

ORIGINAL

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January 30, 2007

BY HAND DELIVERY

RECEIVED-FPSC
07 JAN 30 PM 12:49
COMMISSION CLERK

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: **Request for Confidential Classification,**
PSC Docket No. 060763-TL

Dear Ms. Bayó:

Pursuant to Rule 25-22.006, Florida Administrative Code, enclosed for filing is Treviso Bay Development's **Request for Confidential Classification** and Treatment of certain documents that are being furnished to the parties to this docket (i.e., the Commission Staff and Embarq) as part of Treviso Bay's responses to the Commission Staff's discovery. The information for which confidential treatment is requested satisfies the requirements of the Commission's rules and applicable statutes, and the Commission should accordingly grant Treviso Bay's request.

CMP
COM
CTR An unredacted, highlighted copy of the subject documents that contain confidential information are submitted in the attached red envelope. Pursuant to the Commission's rules, two copies of the redacted documents are being filed with Treviso Bay's request, along with the justification matrix explaining the grounds for the requested confidential protection.
ECR
GCL
OPC
RCA
SCR
SGA
SEC
OTH *Law records*

This confidentiality request was filed by or for a "telco" for DN 00955-07 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.

RECEIVED & FILED

Mur

DOCUMENT NUMBER-DATE
00954 JAN 30 07
FPSC-COMMISSION CLERK

As always, my thanks to you and your professional staff for their kind and courteous assistance. If you have any questions, please give me a call at 850/222-7206.

Cordially yours,



Robert Scheffel Wright

YOUNG VAN ASSENDERP, P.A.

Attorneys for Treviso Bay Development, LLC

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for waiver of carrier)	
of last resort obligations for)	Docket No. 060763-TL
multitenant property in Collier)	
County known as Treviso Bay,)	Filed: January 30, 2007
by Embarq Florida, Inc.)	
_____)	

TREVISO BAY DEVELOPMENT, LLC'S THIRD REQUEST FOR CONFIDENTIAL CLASSIFICATION AND TREATMENT

Treviso Bay Development, LLC ("Treviso Bay"), pursuant to Rule 25-22.006, Florida Administrative Code ("F.A.C."), and Section 364.183(1), Florida Statutes (2006), hereby files this request for confidential classification and treatment of certain documents that are being furnished to the parties to this docket (i.e., the Commission Staff and Embarq) as part of Treviso Bay's responses to the Commission Staff's discovery. The information for which confidential treatment is requested satisfies the requirements of the Commission's rules and applicable statutes, and the Commission should accordingly grant Treviso Bay's request.

1. The information for which confidential treatment is requested concerns certain proprietary, confidential business information related to: the pricing and business arrangements between Treviso Bay and Devcon Security Services Corp.; Treviso Bay's projected development schedule; and business negotiations, including drafts of possible agreements, between Treviso Bay and Sprint/Embarq.

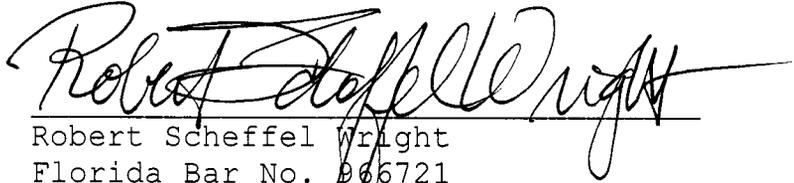
2. The information for which confidential treatment is requested is highlighted on the following numbered pages of Treviso Bay's responses to the Commission Staff's First Request for Production of Documents: 1079-1080, 1082, 1126-1132, 1136-1146, 1147, 1149-1150, 1153-1163, 1174-1182, and 1189.

3. Redacted copies of the above-identified pages are attached to this Request for Confidential Classification and Treatment. Unredacted copies of the subject documents, showing the confidential information highlighted with yellow highlighting marker, are attached, in a red envelope, to the Request that is being filed with the Office of the Commission Clerk and to Embarq's service copy hereof.

4. The information for which confidential treatment is requested is treated by Treviso Bay or Embarq, as indicated, as private and confidential and has not been disclosed to any other parties. The subject information includes confidential, proprietary business information relating to: the pricing and business arrangements between Treviso Bay and Devcon Security Services Corp.; Treviso Bay's projected development schedule; and business negotiations, including drafts of possible agreements, between Treviso Bay and Sprint/Embarq. Detailed justification for the confidential classification and treatment of the highlighted information is provided on Attachment A to this Third Request for Confidential Classification and Treatment.

WHEREFORE, Treviso Bay Development, LLC respectfully requests that the Florida Public Service Commission grant Treviso Bay's Request for Confidential Classification and Treatment as prayed herein.

Respectfully submitted this 30th day of January, 2007.



