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Meraj Abdul-Qadir, CP
Interrogatory Manager

March 20, 2009

Via E-Mail and Overnight Delivery

Ms. Ann Cole, Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-09850

RECEIVED-FPSC
09 MAR 20 AM 11:31
COMMISSION
CLERK

Re: Qwest Communications Company, LLC's Response to PSC's Second Set of Data Requests: Docket 060476-TL

Dear Ms. Cole:

Enclosed is Qwest Communications Company, LLC's ("QCC") response to Staff's Data Requests dated March 11, 2009, in the above-referenced docket. QCC's responses contain a Proprietary and Confidential attachment, which is filed under seal. Also enclosed is QCC's Request for Confidential Classification and a Motion for Protective Order with regard to QCC's enclosed responses, which we ask that you file in the captioned docket.

If you have any questions regarding the enclosed, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,

Meraj Abdul-Qadir
Interrogatory Manager

COM _____
ECR _____/mfa
GCL [] Enclosures
OPC _____cc(w/enclosures): Ray Kennedy
RCP []
SSC _____
SGA _____
ADM _____
CLK []

This confidentiality request was filed by or for a "telco" for DNO 02458-09. 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.

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BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA

In Re: Petition to Initiate Rulemaking to Amend
Rules 25-24.630(1) and 25-24.516(1), F.A.C.,
By BellSouth Telecommunications, Inc.

Docket No. 060476-TL
Filed: March 20, 2009

QWEST COMMUNICATIONS COMPANY, LLC's REQUEST FOR
CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER

Under Commission Rule 25-22.006, Florida Administrative Code, Qwest Communications Company, LLC (hereinafter "QCC" or "Qwest"), by and through its undersigned counsel, seeks confidential classification and a protective order from the Florida Public Service Commission ("Commission") for information contained in Confidential Attachment A to its response to Commission Staff Data Request dated March 11, 2009, in the above referenced docket. In support of its Request and Motion, QCC respectfully states as follows:

1. All of the information in Confidential Attachment A for which QCC seeks confidential treatment falls within Section 364.183, Florida Statutes, which defines "proprietary confidential business information" as:

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.

Section 364.183(a), Florida Statutes, expressly provides that "trade secrets" fall within the definition of "proprietary confidential business information." Section 364.183(e), Florida Statutes, further provides that "proprietary confidential business information" includes

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"information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information."

2. All of the cost and call count information contained in the spreadsheet in Confidential Attachment A is confidential and competitively sensitive information. This information pertains to QCC's costs for a completed operator-assisted call. This cost information is based on a completed call, regardless of 0+, 0-, or any billing method, *i.e.*, collect, third party, or person to person. The confidential information consists of internal cost information broken down by QCC department, total costs per month, completed call counts, and costs per call.

3. If competitors were able to acquire this detailed and sensitive information regarding QCC's operating and service costs associated with operator-assisted calls, they could more easily develop entry and marketing strategies to ensure success in competing with QCC. This would afford them an unfair advantage while severely jeopardizing QCC's competitive position. 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. Accordingly, QCC respectfully requests that the Commission classify the identified information as confidential and enter an appropriate protective order.

4. While a ruling on this request is pending, QCC understands that the information at issue is exempt from Section 119.07(1), Florida Statutes, and the Commission will accord it the stringent protection from disclosure required by Rule 25-22.006(3)(d), Florida Administrative Code.

5. One copy of the confidential information is attached to the original of QCC's Response to the aforementioned Staff Data Request as Confidential Attachment A. Two redacted or edited non-confidential copies of the same Confidential Attachment A are attached to QCC's Response as Attachment B.

Dated this 20th day of March 2009.

Respectfully submitted,

By: 
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Attorney for Qwest Communications Company, LLC

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STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: March 20, 2009

TO: Barbara J. Brohl, Esquire/Qwest Corporation

FROM: Marguerite H. McLean, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket Number 060476-TL or, if filed in an undocketed matter, concerning confidential attachment A to response to staff's data request dated 3/11/09, and filed on behalf of Qwest Communications Company, LLC. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite McLean, Deputy Clerk, at (850) 413-6770.

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