

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: REQUEST FOR CONFIDENTIAL) DOCKET NO. 920503-TI
CLASSIFICATION OF CUSTOMER LIST)
BY METROMEDIA COMMUNICATIONS) ORDER NO. PSC-92-0509-PCO-TI
CORPORATION)
) ISSUED: 06/16/92
)
)

ORDER GRANTING CONFIDENTIAL CLASSIFICATION
TO RESELLER CUSTOMER LISTS OF METROMEDIA
COMMUNICATIONS CORPORATION

On May 13, 1992, Metromedia Communications Corporation, ("Metromedia") requested confidential classification and treatment of its list of customers believed to be reselling or rebilling telecommunications service on an intrastate basis in Florida. Metromedia supplied this list to the Commission pursuant to Rule 25-24.4701, F.A.C., following request from the Commission's Division of Communications dated January 14, 1992.

Metromedia cites the competitive nature of this information, which places it not only within § 364.183(3) generally, but also, section (e) thereof, specifically, which relates to:

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

In our prior Order Nos. 24404 (April 22, 1991), 24402 (April 22, 1991) and 24349 (April 11, 1991), we granted confidential classification to customer lists involving 900 services. There we noted that consumers benefitted from vigorous competition and that disclosure of competitively sensitive proprietary business information would impair that competition.

The same analysis is applicable to this request, where the requirements of the confidentiality statute are fully met, so as to fall within the exception to disclosure under the public records art. See, e.g., § 364.183(2) and § 119.07(3)(a), F. S.

Accordingly, it is

ORDERED that the proprietary confidential business information identified in Docket No. 920503-TI which has been submitted to the Commission by Metromedia Communications Corporation shall be kept confidential and shall be exempt from section 119.07, F.S. in accordance with § 364.183, F.S. It is further

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ORDERED that the proprietary confidential business information shall be afforded confidential treatment until November 1, 1993.

BY ORDER of Commissioner Luis J. Lauredo, as Prehearing Officer, this 16th day of June, 1992.



LUIS J. LAUREDO
PREHEARING OFFICER AND COMMISSIONER

(SEAL)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or sewer utility. A motion of reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.