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April 15, 2009

**CONFIDENTIAL DOCUMENTS ENCLOSED**

**VIA HAND DELIVERY**

Ms. Ann Cole, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
09 APR 15 PM 3:18  
COMMISSION  
CLERK

090000-07

Re: **CLAIM OF CONFIDENTIALITY:**  
Northeast Florida Telephone Company's Response to 2009 Local Competition Report  
Data Request

Dear Ms. Cole:

Pursuant to Section 364.183(1), Florida Statutes, and Rule 25-22.006(5)(a), Florida  
Administrative Code, Northeast Florida Telephone Company ("Northeast Florida") hereby claims  
confidential treatment for certain portions of its Response to the 2009 Local Competition Report  
Data Request ("Response").

Enclosed herewith are the following attachments:

COM \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL   1    
OPC \_\_\_\_\_  
RCP \_\_\_\_\_  
SSC \_\_\_\_\_  
SGA   1    
ADM \_\_\_\_\_  
CLK   1  

- (1) Attachment "A" - two copies of Northeast Florida's Response with the specific information claimed to be confidential redacted; and
- (2) Attachment "B" - a sealed envelope marked "CONFIDENTIAL" containing:
  - (a) Northeast Florida's complete unedited Response in electronic format; and
  - (b) Northeast Florida's Response with the specific information claimed to be confidential highlighted in yellow

This claim of confidentiality was filed by or on behalf of a "telco" for Confidential DN 03422-09. The document is in locked storage pending advise on handling. To access the material, your name must be on the CASR. If undocketed, your division director must provide written permission before you can access it.

DOCUMENT NUMBER-DATE

03421 APR 15 08

FPSC-COMMISSION CLERK

Northeast Florida asserts that the portions of its Response described below contain proprietary confidential business information regarding the business plans of both Northeast Florida and its affiliate, NEFCOM Communications. The services addressed in the Response are local services and advanced services. Northeast Florida and its affiliate, NEFCOM Communications, are currently experiencing competition from other service providers with respect to such services within Northeast Florida's service territory.

Pursuant to Section 364.183(1), Florida Statutes, upon the filing of Northeast Florida's claim that such information is proprietary confidential business information, such information shall be kept confidential and shall be exempt from Section 119.07(1) and Section 24(a), Art. I of the State Constitution. The specific portions of the Response Northeast Florida claims as proprietary confidential business information are as follows:

- 1) Question No. 4-Prepaid Service: Disclosure of Northeast Florida's response to this item would provide Northeast Florida's competitors with proprietary confidential information regarding Northeast Florida's involvement in the highly competitive market of prepaid service. This type of proprietary confidential business information is not made public under any other circumstances.
- 2) Question Nos. 5 & 6 - VoIP: Disclosure of Northeast Florida's response to this item would provide Northeast Florida's competitors with proprietary confidential information regarding Northeast Florida's involvement in the highly competitive market of the provision of VoIP. This type of proprietary confidential business information is not made public under any other circumstances.
- 3) Question Nos. 7 – 11 - Broadband: Disclosure of Northeast Florida's response to this item would provide Northeast Florida's competitors with proprietary confidential business information regarding Northeast Florida's involvement in the market for broadband services within Northeast Florida's service territory. This type of proprietary confidential business information is not made public under any other circumstances.
- 4) Question Nos. 13 -15 - Fiber Deployment: Disclosure of Northeast Florida's response to this item would provide Northeast Florida's competitors with proprietary confidential business information regarding Northeast Florida's involvement in the market for fiber deployment within Northeast Florida's service territory. This type of proprietary confidential business information is not made public under any other circumstances.
- 5) Question Nos. 17 & 18 – Video Services: Disclosure of Northeast Florida's response to this item would provide Northeast Florida's competitors with proprietary confidential business information regarding Northeast Florida's involvement in the market for video services within Northeast Florida's service territory. This type of proprietary confidential business information is not made public under any other circumstances.

- 6) Table 1: The information provided in Table 1 consists of competitively sensitive information related to Northeast Florida's access lines. This information differs from Northeast Florida's response to Question 1 in that the numbers in Table 1 provide the access line data down to the exchange level. Such information is considered by Northeast Florida to be proprietary confidential business information.

Table 2: Northeast Florida is not authorized under its agreements with CLECs to publicly disclose the information requested in Table 2. Accordingly, the information contained in Table 2 is considered by Northeast Florida to be proprietary confidential business information.

Tables 3 & 4: The information provided in Tables 3 & 4 consists of detailed access line information that is considered by Northeast Florida to be proprietary confidential business information.

Table 5: The information provided in Table 5 consists of detailed VoIP information that Northeast Florida considers proprietary and confidential.

- 7) FCC Form 477: Northeast Florida's responses to FCC Form 477 contain proprietary confidential information that is treated as confidential by the FCC and should also be treated as confidential by the Florida Public Service Commission.

A copy of this letter, along with a public copy of Northeast Florida's Response have been hand delivered to Beth Salak, Division of Competitive Markets & Enforcement, concurrent with this filing.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me. Thank you for your assistance with this filing.

Sincerely,



Martin P. McDonnell

Enclosures

cc: Ms. Beth Salak w/ Public Enclosure

COMMISSIONERS:  
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LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
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STATE OF FLORIDA



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

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: April 16, 2009

TO: Martin P. McDonnell, Rutledge Law Firm

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 090000 or, if filed in an undocketed matter, concerning response to 2009 Local Competition Report Data Request, and filed on behalf of Northeast Florida Telephone Company. 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

03422 APR 15 08

FPSC - COMMISSION CLERK

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