

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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| In re: Proposed Tariff Filing by |) | DOCKET NO. 890505-TL |
| Southern Bell Telephone and Telegraph |) | |
| Company to restructure and reprice |) | ORDER NO. 24701 |
| private line and special access services |) | |
| and to waive nonrecurring charges for |) | ISSUED: 6/24/91 |
| high capacity services. |) | |
| |) | |

ORDER ACKNOWLEDGING WITHDRAWAL OF
SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S
REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION
OF AND A PROTECTIVE ORDER FOR CERTAIN PORTIONS OF
THE MATERIAL CONTAINED IN DOCUMENT NO. 3459-90

Pursuant to Order No. 22489 the Prehearing Officer required Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) to produce information regarding the elasticity of demand for its private line and special access services in its three other states and in its interstate jurisdiction. In that Order, the Prehearing Officer found that such information had relevance to this proceeding because it could shed light on the Company's decision not to include the elasticity of demand factor in its private line and special access tariff filing. The Prehearing Officer found that no in camera inspection was necessary to come to such conclusion.

Subsequently, on February 12, 1990, Southern Bell filed a Motion for Reconsideration of the portion of Order No. 22489 finding relevant the information regarding the price elasticity of demand for its private line and special access services in the other three Southern Bell states and in its interstate jurisdiction and requiring the Company to produce such information. By Order No. 22909, issued May 8, 1990, the full Commission denied Southern Bell's Motion for Reconsideration of Order No. 22489. Therefore, on April 23, 1990, Southern Bell filed a Motion for Protective Order for the information it was producing. Although not styled a request for specified confidential classification, the substance of the pleading goes to such a request.

Subsequently, on June 3, 1991, Southern Bell filed its Withdrawal of Motion for Protective Order for this information and has requested that these documents be returned to the Company. This action, the Company states, is based on the fact that the Office of Public Counsel has determined it does not require this information in this proceeding. Accordingly, we find it appropriate to acknowledge Southern Bell's withdrawal of its motion

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for protective order regarding portions of the information in Document No. 3459-90. These documents shall remain protected and shall be returned to the Company.

Based on the foregoing, it is, therefore,

ORDERED by Commissioner Gerald L. Gunter, as Prehearing Officer, that Southern Bell Telephone and Telegraph Company's withdrawal of its motion for protective order for certain portions of the information contained in Document No. 3459-90 is hereby acknowledged. It is further

ORDERED that these documents shall remain protected and shall be returned to Southern Bell Telephone and Telegraph Company.

By ORDER of Commissioner Gerald L. Gunter, as Prehearing Officer, this 24th day of JUNE, 1991.



GERALD L. GUNTER, Commissioner
and Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration from the full Commission within 14 days pursuant to Rule 25-22.006(3), Florida Administrative Code, for rulings on confidentiality issued by a Prehearing Officer; 2) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, for any rulings on issues other than confidentiality if issued by a Prehearing Officer; 3) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 4) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.