



CenturyLink™

August 9, 2012

VIA HAND DELIVERY

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

- claim of confidentiality
- notice of intent
- request for confidentiality
- filed by OPC

For DN 05440-12, which is in locked storage. You must be authorized to view this DN.-CLK

RECEIVED-PPSC
 12 AUG -9 PM 12: 29
 COMMISSION CLERK

Re: Docket No. 090538-TP - AMENDED COMPLAINT OF QWEST COMMUNICATIONS COMPANY, LLC AGAINST MCIMETRO ACCESS TRANSMISSION SERVICES (D/B/A VERIZON ACCESS TRANSMISSION SERVICES); TW TELECOM OF FLORIDA, L.P.; GRANITE TELECOMMUNICATIONS, LLC; BROADWING COMMUNICATIONS, LLC; BIRCH COMMUNICATIONS, INC.; BUDGET PREPAY, INC.; BULLSEYE TELECOM, INC.; DELTACOM, INC.; ERNEST COMMUNICATIONS, INC.; FLATEL, INC.; NAVIGATOR TELECOMMUNICATIONS, LLC; PAETEC COMMUNICATIONS, INC.; SATURN TELECOMMUNICATIONS SERVICES, INC. D/B/A EARTHLINK BUSINESS; US LEC OF FLORIDA, LLC; WINDSTREAM NUVOX, INC.; AND JOHN DOES 1 THROUGH 50, FOR UNLAWFUL DISCRIMINATION.

Dear Ms. Cole:

Enclosed for filing in the above referenced docket matter is the original and seven (7) copies of:

CenturyLink QCC's Request for Confidential Classification for the confidential information contained in the Rebuttal Testimony of Derek Canfield, William R. Easton, and Dennis L. Weisman.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same.

COM Copies are being served upon the parties in this docket pursuant to the attached certificate of
 AFD service.
 APA
 ECO Sincerely,
 ENG
 SSM Susan S. Masterton
 IDM
 TEL
 CLK Enclosures

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DOCUMENT NUMBER DATE

05439 AUG -9


FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 090538-TP**

I hereby certify that a true and correct copy of the foregoing has been served upon the following by hand delivery* or Overnight Mail on this 9th day of August, 2012.

<p>Florida Public Service Commission *Theresa Tan Office of General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 ltan@psc.state.fl.us</p>	<p>Division of Regulatory Analysis *Jessica Miller Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 JEMiller@psc.state.fl.us</p>
<p>Ernest Communications, Inc. 5275 Triangle Parkway, Suite 150 Norcross, GA 30092-6511 lhaag@ernestgroup.com</p>	<p>Broadwing Communications, LLC Greg Diamond c/o Level 3 Communications 1025 Eldorado Blvd. Broomfield, CO 80021-8869 Greg.Diamond@level3.com</p>
<p>BullsEye Telecom, Inc. David Bailey 25925 Telegraph Road, Suite 210 Southfield, MI 48033-2527 dbailey@bullseyetelecom.com</p>	<p>*Broadwing Communications, LLC Rutledge Law Firm Marsha E. Rule 119 South Monroe Street, Suite 202 Tallahassee, FL 32302 marsha@reuphlaw.com † <i>Confidential Documents provided in accordance with signed Protective Agreement</i></p>
<p>Granite Telecommunications, LLC 100 Newport Avenue Extension Quincy, MA 02171-1734 rcurrier@granitenet.com</p>	<p>Flatel, Inc. c/o Adriana Solar Executive Center, Suite 100 2300 Palm Beach Lakes Blvd. West Palm Beach, FL 33409-3307 asolar@flatel.net</p>
<p>Navigator Telecommunications, LLC David Stotelmyer 8525 Riverwood Park Drive North Little Rock, AR 72113</p>	<p>Paula W. Foley One Communication--Earthlink 5 Wall Street Burlington, MA 01803 pfoley@corp.earthlink.com</p>
<p>Klein Law Group Andrew M. Klein/Allen C. Zoracki 1250 Connecticut Ave. NW, Suite 200 Washington, DC 20036 AKlein@kleinlawPLLC.com azoracki@kleinlawpllc.com † <i>Confidential Documents provided in accordance with signed Protective Agreement</i></p>	<p>Budget Prepay, Inc. Alan C. Gold 1501 Sunset Drive 2nd Floor Coral Gables, FL 33143 agold@acgoldlaw.com † <i>Confidential Documents provided in accordance with signed Protective Agreement</i></p>

<p>PaeTec Communications, Inc. John B. Messenger, Vice President and One PaeTec Plaza 600 Willowbrook Office Park Fairport, NY 14450-4233 john.messenger@paetec.com</p>	<p>Windstream NuVox, Inc. Ed Krachmer 4001 Rodney Parham Road MS: 1170-BIFO3-53A Little Rock, AR 7221 2 Edward.Krachmer@windstream.com † <i>Confidential Documents provided in accordance with signed Protective Agreement</i></p>
<p>Verizon Access Transmission Services Rebecca A. Edmonston 106 East College Avenue, Suite 710 Tallahassee, FL 32301-7721 rebecca.edmonston@verizon.com</p>	<p>*Gunster, Yoakley & Stewart, P.A. Matthew J. Feil 215 South Monroe Street, Suite 601 Tallahassee, FL 32301 mfeil@gunster.com † <i>Confidential Documents provided in accordance with signed Protective Agreement</i></p>
<p>Verizon Florida LLC Dulaney L. O’Roark III 5055 North Point Parkway Alpharetta, GA 30022 de.oroark@verizon.com † <i>Confidential Documents provided in accordance with signed Protective Agreement</i></p>	<p>TW Telecom of Florida L.P. Carolyn Ridley 2078 Quail Run Drive Bowling Green, KY 42104 Carolyn.Ridley@twtelecom.com</p>
<p>Ms. Bettye Willis Windstream 1201 West Peachtree St., Suite 610 Atlanta, GA 30309 bettye.j.willis@windstream.com</p>	


