidentiality as set out in Rule 25-22.006(5) FAC, and therefore, we recommend that the material be "claimed" as confidential. The benefits of allowing a "claim" of confidentiality is that the necessary administrative process is reduced and filing a claim of confidentiality is more effective for the telecommunications company.

Further, we recommend that a declassification date for this material be set as 5 years after docket 070000-TL closes in accordance with existing records retention requirements. At the end of this 5 year period, the sensitive material may be destroyed or returned to the company.

A temporary copy of this recommendation will be held at I:10414-06 MCI_Verizon RAF.doc for a short period.

CC: Division of Regulatory Compliance and Consumer Affairs (Welch)
Office of General Counsel (Teitzman, Wiggins, Evans)
Division of Competitive Markets & Enforcement (Wright)