



Susan S. Masterton  
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August 2, 2005

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk  
& Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 041144-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated is Sprint's:

1. Request for Confidential Classification for Document Nos. 04826-05
2. Request for Confidential Classification for Document No. 05998-05

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

If you have any questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

A handwritten signature in cursive script that reads "Susan S. Masterton".

Susan S. Masterton

Enclosure

**CERTIFICATE OF SERVICE  
DOCKET NO. 041144-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. mail this 2<sup>nd</sup> day of August, 2005 to the following:

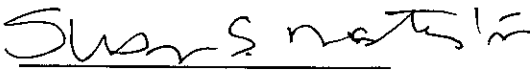
Division of Legal Services  
Lee Fordham/ Beth Keating  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Nancy Pruitt/Ann Marsh  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

KMC Data LLC/KMC Telecom III LLC/KMC Telecom V, Inc.  
Marva B. Johnson/Mike Duke  
1755 North Brown Road  
Lawrenceville, GA 30043-8119

Kelley Drye & Warren LLP  
Chip Yorkgitis / Barbara Miller  
1200 19th Street, N.W.,  
Fifth Floor  
Washington, DC 20036

Floyd Self, Esq.  
Messer, Caparello & Self, P.A.  
215 S. Monroe Street, Ste. 701  
Tallahassee, FL 32302

  
\_\_\_\_\_  
Susan S. Masterton

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Complaint of Sprint-Florida, Incorporated	)	Docket No. 041144-TP
Against KMC Telecom III LLC,	)	
KMC Telecom V, Inc. and KMC Data LLC,	)	
for failure to pay intrastate	)	
Access charges pursuant to its interconnection	)	
Agreement and Sprint's tariffs and for violation of	)	Filed: August 2, 2005
Section 364.16(3)(a), Florida Statutes.	)	
<hr style="width: 50%; margin-left: 0;"/>		

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

Sprint-Florida, Incorporated (hereinafter, "Sprint") hereby request that the Florida Public Service Commission ("Commission") classify certain documents and/or records identified herein as confidential, exempt from public disclosure under Chapter 119, Florida Statutes and issue any appropriate protective order reflecting such a decision.

1. The information that is the subject of this request is confidential and proprietary as set forth in paragraph 3. Sprint previously filed a Claim of Confidentiality related to this information and is filing this request pursuant to Rule 25-22.006, F.A.C. The following documents or excerpts from documents are the subject of this request:

**Attachment to POD #38 to Sprint's Supplemental Response to KMC's 4<sup>th</sup> Request for POD's – Summary of KMC Charge Party Numbers (entire document)**

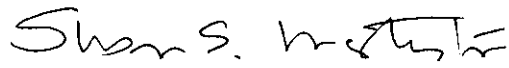
2. Two redacted copies of the information are attached to this request. One unredacted copy of the information was filed under separate cover and designated Document No. 04826-05 on May 17, 2005.

3. The information for which the Request is submitted contains KMC and other customer account information that Sprint is required by law (s. 364.24, F.S.) and/or contract (Sprint's interconnection agreements) to keep confidential.

4. Section 364.183(3), F.S., 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.
5. Section 364.24, Florida Statutes, prohibits a telecommunications company from intentionally disclosing customer account records, except as authorized by the customer or allowed by law.
6. The subject information has not been publicly released by Sprint.

Based on the forgoing, 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 2nd day of August, 2005.



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ATTORNEY FOR SPRINT

**\*CONFIDENTIAL\***

**Summary of KMC Charge Party Numbers**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Complaint of Sprint-Florida, Incorporated	)	Docket No. 041144-TP
Against KMC Telecom III LLC,	)	
KMC Telecom V, Inc. and KMC Data LLC,	)	
for failure to pay intrastate	)	
Access charges pursuant to its interconnection	)	Filed: August 2, 2005
Agreement and Sprint's tariffs and for violation of	)	
Section 364.16(3)(a), Florida Statutes.	)	
<hr/>		

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**Highlighted information contained in pages 2 & 3 of Sprint's Supplemental Response to KMC's 2<sup>nd</sup> Interrogatories.**

2. Two redacted copies of the information are attached to this request. One unredacted copy of the information was filed under separate cover and designated as Document No. 05998-05 on June 23, 2005

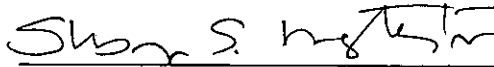
3. The information for which the Request is submitted contains CLEC customer account information that Sprint is required by law (s. 364.24, F.S.) and/or contract (Sprint's interconnection agreements) to keep confidential.

4. Section 364.183(3), F.S., 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.
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    - (c) Security measures, systems, or procedures.
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RESPECTFULLY SUBMITTED this 2nd day of August, 2005.

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

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850/878-0777  
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ATTORNEY FOR SPRINT

(b) (i) [REDACTED] (ii) Sprint sent a letter demanding payment on August 10, 2004.

(iii) the basis for the claim was failure to pay access charges for access traffic improperly terminated over local interconnection trunks (iv-v) the parties have been and are continuing to engage in discussions to resolve the dispute

(c) See Response to POD 25.

Response provided by: Terry McCulloch, Field Sales Manager

**Supplemental Response:** In its Interrogatory KMC requested information related to LEC's terminating traffic in the Tallahassee and Ft. Myers service areas only. Sprint's Response identified the only LEC against which Sprint has made a claim in those specified service areas. However, in the interests of complying with the Commission's Order No. PSC-05-0650-PCO-TP, involving LECs against which Sprint has made claims who terminate traffic to Sprint in Florida, but not in Sprint's Tallahassee or Ft. Myers service areas.

(a) Yes.

(b) (i) [REDACTED] (ii) Sprint sent a letter demanding payment on April 30, 2004

(iii) the basis for the claim was failure to pay access charges for access traffic improperly terminated over local interconnection trunks (iv-v) the parties have been and are continuing to engage in discussions to resolve the dispute

(i) [REDACTED] (ii) Sprint sent a letter demanding payment on May 19, 2003 (iii)

the basis for the claim was failure to pay access charges for access traffic improperly terminated over local interconnection trunks (iv-v) Sprint has been billing [REDACTED] access charges for access traffic improperly terminating over local interconnection trunks in Florida since August 2002 through current and

██████ has been paying these charges. There is no dispute involved with this billing.

(c) See Response to POD 25.

## RESPONSE TO PODS

### **25) Please provide copies of all of the documents identified in response to Interrogatories 25-31 and 32-40**

Sprint has e-mails and other documents relating to the claims made against another CLEC, identified in response to Interrogatory No. 36. However, these documents contain highly confidential, competitively sensitive information regarding this CLEC which Sprint is required by law and its interconnection agreement with the CLEC to protect, including providing notice to the CLEC when Sprint has received a lawful request to produce otherwise confidential information. Sprint recognizes that KMC and Sprint have entered into a protective agreement to govern confidential information provided in discovery in this proceeding. In order to comply with KMC's discovery request, while still protecting the confidentiality of Sprint's customer information to the greatest extent possible, Sprint will make the documents that are responsive to this request available for viewing by counsel for KMC at Sprint's offices at a mutually agreeable time, upon notice to the CLEC that Sprint intends to allow KMC access to this information.

Please, also, refer to Sprint's objections filed March 17, 2005.

**Supplemental Response:** The documents responsive in Sprint's Supplemental Response to Interrogatory No. 36 contain highly confidential, competitively sensitive information regarding the CLECs which Sprint is required by law and its interconnection agreement with the CLEC to protect, including providing notice to the CLEC when Sprint has received a lawful request to