

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to	)	
introduce extended calling service	)	
(ECS) plan which allows the conversion	)	DOCKET NO. 910179-TL
of intraLATA toll routes between	)	
exchanges of Tampa, Clearwater, Tarpon	)	ORDER NO. 24907
Springs and St. Petersburg to 7-digit	)	
local measured service by GTE FLORIDA	)	ISSUED: 8/12/91
INCORPORATED	)	
	)	

ORDER GRANTING TEMPORARY PROTECTIVE ORDER  
FOR DOCUMENTS RESPONSIVE TO CITIZENS' FIRST  
REQUEST FOR PRODUCTION OF DOCUMENTS

On June 3, 1991, the Office of Public Counsel (Public Counsel) delivered its First Request for Production of Documents to GTE Florida Incorporated (GTEFL or the Company). On July 8, 1991, GTEFL submitted its Response and Objections to Public Counsel and a Motion for Temporary Protective Order pursuant to Section 364.183, Florida Statutes. GTEFL requests confidentiality until such time as Public Counsel notifies the Company of which of the documents containing alleged proprietary business information Public Counsel intends to use at the hearing. At that time, GTEFL will file a detailed Motion for Permanent Confidential Classification.

In support of its Motion for Temporary Protective Order, GTEFL asserts that some of the documents responsive to Public Counsel's discovery request contain proprietary confidential business information which should not be disclosed, pursuant to Section 364.183, Florida Statutes, and 25-22.006(5)(c), Florida Administrative Code. Specifically, GTEFL asserts that the documents encompass certain network usage data on specific toll routes which is a trade secret and represents commercially valuable information to competitors. The response also contains strategic planning information which is arranged in such a manner as to be of substantial interest to competitors.

Upon review of the Company's Motion for Temporary Protective Order, we find that the documents responsive to Public Counsel's First Request for Production of Documents are entitled to temporary confidential treatment. We are persuaded that the documents in question may contain information that would be entitled to confidential classification pursuant to Section 364.183, Florida Statutes and 25-22.006, Florida Administrative Code. Accordingly, we find it appropriate to grant GTEFL's Motion for Temporary Protective Order. This Temporary Protective Order shall expire on

DOCUMENT NUMBER-DATE

08092 AUG 12 1991

155-RECORDS/REPORTING

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September 2, 1991, and shall have no effect whatsoever on any subsequent determination of any request for confidential classification for any of these materials and information.

By August 23, 1991, Public Counsel shall identify from the documents covered by this Temporary Protective Order those which it intends to utilize at the hearing. GTEFL shall file any Request for Specified Confidential Classification that it intends to file for such documents no later than September 2, 1991.

Based on the foregoing, it is, therefore,

ORDERED by Commissioner Betty Easley, as Prehearing Officer, that the Motion for Temporary Protective Order is hereby granted pursuant to our authority in Section 364.183, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. It is further

ORDERED that the documents specified herein shall be kept confidential and be exempt from public disclosure pursuant to 119.07 (1), Florida Statutes, for the duration of this Temporary Protective Order. It is further

ORDERED that when the Office of Public Counsel has completed its examination of the documents, it shall identify for GTE Florida Incorporated those that it intends to use in this proceeding which are covered by this Temporary Protective Order by August 23, 1991. It is further

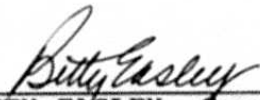
ORDERED that GTE Florida Incorporated shall then file any request for confidential classification that it intends to file for such documents by September 2, 1991. It is further

ORDERED that this Temporary Protective Order shall expire on September 2, 1991. It is further

ORDERED that this Temporary Protective Order shall have no effect whatsoever on the subsequent determination of any request for confidential classification for any of these materials or information.

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By ORDER of Commissioner Betty Easley, as Prehearing Officer,  
this 12th day of AUGUST, 1991.

  
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BETTY EASLEY, Commissioner and  
Prehearing Officer

( S E A L )

ABG/JLH

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 within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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

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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.