Susan S. Masterton
Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Amended Complaint of Qwest Communications Company, LLC against MCImetro Access Transmission Services (d/b/a Verizon Access Transmission Services); tw telecom of florida, l.p.; Granite Telecommunications, LLC; Broadwing Communications, LLC.; Budget Prepay, Inc.; Bullseye Telecom, Inc.; DeltaCom, Inc.; Ernest Communications, Inc.; Flatel, Inc.; Navigator Telecommunications, LLC; PaeTec Communications, Inc.; Saturn Telecommunications Services, Inc. d/b/a EarthLink Business; US LEC of Florida, LLC; Windstream Nuvox, Inc.; and John Does 1 through 50, for unlawful discrimination.

DOCKET NO. 090538-TP

FILED: August 9, 2012

REQUEST FOR CONFIDENTIAL CLASSIFICATION (CANFIELD)

Qwest Communications Company, LLC d/b/a CenturyLink (“QCC”) by and through its undersigned counsel and in accordance with Rule 25-22.006, Florida Administrative Code, hereby requests that the Florida Public Service Commission (“Commission”) enter an order protecting from public disclosure a portion of the Rebuttal Testimony of Derek Canfield described in Attachment “A” to this Request.¹ As grounds for this Request, QCC states:

1. On August 9, 2012, QCC submitted the Rebuttal Testimony of Derek Canfield. A portion of Mr. Canfield’s Rebuttal Testimony contains proprietary confidential business information, which is the subject of this request.
2. The information for which QCC claims confidential classification is QCC proprietary business information as defined in section 364.183, F.S.
3. Attachment A describes the information for which QCC seeks confidential classification and provides the justification for classifying the information as confidential under section 364.183, F.S. QCC has provided the information to other parties under the terms of a

¹ QCC is also submitting today separate Requests for Confidential Classification for the Rebuttal Testimony of William R. Easton and the Rebuttal Testimony of Dennis L. Weisman.

Nondisclosure Agreement (NDA) which designated the information as either “Confidential” or “Lawyers Only Confidential” in accordance with the Agreement’s terms. These distinctions are relevant only as to how the information is handled by the parties, not to the classification of the information on file with the Commission. In accordance with section 364.183, F.S., and Rule 25-22.006, F.A.C., the information file with the Commission is either “public” or “confidential and exempt” from s. 119.07, F.S. As such, for the purposes of this Request and Attachment A, the term “confidential” encompasses both of these inter-party classifications.

4. Two redacted copies of the confidential information are provided with this Request, as required by Rule 25-22.006, F.A.C.

5. Under separate cover, QCC is also filing on this same day a single copy of the confidential information with the confidential information highlighted as required by Rule 25-22.006, F.A.C. In addition, all of the documents which contain confidential information include a stamp marking them as Confidential (or, in some cases, “Lawyers Only Confidential” for the purposes of the exchange of information among the parties).

6. Section 364.183(3), F.S., provides:

(3) The term “proprietary confidential business information” means 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. The term includes, but is not limited to:

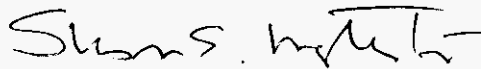
- (a) Trade secrets.
- (b) Internal auditing controls and reports of internal auditors.
- (c) Security measures, systems, or procedures.
- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms.
- (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

7. The information is contractual information the disclosure of which would impair QCC's efforts to contract for goods or services on favorable terms, as described in s. 364.183(3)(d). Further, the QCC access usage and purchase information is information related to QCC's competitive interests, the release of which would impair the competitive business of QCC, as described in s. 364.183(3)(e).

8. The information is intended to be, and is, treated as confidential by QCC and, to the undersigned counsels' knowledge, has not been otherwise publicly disclosed.

WHEREFORE, QCC respectfully requests that the Commission enter an order protecting the information described in Attachment A as proprietary confidential business information that is not subject to public disclosure in accordance with section 364.183, F.S. and Rule 25-22.006, F.A.C.

Respectfully submitted on this 9th day of August, 2012.



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ATTORNEYS FOR QWEST COMMUNICATIONS
COMPANY, LLC D/B/A CENTURYLINK QCC

CANFIELD ATTACHMENT "A"

SPECIFIC JUSTIFICATION FOR CONFIDENTIAL CLASSIFICATION

Location of Confidential Information	Description of Confidential Information	Specific Justification
Canfield Rebuttal Testimony, highlighted information on page 4, lines 13 &14	This information relates to the terms of wholesale agreements entered into between QCC and CLECs, which information is proprietary confidential business information of QCC.	The information is contractual information the disclosure of which would impair QCC's efforts to contract for goods or services on favorable terms, as described in s. 364.183(3)(d). Further, the QCC access usage and purchase information is information related to QCC's competitive interests, the release of which would impair the competitive business of QCC, as described in s. 364.183(3)(e).