

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U 338-E) for Authority to Lease Certain Optical Fibers to Sprint Communications Company, LP, a limited partnership organized in Delaware.

Application 03-11-027
(Filed November 26, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING
ON MOTION FOR PROTECTIVE ORDER**

Sprint Communications Company, LP (Sprint, or applicant) requests a ruling to renew the authority allowing Sprint to maintain under seal certain information contained in this application and the lease agreement and product orders that are filed with the application. The request is unopposed. The request is granted.

In this case, Sprint and Southern California Edison Company (SCE) submitted under seal the unredacted application, lease agreement and five associated product orders. SCE and Sprint also submitted redacted public versions of these documents. Sprint states that the documents contain certain information that is confidential and commercially sensitive. Examples of the confidential information include:

- The specific number of optical fibers SCE leased to Sprint.
- Specific route information for each product order.
- The amounts that Sprint pays and SCE receives for each product order.

- The lease term for the agreement and each product order.
- A limited amount of information that is proprietary to Sprint, such as technical or operational specifications.
- The names and phone numbers of the individuals on the Sprint and SCE contact/escalation lists.¹

Sprint states that it seeks to maintain the confidentiality of information that would alert competing communications providers to the treatment of material terms affecting the business interests, economics and financial benefits that SCE and Sprint have negotiated with each other. For example, Sprint states that provisions relating to pricing and payment would disclose to Sprint's competitors material information about Sprint's economics under the agreements. According to Sprint, specific details about the locations of the fiber routes and the number of fibers leased are valuable business data that reveal Sprint's competitive position in the Los Angeles market and its ongoing network expansion plans.

Commission decisions on confidentiality reflect an attempt to balance the market's need for information against a utility's or third party's need for confidentiality of its business operations and strategy. In applying this balancing test, the Commission has consistently upheld the need for confidentiality in cases involving fiber optical lease agreements between competitive communications

¹ Sprint states that the request to redact contact/escalation list data is motivated by privacy and security concerns, rather than competitive concerns. Sprint states that it is prudent not to publicly disclose the names and phone numbers of individuals who handle both routine and emergency matters relating to telecommunications in the southern California market.

Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Motion for Protective Order on all parties of record in this proceeding or their attorneys of record.

Dated January 30, 2006, at San Francisco, California.

 /s/ FANNIE SID
 Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.