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May 29, 2008 – VIA OVERNIGHT MAIL

Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
MAY 30 AM 11:08
COMMISSION CLERK

Re: Docket No. 070691-TP
Complaint and request for emergency relief against Verizon Florida LLC for anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Bright House Networks Information Services (Florida), LLC and its affiliate, Bright House Networks, LLC

Docket No. 080036-TP
Complaint and request for emergency relief against Verizon Florida LLC for anticompetitive behavior in violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone

Dear Ms. Cole:

Enclosed for filing are an original and seven copies of Verizon Florida LLC's Request for Confidential Classification and Motion for Protective Order in connection with certain information contained in the Direct Testimony of Alan F. Ciamporcerio, Bette J. Smith and Patrick J. Stevens in the above matters. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at (678) 259-1449.

Sincerely,

Dulaney L. O'Roark III
Dulaney L. O'Roark III

tas

Enclosures

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This confidentiality request was filed by or for a "telco" for DN ~~04603-08~~ No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

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Dulaney L. O'Roark III
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and request for emergency relief) Docket No. 070691-TP
against Verizon Florida LLC for anticompetitive) Filed: May 30, 2008
behavior in violation of Sections 364.01(4), 364.3381,)
and 364.10, F.S., and for failure to facilitate transfer)
of customers' numbers to Bright House Networks)
Information Services (Florida), LLC and its affiliate,)
Bright House Networks, LLC)

In re: Complaint and request for emergency relief) Docket No. 080036-TP
against Verizon Florida LLC for anticompetitive)
behavior in violation of Sections 364.01(4), 364.3381,)
and 364.10, F.S., and for failure to facilitate transfer)
of customers' numbers to Comcast Phone)
of Florida, LLC d/b/a Comcast Digital Phone)

VERIZON FLORIDA LLC'S REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER

Under Commission Rule 25-22.006, F.A.C., Verizon Florida LLC (Verizon) seeks confidential classification and a protective order for certain information contained in the Direct Testimony of Alan F. Ciamporcero, Bette J. Smith and Patrick J. Stevens filed in this proceeding.

All of the information for which Verizon seeks confidential treatment falls within Florida Statutes section 364.183(3), which defines "proprietary confidential business information" as:

Information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public.

Florida Statutes section 364.183(3)(a) expressly provide that "trade secrets" fall within the definition of "proprietary confidential business information." Florida Statutes section 364.183(3)(e), further provides that "proprietary confidential business information"

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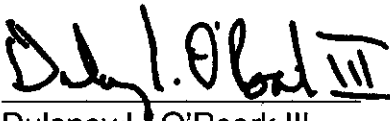
includes "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information."

If competitors were able to acquire this detailed and sensitive information regarding Verizon, they could more easily develop entry and marketing strategies to ensure success in competing with Verizon. This would afford them an unfair advantage while severely jeopardizing Verizon's competitive position. In a competitive business, any knowledge obtained about a competitor can be used to the detriment of the entity to which it pertains, often in ways that cannot be fully anticipated. This unfair advantage skews the operation of the market, to the ultimate detriment of the telecommunications consumer. In addition, Verizon is providing certain information concerning number porting requests by Bright House and Comcast, which, to Verizon's knowledge, is not public information. Accordingly, Verizon respectfully requests that the Commission classify the identified information as confidential and enter an appropriate protective order.

While a ruling on this request is pending, Verizon understands that the information at issue is exempt from Florida Statutes section 119.07(1) and Staff will accord it the stringent protection from disclosure required by Rule 25-22.006(3)(d).

One copy of the confidential information is attached to the original of this Request as Exhibit A. Two redacted copies of the confidential information are attached as Exhibit B. A detailed justification of the confidentiality of the information at issue is attached as Exhibit C.

Respectfully submitted on May 30, 2008.

By: 
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Attorney for Verizon Florida LLC

EXHIBIT C

DOCUMENT	LINE(S)/COLUMN(S)	REASON
Direct Testimony of Alan F. Ciamporcero	All highlighted text page 10, line 21	This is competitively sensitive, confidential and proprietary business information that has been confidentially maintained by Verizon. Disclosure of this information could give competitors an unfair advantage in developing their own competitive strategies by revealing Verizon's pricing and negotiating strategies.
Direct Testimony of Bette J. Smith	All highlighted text page 6, lines 2,4	This is competitively sensitive, confidential and proprietary business information that has been confidentially maintained by Verizon. Disclosure of this information could give competitors an unfair advantage in developing their own competitive strategies by revealing Verizon's pricing and negotiating strategies.
Direct Testimony of Patrick J. Stevens	All highlighted text page 15, lines 13,14 All highlighted text page 13, lines 2,3	This is competitively sensitive, confidential and proprietary business information that has been confidentially maintained by Verizon. Disclosure of this information could give competitors an unfair advantage in developing their own competitive strategies by revealing Verizon's pricing and negotiating strategies. This information concerns number porting requests by Bright House and Comcast which, to Verizon's knowledge, is not public information.

DOCUMENT NUMBER-DATE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing were sent via overnight mail(*)
on May 29, 2008 and U. S. mail(**) on May 30, 2008 to:

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Rick Mann(*)
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Dulaney L. O'Roark III

STATE OF FLORIDA

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NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

CONFIDENTIAL

Public Service Commission

ACKNOWLEDGEMENT

DATE: May 30, 2008

TO: Dulaney O'roark

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070691 and 080036 or, if filed in an undocketed matter, concerning certain information contained in direct testimony of Alan F. Ciamporcero, Bette J. Smith, and Patrick J. Stevens, and filed on behalf of Verizon. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
04603 MAY 30 08
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