

Dulaney L. O'Roark III
Vice President & General Counsel, Southeast Region
Legal Department

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COMMISSION
CLERK



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August 19, 2009 – VIA OVERNIGHT MAIL

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

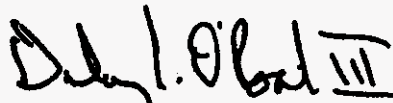
Re: Docket No. 080278-TL
Joint Petition for show cause proceedings against Verizon Florida LLC for
apparent violation of Rule 25-4.070, F.A.C., service availability, and impose fines,
by the Office of the Attorney General, Citizens of the State of Florida, and AARP

Dear Ms. Cole:

Enclosed for filing in the above matter are an original and 15 copies of the Rebuttal
Testimonies of Russell B. Diamond, Deborah B. Kampert and Michelle A. Robinson on
behalf of Verizon Florida LLC together with a diskette with copies of the testimonies in
Word format. Also enclosed are an original and 15 copies of a Request for Confidential
Classification and Motion for Protective Order in connection with the testimonies.

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

This confidentiality request was filed by or
for a "telco" for DN 08680-09. 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.

tas

Enclosures

COM _____
ECR _____
GCL 1 + diskette
OPC _____
RCF 13
SSC _____
SGA _____
ADM _____
CLK 1

DOCUMENT NUMBER + DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition for show cause proceedings) Docket No. 080278-TL
against Verizon Florida LLC for apparent violation of) Filed: August 20, 2009
Rule 25-4.070, F.A.C., service availability, and)
impose fines, by the Office of the Attorney General,)
Citizens of the State of Florida, and AARP)
_____)

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 information contained in the Rebuttal Testimonies of Russell B. Diamond, Deborah B. Kampert and Michelle A. Robinson filed on behalf of Verizon 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 provides 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" includes "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information."

DOCUMENT NUMBER-DATE

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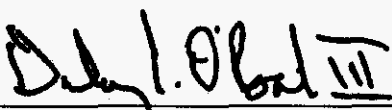
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If competitors were able to acquire this detailed and sensitive information regarding Verizon, they could more easily develop entry and marketing strategies to ensure success in competing with Verizon. This would afford them an unfair advantage while 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. 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).

Highlighted copies of the confidential information are attached 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 August 20, 2009.

By: 
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Email: de.oroark@verizon.com

Attorney for Verizon Florida LLC

EXHIBIT C

CONFIDENTIAL INFORMATION	LINE(S)/COLUMN(S)	REASON
Rebuttal Testimony of Russell B. Diamond: Page 16	Lines 11-17	This information concerns Verizon's access line counts, staffing levels and internal repair performance data. This information is competitively sensitive, confidential and proprietary business information that has been confidentially maintained by Verizon.
Rebuttal Testimony of Michelle A. Robinson: Page 9 Page 13 Exhibit MAR-1	Lines 21-24 Lines 11-13 All highlighted text	
Rebuttal Testimony of Deborah B. Kampert: Page 9 Exhibit DBK-3	Lines 17-25 All highlighted text	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing were sent via electronic mail on August 20, 2009 to:

Adam Teitzman, Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ateitzma@psc.state.fl.us

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Dulaney L. O'Rourke III

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
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NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



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

Public Service Commission

ACKNOWLEDGEMENT

DATE: August 20, 2009

TO: Dulaney L. O'roark, III

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 080278 or, if filed in an undocketed matter, concerning information contained in rebuttal testimonies of Russel B. Diamond, Deborah B. Kampert, and Micheele A. Robinson, 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
08680 AUG 20 08
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