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FILED IN AND REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re:)
)
Flow-Through of 1998 LEC)
Switched Access Reductions by IXCs,)
pursuant to Section 364.163(6),)
Florida Statutes.)
)
_____)

Docket No. 980459-TP

Filed: 10/02/98

AT&T'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF PROPRIETARY DATA

COMES NOW AT&T Communications of the Southern States, Inc. ("AT&T") and hereby requests confidential classification of certain data required by the Public Service Commission ("Commission"). The data constitutes proprietary confidential business information of AT&T pursuant to Section 364.183, Florida Statutes, and should therefore be afforded confidential classification pursuant to Rule 25-22.006, Florida Administrative Code. In support, AT&T shows as follows:

I. Summary of Confidential Information

Pursuant to Section 364.163(6), Florida Statutes, as amended, GTE Florida and Sprint-Florida are required to reduce switched access charges by 10 percent on October 1, 1998, and interexchange telephone companies ("IXCS") whose switched access rate is reduced as a result are required to reduce long distance customer rates. Order No. PSC-98-0795-FOF-TP issued in the above-referenced docket, requires all affected IXCs to file their tariffs and supporting documentation no later than September 30, 1998, with an

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DOCUMENT NUMBER-DATE

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October 1, 1998, effective date. All tariff filings of affected IXCs shall include a calculation of the dollar benefit associated with the switched access rate reductions, separate demonstrations that residence and business long distance rates have been reduced and the estimated annualized revenue effect, residence versus business, including a description of how those estimates were made, a demonstration that any reduction to intraLATA toll rates is equal to or less than the switched access rate reduction percentage and a demonstration that all reductions have been flowed-through.

In response to that ruling, enclosed is Confidential Exhibit A. Portions of the data contained in this attachment constitute proprietary confidential business information pursuant to Section 364.183, Florida Statutes, and consequently, AT&T hereby requests that said information be afforded confidential treatment. The information for which confidentiality is sought is found in the exhibit as follows:

Page 1, Lines 1(a) and 1(b)

Page 1, Column A, Lines 3-21

Page 1, Column B, Lines 3-21

Page 2, Column A, Lines 1-4

Page 2, Column B, Lines 1-4

II. Justification for Confidential Classification

In accordance with Sections 350.121 and 364.183, Florida Statutes, as well as Rule 25-22.006, Florida Administrative Code, the previously described information should be classified as confidential information and afforded appropriate protection from

public disclosure. The material relates to the competitive activities of AT&T and provides specific information, not otherwise available to AT&T's competitors, regarding AT&T's Florida intrastate traffic volumes.

(1) Page 1, Lines (a) and (b):

Line 1(a) of Page 1 shows the total intraLATA dollar reduction made by AT&T, while Line 1(b) shows the AT&T's total intraLATA revenue. Taken together, and in conjunction with future filings, this information will allow competitors to track AT&T's intraLATA market share, including growth or reduction of such share. Such competitive intelligence would allow AT&T's competitors to target high-volume growth segments of AT&T's market share. The Florida intraLATA market is intensely competitive, with numerous new firms entering the market and existing firms increasing marketing efforts and offering new services in order to attract customers from other providers, such that public disclosure of this information would put AT&T's competitors at an unfair competitive advantage in the intrastate interexchange market and would unfairly disadvantage AT&T in its efforts to compete with other carriers in Florida.

The above-referenced information constitutes proprietary confidential business information which must be protected from public disclosure pursuant to Section 364.183, Florida Statutes. Such information constitutes "trade secrets" pursuant to Section 364.183(3)(a), Florida Statutes, and also constitutes information "relating to competitive interests, the disclosure of which would impair the competitive business" of AT&T pursuant to Section 364.183(3)(e), Florida Statutes. This information is intended to be and is treated by AT&T as private and confidential in nature and is not disclosed to persons outside of AT&T except under limited circumstances in which the confidentiality

of the information can be protected. AT&T derives independent economic value from such information not generally being known, and AT&T's competitors could obtain economic value from the disclosure and use of such information.

(2) Page 1, Column A, Lines 3 - 21

The information found on Page 1, Lines 3 - 21, Column A, labeled "# Intrastate Conversation Minutes of Use (M)" shows the number of intrastate switched conversation minutes of use carried by AT&T, listed separately for each type of long distance service shown. These minutes relate to a period in which the Florida intrastate interexchange market has been intensely competitive, as stated above. Public disclosure of the data found in Column A of Lines 3 - 21 would provide AT&T's competitors with a road map to determine the success or failure of their efforts in a given year. Using such information, AT&T's competitors could then develop future marketing plans based on the successes or failures of the past. Such information, however, would not be available to AT&T with respect to the past activities of its competitors. Consequently, public disclosure of AT&T's information would put AT&T's competitors at an unfair competitive advantage in the intrastate interexchange market and would unfairly disadvantage AT&T in its efforts to compete with other carriers in Florida.

The above-referenced information constitutes proprietary confidential business information which must be protected from public disclosure pursuant to Section 364.183, Florida Statutes. Such information constitutes "trade secrets" pursuant to Section 364.183(3)(a), Florida Statutes, and also constitutes information "relating to competitive interests, the disclosure of which would impair the competitive business " of AT&T pursuant to Section 364.183(3)(e), Florida Statutes. This information is intended to be

and is treated by AT&T as private and confidential in nature and is not disclosed to persons outside of AT&T except under limited circumstances in which the confidentiality of the information can be protected. AT&T derives independent economic value from such information not generally being known, and AT&T's competitors could obtain economic value from the disclosure and use of such information.

