

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The)
Ohio Bell Telephone Company d/b/a)
AT&T Ohio for Approval of an)
Alternative Form of Regulation of Basic) Case No. 08-107-TP-BLS
Local Exchange and Other Tier 1 Services)
Pursuant to Chapter 4901:1-4, Ohio)
Administrative Code.)

ENTRY

The attorney examiner finds:

- (1) In accordance with its Entry of February 27, 2008, and its Opinion and Order of June 25, 2008, the Commission granted AT&T Ohio's and the Ohio Consumers' Counsel's respective motions for a protective order regarding proprietary information that was filed as part of AT&T Ohio's application in this proceeding.
- (2) Pursuant to the attorney examiner Entry of July 20, 2009, the aforementioned protective orders were each extended for an additional 18-month period of time.
- (3) Pursuant to its motion of December 14, 2010, AT&T Ohio seeks a second extension of the protective orders for an additional 18-month period of time. In support of its request, AT&T Ohio explains that the relevant information consists of competitive local exchange carrier (CLEC) line counts and the count of other CLEC and wireless carrier presence indicators. AT&T Ohio submits that, while the information is no longer the most current information on the presence of CLEC and wireless providers and CLEC market share in the AT&T Ohio exchanges, the information is not considered by those entities to be transitory. Further, AT&T Ohio explains that, consistent with the terms of its interconnection agreements with CLECs and wireless carriers, it is required to continue to safeguard the confidential information in its possession.

AT&T Ohio asserts that the designated information must be continued to be protected due to the fact that it constitutes a trade secret pursuant to Section 1333.61(D), Revised Code. AT&T Ohio contends that protection of trade secret information from public

disclosure is consistent with the purposes of Title 49, Revised Code, inasmuch as the Commission and its staff have access to the information and, as in this case, the parties may have access under an appropriate protective agreement.

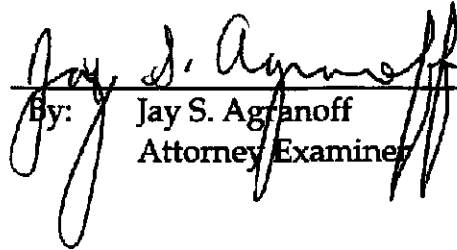
- (4) On December 15, 2010, and December 16, 2010, AT&T Ohio filed letters from some of the telephone companies whose data is the subject of the protective orders for which an extension is being sought. The letters reflect the individual companies desire to continue to maintain the confidential status of their company-specific data inasmuch as it continues to be a trade secret.
- (5) Based on the arguments presented, the attorney examiner determines that, consistent with Rule 4901-1-24, Ohio Administrative Code, the previously issued protective orders should be extended for an additional 18-month period of time due to the continued proprietary nature of the relevant information. After this period of time, AT&T Ohio should request that the applicable CLECs and commercial mobile radio service providers perform an evaluation in order to determine whether their company-specific data continues to require protective treatment.


It is, therefore,

ORDERED, That the protective orders shall be extended in accordance with Finding (5). It is, further,

ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jay S. Agranoff
Attorney Examiner


/dah

Entered in the Journal

JAN 06 2011



Renee J. Jenkins
Secretary