

Marceil Morrell* Assistant Vice President &-Associate General Counsel-East Area

Anthony P. Gillman* Assistant General Counsel

Florida Region Counsel** Kimberly Caswell M. Eric Edgington Ernesto Mayor, Jr. Elizabeth Biemer Sanchez

Certified in Florida as Authorized House Course!
Losneed in Florida

GTE SERVICE CORPORATION

One Tampa City Center 201 North Franklin Street (33602) Post Office Box 110, FLTC0007 Tampa, Florida 33601-0110 813-483-2606 813-204-8870 (Facsimile)

November 16, 1998

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

Re: Undocketed Advanced Telecommunications Services

Dear Ms. Bayo:

Please find enclosed for filing an original and fifteen copies of GTE Florida Incorporated's Request for Confidential Classification (and a protective order for certain information) regarding its response to Question One of Staff's Data Request dated October 19, 1998 in connection with the above-referenced matter If there are any questions regarding this filing, please contact me at (813) 483-2617

CK Very truly yours FA AF Om Kimberly Caswell UMD CTR _____ KC:tas

LEG _____ LIN _____ DEC _____

RCH

NAS _____

TH _

Enclosures

A part of GTE Corporation

RECEIVED & FILED

DOCUMENT NUMBER-DATE

FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Staff's data request dated October 19, 1998 regarding Advanced Telecommunications Services Undocketed

Filed: November 16, 1998

GTE FLORIDA INCORPORATED'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Under Commission Rule 25-22.006, GTE Florida Incorporated (GTE) seeks confidential classification and a protective order for certain information included in its response to question one of the Staff's data request dated October 19, 1998. While a ruling on the Request is pending, GTE understands that the information at issue is exempt from Florida Statutes section 119.07(1) and Staff will accord it the stringent protection from disclosure required by Rule 25-22.006(3)(d). GTE is submitting a highlighted/unredacted copy labeled Exhibit A and two redacted copies of this confidential information labeled Exhibit B.

All of the information for which GTE seeks confidential treatment falls within Florida Statutes section 364.183(3)(e), which defines the term, "proprietary confidential business information," to include "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information." The document at issue reveals the number of subscribers GTE has for its ADSL service and the number of Internet service providers served by those subscribers. (These numbers appear in GTE's response to question 1, third paragraph, second line.) This information, if publicly disclosed would allow competitors to know how popular GTE's ADSL service is and how much demand there is for this service. These data would help competitors to tailor their

12778 NOV 16 S

marketing, entry and expansion plans to ensure their success without the trial and error that is the hallmark of an openly competitive marketplace. It is, moreover, unfair to allow competitors to use, free of charge, the marketing intelligence GTE has developed at substantial cost.

In a competitive business, any knowledge obtained about a competitor can be used to the detriment of the entity to which it pertains, often in ways that cannot be fully anticipated. This unfair advantage skews the operation of the market, to the ultimate detriment of the telecommunications consumer.

Respectfully submitted on November 16, 1998

Kimberly Caswell-Post Office Box 110, FLTC0007 Tampa, Florida 33601 Telephone: 813/483-2617

Attorney for GTE Florida Incorporated

REDACTED

Florida Public Service Commission Staff's Data Request Regarding Advanced Telecommunications Services

Please outline your current deployment of advanced, high-speed data services targeted towards the residential and small business market (e.g., cable modems, xDSL services, etc.). Include both intrastate and interstate services, the exchanges in which the service or services are currently available, exchanges where the services will be available within the next year, the number of subscribers, and recurring and nonrecurring charges for the service(s). If no intrastate services are being offered, please explain why not.

Response:

GTE Florida offers ADSL service through its Federal Tariff, GTOC Tariff FCC No. 1. Per the FCC's recent ADSL Order,¹ GTE's ADSL service "is an interstate service and is properly tariffed at the federal level."

GTE Florida is not aware of any demand in Florida for a purely intrastate ADSL service. As GTE made clear in proceedings before the FCC, if there is a demand for ADSL service where the customer is not providing Internet (or other interstate) connectivity, GTE will work with such customers in order to provide service in accordance with the governing jurisdiction's tariff rules.

GTE began offering ADSL service May 31, 1998. As of November 1, 1998 GTE had subscribers with ISPs. Attached is a copy of GTE's GTOC Tariff FCC No. 1 for ADSL service. The GTOC lists the offices in which ADSL is available and provides the terms, conditions and prices of the service.

 Please describe other services that would constitute "advanced services" under Sec. 706 of the Telecommunications Act of 1996. Include intrastate and interstate services both currently offered and planned for deployment within the next year.

Response:

l.

While the FCC has determined that ADSL service constitutes an "advanced service" within the meaning of Section 706 of the 1996 Act,² other digital

CONFIDENTIAL

In the Matter of GTE Telephone Operating Companies, GTOC Tariff No. 1, GTOC Transmittal No. 1148, CC Docket No. 98-79, Memorandum Opinio... and Order, FCC 98-292 (released October 30, 1998) ("ADSL Order").

In the Matters of Deployment of Wireline Services Offering Advanced telecommunications Capability, et al., CC Docket No. 98-147, Memorandum Opinion and Order and Notice of Proposed Rulemaking, FCC 98-188 (released August 7, 1998) ("Advanced Services Order and NPRM"), at ¶ 3 & n 5.