(3) Page 1, Column B, Lines 3 - 21:

Column B, Lines 3 - 21, labeled "Change in IXC Rate," show how AT&T has allocated the required rate reductions. This information, when used as the denominator of the figures in Column C, Lines 3 - 21 (labeled "Rate Reduction (\$M)") would yield the figures shown in Column A, Lines 3 - 21. Therefore, these figures would allow rapid calculation of the number of intrastate switched conversation minutes of use carried by AT&T. For the reasons stated above, public disclosure of this data would provide AT&T's competitors with a road map to determine the success or failure of their efforts in a given year. Using such information, AT&T's competitors could then develop future marketing plans based on the successes or failures of the past. Such information, however, would not be available to AT&T with respect to the past activities of its competitors. Consequently, public disclosure of AT&T's information would put AT&T's competitors at an unfair competitive advantage in the intrastate interexchange market and would unfairly disadvantage AT&T in its efforts to compete with other carriers in Florida.

The above-referenced information constitutes proprietary confidential business information which must be protected from public disclosure pursuant to Section 364.183, Florida Statutes. Such information constitutes "trade secrets" pursuant to Section

364.183(3)(a) Florida Statutes, and also constitutes information "relating to competitive interests, the disclosure of which would impair the competitive business" of AT&T pursuant to Section 364.183(3)(c), Florida Statutes. This information is intended to be and is treated by AT&T as private and confidential in nature and is not disclosed to persons outside of AT&T except under limited circumstances in which the confidentiality of the information can be protected. AT&T derives independent economic value from such information not generally being known, and AT&T's competitors could obtain economic value from the disclosure and use of such information.

(4) Page 2, Column A, Lines 1 - 4:

Column A, Lines 1 - 4, labeled "Study Period # Intrastate Minutes" shows the number of intrastate switched conversation minutes of use carried by AT&T, categorized by LEC. In the case of GTE, the information is further categorized as to terminating and originating minutes. These minutes relate to a period in which the Florida intrastate interexchange market has been intensely competitive, as stated above. Public disclosure of this data would provide AT&T's competitors with a road map to determine the success or failure of their efforts in a given year. Using such information, AT&T's competitors could then develop future marketing plans based on the successes or failures of the past. Such information, however, would not be available to AT&T with respect to the past activities of its competitors. Consequently, public disclosure of AT&T's information would put AT&T's competitors at an unfair competitive advantage in the intrastate interexchange market and would unfairly disadvantage AT&T in its efforts to compete with other carriers in Florida.

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(5) Page 2, Column B, Lines 1 - 4:

The information in Column B, Lines 1 - 4, labeled "SW Access Savings (\$M)," shows the dollar amount of savings that results when the number of minutes shown in Column A is multiplied by the rate change for each LEC. Thus, this information, in conjunction with the rate change information, would yield the figures found in Column A, Lines 1 - 4. Therefore, these figures would allow rapid calculation of the number of intrastate switched conversation minutes carried by AT&T. These minutes relate to a period in which the Florida intrastate interexchange market has been intensely competitive, as stated above. Public disclosure of this would provide AT&T's competitors with a road map to determine the success or failure of their efforts in a given year. Using such information, AT&T's competitors could then develop future marketing plans based on the successes or failures of the past. Such information, however, would

not be available to AT&T with respect to the past activities of its competitors. Consequently, public disclosure of AT&T's information would put AT&T's competitors at an unfair competitive advantage in the intrastate interexchange market and would unfairly disadvantage AT&T in its efforts to compete with other carriers in Florida.

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III. Duration of Confidentiality

Because of the dynamic nature of competition in the State of Florida, AT&T is unable to provide a date by which the material contained in this response would no longer be proprietary and confidential.

IV. Return of Information

AT&T requests that this confidential information be returned to it after the Commission has verified compliance with Order No. PSC-98-0795-FOF-TP.

V. Request for Extension of Time

AT&T timely filed its flow-through tariffs on September 30, 1998, to be effective on October 1, 1998. AT&T was unable to file its supporting documentation at that time, however, due to the need to request confidential treatment of certain information in such documentation. AT&T, therefore, requests that the Commission extend the time for filing such supporting documentation by two days.

V. Conclusion

In accordance with the provisions of Rule 25-22.006, Florida Administrative Code, the requested information has been provided in two forms. Confidential Attachment A is a copy of the information on which the proprietary information has been highlighted and is submitted in a separate, sealed envelope labeled "Confidential Exhibit A." This version, which contains the complete information, should be classified as confidential information for the reasons set forth above. Public Exhibit A is a redacted version that contains the information in non-proprietary form. Copies of this version have been served on the parties of record to this docket.

Respectfully submitted this 2nd day of October, 1998.

A handwritten signature in black ink, appearing to read "MRule", written over a horizontal line.

Marsha Rule
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Tallahassee, FL 32301
850/425-6365

Attorney for AT&T
Communications of the
Southern States, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U. S. Mail on
Catherine Bedell this 2nd day of October, 1998.


Marsha E. Rule

FLORIDA IXC FLOW-THROUGH WORKSHEET

Name of IXC: AT&T

Study Period 1/98 - 12/98

Calculation of \$ Savings & Percent Reduction

<u>LEC</u>	<u>Rate Change</u>	Ⓐ <u>Study Period</u> <u># Intrastate Minutes</u>	Ⓑ <u>Sw Access Savings</u> <u>(\$M)</u>
1 GTE (Orig. CCL)	-\$0.004289		
2 GTE (Term. CCL)	-\$0.006645		
3 Sprint (Interconnection)	-\$0.005554		
4 Total Sw. Acc. Savings (Sum lines 1-3)			
5 Statewide intrastate long distance study period billable revenue			\$363,413,421
6 Required % reduction in IXC's FL intrastate long distance rates (line 4/line 5)			4.1%