Robert Scheffel Wright
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John T. LaVia, III
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swright@yvlaw.net

Attorneys for Treviso Bay
Development, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery on this 30th day of January, 2007, to the following:

Beth Salak
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Patrick K. Wiggins, Esquire
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Rick Moses
Florida Public Service Commission
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2540 Shumard Oak Boulevard
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Susan S. Masterton, Esquire
Embarq
1313 Blair Stone Road
Tallahassee, Florida 32301


Attorney

**ATTACHMENT A-TREVISO BAY'S THIRD REQUEST FOR
CONFIDENTIAL CLASSIFICATION**

Document Page & Line Numbers

Justification for Confidential Classification

Master Monitoring Agreement between
Treviso Bay and Devcon Security Services

Pages 1079-1080 & 1082

The redacted information reflects proprietary business information the competitively negotiated business arrangements between Treviso Bay and Devcon, the disclosure of which would be adverse to the competitive business interests of both Treviso Bay and Devcon.

Draft Agreements for Marketing Services

Pages 1126-1132, 1136-1146, 1153-1163,
and 1174-1182

The redacted information reflects proprietary and restricted proprietary business information concerning Sprint's and Embarq's proposed marketing agreements, designated as restricted proprietary information by Sprint and Embarq. Accordingly, Treviso Bay believes that the disclosure of the subject information would be adverse to Embarq's competitive business interests.

Page 1147

The redacted information reflects proposed terms of a marketing agreement that was proposed to Treviso Bay by Sprint, the disclosure of which would be adverse to Embarq's competitive business interests.

Mutual Nondisclosure Agreement

Pages 1149-1150

The redacted information reflects a proposed form of nondisclosure agreement proffered by Sprint in connection with its proposed marketing agreement. The subject Mutual Nondisclosure Agreement is designated as "Sprint Proprietary Information," so Treviso Bay believes that the disclosure of the subject information would be adverse to Embarq's competitive business interests.

Document Page & Line Numbers

Justification for Confidential Classification

E-mail between Treviso Bay and Sprint

Page 1189

The redacted information reflects: (a) Treviso Bay's projected construction schedule, the disclosure of which would be adverse to Treviso Bay's competitive interests; and (b) a certain economic term of a proposal that was proffered to Treviso Bay by Sprint, the disclosure of which Treviso Bay believes would be adverse to Embarq's competitive interests.

ATTACHMENT A-TREVISO BAY'S THIRD REQUEST FOR CONFIDENTIAL CLASSIFICATION

Document Page & Line Numbers

Justification for Confidential Classification

Master Monitoring Agreement between Treviso Bay and Devcon Security Services

Pages 1079, lines 12, 18, 30, and 35; page 1080,
lines 11, 31-32, 41, and 43-44; and page 1082,
lines 5 and 8

The redacted information reflects proprietary business information the competitively negotiated business arrangements between Treviso Bay and Devcon, the disclosure of which would be adverse to the competitive business interests of both Treviso Bay and Devcon.

Draft Agreements for Marketing Services

Pages 1126-1132, 1136-1146, 1153-1163,
and 1174-1182 (all material except headers and
and footers)

The redacted information reflects proprietary and restricted proprietary business information concerning Sprint's and Embarq's proposed marketing agreements, designated as restricted proprietary information by Sprint and Embarq. Accordingly, Treviso Bay believes that the disclosure of the subject information would be adverse to Embarq's competitive business interests.

Page 1147, lines 21-25, 27-28, and 31

The redacted information reflects proposed terms of a marketing agreement that was proposed to Treviso Bay by Sprint, the disclosure of which would be adverse to Embarq's competitive business interests.

Document Page & Line Numbers

Justification for Confidential Classification

Mutual Nondisclosure Agreement

Pages 1149-1150 (all material except headers and footers)

The redacted information reflects a proposed form of nondisclosure agreement proffered by Sprint in connection with its proposed marketing agreement. The subject Mutual Nondisclosure Agreement is designated as "Sprint Proprietary Information," so Treviso Bay believes that the disclosure of the subject information would be adverse to Embarq's competitive business interests.

E-mail between Treviso Bay and Sprint

Page 1189, lines 14, 17-23, and 28

The redacted information reflects: (a) Treviso Bay's projected construction schedule, the disclosure of which would be adverse to Treviso Bay's competitive interests; and (b) certain economic terms of a proposal that was proffered to Treviso Bay by Sprint, the disclosure of which Treviso Bay believes would be adverse to Embarq's competitive interests.

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: 1/30/07
TO: WRIGHT / Young van Assenorp
FROM: M SANDERS, Division of the Commission Clerk &
Administrative Services
RE: **Acknowledgment of Receipt of Confidential Filing**

00955-07

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket No. 0607163-TL or (if filed in an undocketed matter) concerning TREVISO Bay's Responsive DNS Bate pgs 1078-1086, and filed on behalf of TREVISO BAY + 1123-1138. The document will be maintained in locked storage.

Any questions regarding this matter should be directed to Marguerite Lockard at (850) 413-6770.

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