

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Telecom)
 Management, Inc. d/b/a Pioneer Long)
 Distance, Inc. for a Certificate of Public) Case No. 07-36-TP-ACE
 Convenience and Necessity to Provide)
 Local Exchange Service and Competitive)
 Telecommunications Services in Ohio.)

ENTRY

The attorney examiner finds:

- (1) On January 16, 2007, the applicant, Telecom Management, Inc. d/b/a Pioneer Long Distance, Inc. (Pioneer) filed an application seeking a certificate of public convenience and necessity to provide local exchange service and competitive telecommunications services in Ohio.
- (2) Along with its certification application, Pioneer has filed a motion for protective order by which it seeks to protect the confidentiality of the financial information set forth in a 15-page portion of Exhibit 10 to its certification application that has been marked confidential and filed under seal. The information for which protective treatment is sought consists of audited financial statements of the company for the years ended December 31, 2005 and 2004, based upon the applicants operations in 48 states. Specifically, these documents consist of the applicant's consolidated balance sheets, income statements, and cash flow statements covering the years 2004 and 2005. Pioneer's certification application states that it is not a publicly traded company. In its motion for a protective order, Pioneer indicates that it is that the involved financial information is not otherwise available to the applicant's competitors. Further, the applicant submits that disclosure of this information could be competitively damaging to the applicant.
- (3) Under certain limited circumstances, the Commission has been willing to grant motions of telephone companies who seek to protect the confidentiality of the financial information they are required to submit as part of their certification applications. To date, such protection has been granted for periods of up to 18

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months, where the company seeking the protective order can show that:

- (a) It is privately held, or is a company that as a wholly owned subsidiary of a public traded company, does not routinely publicly report its financial status; and
- (b) The information for which protective status is sought represents recent historical, contemporaneous, or projected details about the operations and/or finances of the company seeking the protective order that are competitively sensitive and have never previously been made available to the general public or filed with any other public agency.

Each of the above criteria has been met in this case with respect to the involved 15-page portion of Exhibit 10 to Pioneer's certification application. Accordingly, Pioneer's motion for protective order filed in this docket should be granted, such that, unless and until specifically ordered otherwise, public disclosure of that portion of Exhibit 10 to Pioneer's certification application that was filed under seal shall occur for the first time on July 16, 2008, i.e., the date 18 months from the original filing of Exhibit 10 to Pioneer's certification application on January 16, 2007. In the event that Pioneer should desire to seek continued protective treatment for this information beyond this 18-month period, it must make application for such continued protection in compliance with Rule 4901-1-24(F), Ohio Administrative Code (O.A.C.).

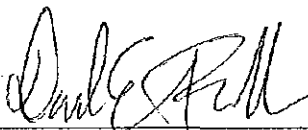
It is, therefore,

ORDERED, That Pioneer's motion for protective order is granted. Accordingly, unless and until specifically ordered otherwise, public disclosure of the involved 15-page portion of Exhibit 10 to Pioneer's certification application shall occur for the first time on July 16, 2008, i.e., the date 18 months from the original filing of that attachment on January 16, 2007. In the event that Pioneer should desire to seek continued protective treatment for this information beyond this 18-month period, it must make application for such continued protection in compliance with Rule 4901-1-24(F), O.A.C. It is, further,

ORDERED, That this entry shall not be binding upon the Commission in any subsequent investigation or proceeding involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

ORDERED, That a copy of this finding and order be served upon Pioneer, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

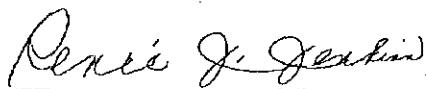


By: Daniel E. Fullin
Attorney Examiner

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Entered in the Journal

FEB 13 2007



Renee J. Jenkins
Secretary