



Charles J. Rehwinkel
Senior Attorney

RECEIVED FPSC
Law/External Affairs
Post Office Box 2214
Tallahassee, Florida 32305-2214
Mailstop FTLH00107
Voice 850.847.0244
Fax 850.847.0244
charles.j.rehwinkel@mail.sprint.com
OCT 5 PM 3:05
RECORDS AND REPORTING

Via Hand Delivery

October 5, 2000

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

Re: Request by Sprint – Florida, Incorporated for Confidentiality of the October 4, 2000 explanatory supplement to Sprint’s FCC Compliance Proposal; Docket No. 991222-TP.

Dear Ms. Bayó:

Enclosed for filing are the original and seven (7) copies of Sprint Communications Company Limited Partnership’s (Sprint) Request, Pursuant to Section 364.183(1), Florida Statutes, for Confidential Classification of the October 4, 2000 explanatory supplement to Sprint’s FCC Compliance Proposal.

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

Sincerely,

Charles J. Rehwinkel

CJR/th
Enclosures

(See DNs 10946-00
11319-00)

This confidentiality request was filed by or for a “telco” for DN 12718-00. No ruling is required unless the material is subject to a request per 119.07, FS, or is admitted in the record per Rule 25-22.006(8)(b), FAC.

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
12717 OCT-5 00
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Claim of confidentiality for
Sprint's FCC Compliance proposal -
supplemental explanatory dated
October 4, 2000.

Filed: October 5, 2000

Docket No. 991222-TP

Sprint's Request for Confidential Classification Pursuant to Section
364.183(1), Florida Statutes

Sprint Communications Company Limited Partnership (Sprint) hereby requests that the Florida Public Service Commission ("Commission") classify certain documents and/or records identified herein as confidential and exempt from public disclosure under Chapter 119, Florida Statutes and issue any appropriate protective order reflecting such a decision. The information that is the subject of this request is contained in the October 4, 2000 explanatory supplement to Sprint's August 31, 2000 FCC Compliance Proposal and filed in this Docket.

1. The following documents or excerpts from documents are the subject of this request:

Sprint's FCC Compliance interim proposal - supplemental explanatory information (Three page letter dated October 4, 2000 from Don Rawlings; confidential in its entirety).

2. One unredacted copy of the document has been submitted to the Division of Records and Reporting under seal this same day.

3. The confidential information is not identified by yellow highlighting since the entire proposal is confidential. The information for which the Request is submitted is pricing and/or cost information (or information from which such information can be derived), trade secret and other highly proprietary contractual, competitive or valuable information and thus meets the definition of confidential proprietary business information pursuant to Section 364.183(3)(a)(d) & (e), Florida Statutes. (See, Attached letter from Don Rawlings regarding confidential nature of the information.) Section 364.183(3), provides:

(3) The term "proprietary confidential business information" means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. The term includes, but is not limited to:

(a) Trade secrets.

(b) Internal auditing controls and reports of internal auditors.

(c) Security measures, systems, or procedures.

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms.

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

(f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

4. Furthermore, Section 688.002(4), Florida Statutes is instructive on what constitutes a trade secret and provides that:

(4) "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process that:

(a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use;
and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

5. The subject information has not been publicly released and Sprint is required by contract to keep certain of the information confidential. Furthermore, release of the information could impair the efforts of the company or its affiliates to contract for goods or services on favorable terms, thus causing harm to the company's business operations.

6. The commission has found similar information to be confidential. See, Order No. PSC-98-0935-CFO-TP, Issued July 10, 1998; In *re: Petition by Metropolitan Fiber Systems of Florida, Inc. for arbitration with BellSouth Telecommunications, Inc. concerning interconnection rates, terms, and conditions, pursuant to the Federal Telecommunications Act of 1996.* Docket No. 960757-TP.

Based on the foregoing, Sprint respectfully requests that the Commission grant the request for Confidential Classification, exempt the information from disclosure under Chapter 119, Florida Statutes and issue any appropriate protective order, protecting the information from disclosure while it is maintained at the Commission.

RESPECTFULLY SUBMITTED this 5th day of October 2000.



Charles J. Rehwinkel

Sprint

Post Office Box 2214

MS: FLTLHO0107

Tallahassee, Florida 32316

850/847-0244