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September 25, 2009 – VIA OVERNIGHT MAIL

Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 080278-TL
Joint Petition for show cause proceedings against Verizon Florida LLC for
apparent violation of Rule 25-4.070, F.A.C., service availability, and impose fines,
by the Office of the Attorney General, Citizens of the State of Florida, and AARP

Dear Ms. Cole:

Enclosed for filing in the above matter are an original and 15 copies of Verizon Florida LLC's Amended Request for Confidential Classification and Motion for Protective Order in connection with the Rebuttal Testimony of Michelle A. Robinson. Verizon filed its original Request on August 20, 2009.

Verizon is making this filing because certain confidential information in Exhibit MAR-1 to Ms. Robinson's testimony was inadvertently included in the public version as originally filed. Verizon requests that the attached redacted version of Exhibit MAR-1 be substituted for the original public version of that exhibit and that the original version be treated confidentially.

Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at (678) 259-1449.

Sincerely,

Dulaney L. O'Roark III

Enclosures

This request for confidentiality was filed by or on behalf of a telecommunications company for undocketed Confidential Document No. 09969-09. No ruling is required unless the material is subject to a request per 119.07, FS. Your division director must obtain written permission from the EXD/Tech for you to access the confidential material.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition for show cause proceedings) Docket No. 080278-TL
against Verizon Florida LLC for apparent violation of) Filed: September 25, 2009
Rule 25-4.070, F.A.C., service availability, and)
impose fines, by the Office of the Attorney General,)
Citizens of the State of Florida, and AARP)
_____)

VERIZON FLORIDA LLC'S AMENDED REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION FOR PROTECTIVE ORDER

Under Commission Rule 25-22.006, F.A.C., Verizon Florida LLC (Verizon) files this amended request for confidential classification and protective order for information contained in Exhibit MAR-1 to the Rebuttal Testimony of Michelle A. Robinson filed on behalf of Verizon in this proceeding. Verizon's original request was filed on August 20, 2009.

Verizon is making this filing because certain confidential information in Exhibit MAR-1 to Ms. Robinson's testimony was inadvertently included in the public version as originally filed. Verizon requests that the attached redacted version of Exhibit MAR-1 be substituted for the original public version of that exhibit and that the original version be treated confidentially. Verizon continues to request confidential treatment for certain other portions of Ms. Robinson's Rebuttal Testimony (noted in Exhibit C) for the reasons explained in Verizon's August 20 request.

All of the information for which Verizon seeks confidential treatment falls within Florida Statutes section 364.183(3), 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

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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.


Florida Statutes section 364.183(3)(a) expressly provides that "trade secrets" fall within the definition of "proprietary confidential business information." Florida Statutes section 364.183(3)(e), further provides that "proprietary confidential business information" includes "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information."

If competitors were able to acquire this detailed and sensitive information regarding Verizon, they could more easily develop entry and marketing strategies to ensure success in competing with Verizon. This would afford them an unfair advantage while severely jeopardizing Verizon'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, Verizon respectfully requests that the Commission classify the identified information as confidential and enter an appropriate protective order.

While a ruling on this request is pending, Verizon 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).

Highlighted copies of the confidential information are attached as Exhibit A. Two redacted copies of the confidential information are attached as Exhibit B. A detailed justification of the confidentiality of the information at issue is attached as Exhibit C.

Respectfully submitted on September 25, 2009.

By: 
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Attorney for Verizon Florida LLC

EXHIBIT C

CONFIDENTIAL INFORMATION	LINE(S)/COLUMN(S)	REASON
Rebuttal Testimony of Michelle A. Robinson: Page 9 Page 13 Exhibit MAR-1	Lines 21-24 Lines 11-13 All highlighted text	This information concerns Verizon's access line counts, staffing levels and internal repair performance data. This information is competitively sensitive, confidential and proprietary business information that has been confidentially maintained by Verizon.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing were sent via electronic mail on September 28, 2009 to:

Adam Teitzman, Staff Counsel
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Dulaney L. O'Roark III

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NATHAN A. SKOP



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

Public Service Commission

ACKNOWLEDGEMENT

DATE: September 28, 2009

TO: Dulaney L. O'roark III, Verizon

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080278 or, if filed in an undocketed matter, concerning Rebuttal testimony of Michelle a. Robinson's Exhibit MAR-1, and filed on behalf of Verizon. The document will be maintained in locked storage.

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

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