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October 15, 1997

BY HAND DELIVERY

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

Re: Docket No. ~~970002~~-TI

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of ALLTEL Florida, Inc.'s Motion for Temporary Protective Order.

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

Thank you for your assistance in this matter.

Sincerely,

J. Jeffrey Wahlen

- ACK _____
- AFA _____
- APP Callwell
- CAF 2
- CMU _____
- CTR _____
- EAG Enclosures
- LEG FYI
- LIN 5
- OFF _____
- RE 1
- SA 1
- WAS _____
- OTH _____

cc: All parties of record

all/970882.byo

DOCUMENT NUMBER-DATE
10589 OCT 15 1997
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Robert A.)
Butterworth, Attorney General, and the)
Citizens of the State of Florida by and)
through the Office of Public Counsel,)
for initiation of formal proceedings)
pursuant to Section 120.57(1), Florida)
Statutes, to investigate the practice)
of "slamming," i.e., the unauthorized)
change of a customer's presubscribed)
carrier, and to determine the)
appropriate remedial measures)
_____)

DOCKET NO. 970882-TI
Filed: October 15, 1997

**ALLTEL FLORIDA, INC.'S MOTION FOR
TEMPORARY PROTECTIVE ORDER**

Pursuant to Rules 25-22.034 and 25-22.006(6)(c), Florida Administrative Code, ALLTEL Florida, Inc. ("ALLTEL"), by and through its undersigned counsel, requests that the Florida Public Service Commission enter a temporary protective order covering certain information to be produced in response to the Citizen's First Request for Production of Documents to ALLTEL ("First POD"), and states:

1. Citizens' First POD was served by mail on September 10, 1997. Therein, the Office of Public Counsel requests ALLTEL to produce certain documents, some of which reflect customer names, addresses and telephone numbers. ALLTEL believes that such information is confidential and should not be disclosed to the public. See Fla. Stat. §§ 364.24 and 119.07(3)(r) (1995). Indeed, customer names, addresses and telephone numbers are specifically exempt from Florida's Public Records Act. See Fla. Stat. § 119.07(3)(r) (1995).

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SPSC-RECORDS/REPORTING

2. Public Counsel has indicated its desire to have certain of the materials and information it has designated made available so that it may more closely review certain materials and information provided over a longer period of time and to be provided with copies of certain documents for review to its consultants.

3. One objective of this review would be to reduce the volume of materials and information actually taken by Public Counsel and, ultimately, the volume of proprietary confidential materials and information that will be needed as evidence or supporting documentation in this Docket. This review, in the Company's opinion, has the potential to significantly reduce the volume of material and information for which final proprietary confidential treatment must eventually be requested.

4. By this Motion, ALLTEL requests that the materials and information identified as confidential and made available for inspection by Public Counsel in response to the First POD be granted the protection of an Temporary Protective Order as provided for by Rule 25-22.006(5)(c), Florida Administrative Code. A Temporary Protective Order will temporarily exempt the confidential documents from the disclosure requirements of the Public Records Act and protect the materials and information from public disclosure until Public Counsel, his employees, agents, consultants, expert witnesses and others acting on his behalf complete Public Counsel's review of the materials and information.

5. Production Procedures. For purposes of this motion and the resulting Temporary Protective Order, the following production

procedures shall apply:

- A. All documents that reflect customer names, addresses and telephone numbers shall be stamped conspicuously with the word "confidential" and numbered for control. The portion of a document reflecting customer names, addresses and telephone numbers shall be highlight with a yellow marker.
- B. Documents stamped "confidential" shall be numbered and segregated from the non-confidential documents, and shall be sent to the Office of Public Counsel in an envelope marked "confidential" on the front.
- C. The Office of Public Counsel shall exercise reasonable care to prevent the disclosure of documents stamped "confidential" during its review of such documents.
- D. Within a reasonable time before the final hearing in this case, the Office of Public Counsel will notify counsel for ALLTEL of its intent to use some or all of the confidential documents provided by ALLTEL, so that ALLTEL can prepare and file a request for confidential classification and/or motion for permanent protective order in an timely manner.
- E. ALLTEL and the Office of Public Counsel shall cooperate in good faith to minimize the amount of confidential material to be used at the Final Hearing in this case.
- F. Public Counsel's attorneys, employees, agents, consultants, expert witnesses and other persons acting on behalf of Public Counsel may review all documents or

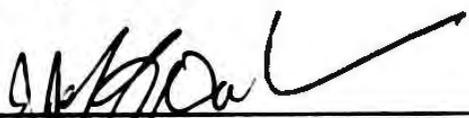
answers stamped confidential. Such persons shall not disclose the contents of any document stamped confidential to anyone other than Public Counsel's attorneys, employees, agents, expert witnesses and other persons acting on behalf of Public Counsel without the prior written consent of ALLTEL.

6. ALLTEL anticipates that the procedures outlined in this motion will greatly reduce the volume of materials for which proprietary confidential treatment must ultimately be sought. The alternative to this approach entails lengthy, but ultimately needless, review by the parties and by the Commission of materials which Public Counsel does not find necessary for its purposes in this Docket.

7. Nothing in this Motion is intended to, nor shall it create a precedent as to the confidentiality of any of the material sought to be protected, nor is it intended to preclude any party from challenging ALLTEL's claim of proprietary confidential treatment for any material or information when the Company files its final Request for Confidential Classification.

WHEREFORE, ALLTEL moves for a Temporary Protective Order covering materials produced by it in response to Citizens' First POD in this docket.

259211
DATED this 15th day of October, 1997.



LEE L. WILKIES and
J. JEFFRY WARLEN
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P. O. Box 391
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(850) 224-9115

ATTORNEYS FOR ALLTEL FLORIDA, INC.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail or hand delivery (*) this 15th day of October, 1997, to the following:

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Director of Communications
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