

IN THE SUPREME COURT OF FLORIDA

CHARLES J. CRIST, JR.,
Attorney General, State of Florida,
HAROLD McLEAN,
Public Counsel, State of Florida,
and **AARP,**

Appellants,

vs.

LILA A. JABER, Chairman, et al.,
constituting the FLORIDA PUBLIC
SERVICE COMMISSION, an agency of
the STATE OF FLORIDA, **BELLSOUTH
TELECOMMUNICATIONS, INC.,**
VERIZON FLORIDA INC., and
SPRINT-FLORIDA, INC., et al.,

Appellees.

**MOTION TO MAINTAIN CONFIDENTIALITY
PENDING COURT DETERMINATION, AND
JOINDER WITH ATTORNEY GENERAL'S MOTION**

The Citizens of Florida, by and through Harold McLean, Public Counsel, file this motion to maintain confidentiality of certain information contained in Citizens' initial brief pending a decision by this Court to determine whether the briefs and record in these consolidated cases are subject to public disclosure. Citizens also join the Attorney General's Motion for Determination, filed this date. In support, Citizens state the following:

FILED
THOMAS D. HALL

2004 SEP -8 P 3:43

CLERK, SUPREME COURT

BY 

Consolidated Case Nos.
SC04-9, SC04-10, SC04-946

On Appeal From the
Florida Public Service
Commission

1. During the course of the proceedings before the Florida Public Service Commission, many companies requested, and the Florida Public Service Commission granted, confidential classification for particular documents and portions of testimony provided by the companies. In granting the requests, the Florida Public Service Commission found that information contained in these documents and provided in the testimony met the definition of confidential proprietary business information as set forth in section 364.183(3), Florida Statutes.

2. Citizens' initial brief contains some of the information found by the Florida Public Service Commission to be confidential proprietary business information. In each instance where the brief contains such information, the information has been shaded to stand out from the other information in the brief. In addition, the cover of the brief prominently discloses that the brief contains information found by the Florida Public Service Commission to be confidential proprietary business information.

3. Today the Attorney General has filed a motion asking this Court to determine whether the briefs and record in this case are subject to public disclosure. Citizens join in and support that motion. Pending resolution of the motion by this

Court, Citizens request the Court to issue an order maintaining confidentiality of the information contained in Citizens' initial brief, which was previously found to be confidential proprietary business information by the Florida Public Service Commission.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "H.F. Mann", is written over a horizontal line.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of a Motion to Maintain Confidentiality Pending Court Determination and Joinder with Attorney General's Motion has been furnished by U.S. Mail to the following, this 8th day of September, 2004:

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