

# Haligman and Lottner

A Professional Corporation  
Attorneys at Law

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SERVICE COMMISSION

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MAIL ROOM

December 24, 1997

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Ms. Blanca S. Bayo  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: ~~Document 980002-77~~

Dear Ms. Bayo:

Enclosed are an original and fifteen copies of Business Discount Plan, Inc.'s Notice of Intent to Request Specified Confidential Classification and Request for Temporary Protective Order.

An additional copy of the Notice marked "stamp and return" is enclosed. Please mark it to indicate that the original has been filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

ACK \_\_\_\_\_

AEA \_\_\_\_\_  
APP ICaldwell

CAF 1

CMU 1

CTR \_\_\_\_\_

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OPC \_\_\_\_\_

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SEC 1

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Enclosures

Very truly yours,

HALIGMAN AND LOTTNER, P.C.

By: Dianne E. Perry  
Dianne E. Perry  
Secretary to: Canora T. Podd

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Telephone (202) 393-7800  
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DOCUMENT NUMBER - DATE

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FPSC - RECORDS, REPORTING



BDP to produce the documents requested. BDP filed its Opposition to the Motion to Compel on October 15, 1997.

3. On December 12, 1997, the Commission issued an order compelling BDP and other telecommunication companies to produce the documents requested by Citizens.

4. However, certain documents and information requested by Citizens are subject to protection, in that they are confidential and proprietary under § 364.183, Florida Statutes, Rule 25-22.006, Florida Administrative Code, and the rules governing discovery.

5. In addition, certain documents include customer specific account information, which BDP is prohibited from disclosing except pursuant to, among other things, court order, by § 364.24, Florida Statutes. In its December 12, 1997 Order, the Commission ordered BDP and other telecommunication companies to produce such information but specified that such companies may file requests for confidentiality to protect the information from public disclosure in keeping with the intent of § 364.24/ (2), Florida Statutes.

6. Specifically, BDP documents being produced and bearing Bates Stamp Nos. 000001 through 000322 contain customer specific account information subject to confidentiality protection under § 364.183(1), Florida Statutes, as specified in the Commission order dated December 12, 1997. Further, BDP documents being produced and bearing Bates Stamp Nos. 000349 through 000350 and 000353 through 000354 contain confidential and proprietary business information which is protected under 364.183, Florida Statutes.

7. If the Citizens inform BDP that they intend to use any of the confidential and/or proprietary documents and/or documents which contain customer specific account information, BDP will file a motion for permanent protective order in which it will address each of the


documents, for which protection is sought with specificity in accordance with rule 25-22.006,  
Florida Administrative Code,

WHEREFORE, BDP requests that the Commission enter a temporary protective order  
exempting the above-described documents encompassed by the Citizens First Request for  
Production of Documents from § 119.07, Florida Statutes.

Dated this 24th day of December, 1997.

Respectfully submitted,

BUSINESS DISCOUNT PLAN, INC.

By: 

Michael L. Glaser #13681

Canora T. Podd #27578

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**CERTIFICATE OF SERVICE**

**Docket No. 970882-TL**

I HEREBY CERTIFY that a copy of Business Discount Plan, Inc.'s Notice of Intent to Request Specified Confidential Classification and Request for Temporary Protective Order has been furnished by U.S. Mail or hand-delivery to the following parties on this 24th day of December, 1997.

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Dianne E. Perry