

2600 Maitland Center Pkwy.

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January 15, 2008 Via Overnight Delivery

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**Confidential Treatment Requested** 

Renée Jenkins, Secretary of Commission Public Utilities Commission of Ohio

180 East Broad Street

Columbus, Ohio 43266-0573

P.O. Drawer 200

Maitland, FL 32751

Winter Park, FL

32790-0200

Suite 300

Tel: 407-740-8575

Fax: 407-740-0613

www.tminc.com

RE:

Motion for Protective Order for the Financial Statements of Business Communication Analysts, Inc. - Exhibit 10 of the Application for a Certificate to Provide Facilities-Based and Resold Local and Interexchange Services Throughout

the State of Ohio - Case No. 08-46 -TP-ACE

Dear Ms. Jenkins:

Enclosed for filing please find one original and seven (7) copies of the Motion for Protective Order submitted on behalf of Business Communication Analysts, Inc. The Company is requesting confidential treatment of its Financial Statements which are required to be submitted to the Public Utilities Commission of Ohio as part of its Application to Provide Facilities-Based and Resold Local and Interexchange Services throughout the State of Ohio.

Enclosed with this Motion are three (3) copies of the Company's Statement of Assets, Liabilities and Capital Cash Basis and Proforma Financial Statements in sealed envelopes marked "Confidential".

Please handle these statements in accordance with Commission established procedures for Confidential documents.

Questions regarding this filing may be directed to my attention at (407) 740-3031 or via e-mail at sthomas@tminc.com. Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for this purpose.

Thank you for your assistance.

Sincerely,

Sharon Thomas

Consultant to Business Communication Analysts, Inc.

ST/im. Enclosures

cc:

Christopher Porter, BCA

File:

BCA - OH Local / Access

TMS:

OHL0800A

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business Date Processed 1000

# The Public Utilities Commission of Ohio TELECOMMUNICATIONS APPLICATION FORM for ROUTINE PROCEEDINGS

(Effective: 10/26/2007) (Pursuant to Case No. 06-1345-TP-ORD)

) TRF Docket No. 90-

In the Matter of the Application of

BUSINESS COMMUNICATION ANALYS	) Case No. 08	- 46 T	P - ACE					
To Provide Facilities-Based Local and Resold	) NOTE: Unless you h	ave reserved a Case #	or are filing a Contract,					
Interexchange Services Throughout the State	) leave the "Case No"	fields BLANK						
		<del></del>						
Name of Registrant(s)  BUSINESS COMMUNICATION ANALYSTS, INC.								
DBA(s) of Registrant(s) N/A								
Address of Registrant(s) 23420 L	ORAIN AVENUE, U	NIT 200, SUITE 227,	OLMSTED, OH	14070				
Company Web Address								
Regulatory Contact Person(s) CHRIS	TOPHER A. PORTE	R Phone 440-371-	2250 Fax 44	0-937-4899				
Regulatory Contact Person's Email Address	chris@bcanalysts.con	n						
Contact Person for Annual Report CHRIS	TOPHER A. PORTER	R Phone 440-371-	2250 Fax 44	0-937-4899				
Address (if different from above) SAME.	AS ABOVE			-				
	TOPHER A. PORTEF	₹	Phone 44	0-371-2250				
Address (if different from above) SAME.								
Motion for protective order included with filin	ng? ⊠ Yes □ No	<u> </u>		<del> </del>				
Motion for waiver(s) filed affecting this case?	• — —	: Waivers may toll any	automatic timefra	me.]				
()								
Section I - Pursuant to Chapter 4901:1	1-6 () A () = Part I =	Please indicate the	Carrier Type at	nd the reason for				
submitting this form by checking the b			· ·					
NOTES: (1) For requirements for various applicat								
supplemental application form noted.	ions, see the mentified sec	tion of Onto Auministrati	ive Coue Section 490	1 unuior ine				
supplemental application form holea. (2) Information regarding the number of copies req	wind by the Commission	mon he abtained from the	Commission's make	ila at				
www.puco.ohio.gov under the docketing information								
		ng the accesting atoision	ai 014-400-4033, or	og visiting the				
docketing division at the offices of the Commission	•							
	☐ ILEC	☐ CLEC	□ CTS	П				
Carrier Type Other (explain below)				AOS/IOS				
Tier 1 Regulatory Treatment								
Change Rates within approved Range	☐ TRF 1-6-04(B)	TRF 1-6-04(B)						
	(0 day Notice)	(0 day Notice)						
New Service, expanded local calling	ZTA 1-6-04(B) (0 day Notice)	ZTA 1-6-04(B) (0 day Notice)						
area, correction of textual error Change Terms and Conditions,	ATA 1-6-04(B)	ATA 1-6-04(B)						
Introduce non-recurring service charges	(Auto 30 days)	(Auto 30 days)						
Introduce or Increase Late Payment or	☐ ATA 1-6-04(B)	ATA 1-6-04(B)						
Returned Check Charge	(Auto 30 days)	(Auto 30 days)						
Business Contract	CTR 1-6-17	CTR 1-6-17						
Dusiness Contract	(0 day Notice)	(0 day Notice)						
Withdrawal	☐ ATW 1-6-12(A) (Non-Auto)	☐ ATW 1-6-12(A) (Auto 30 days)						
		SLF 1-6-04(B)						
Raise the Ceiling of a Rate	Not Applicable	(Auto 30 days)						
Tier 2 Regulatory Treatment								
Residential - Introduce non-recurring	TRF 1-6-05(E)	TRF 1-6-05(E)						
service charges	(0 day Notice)	(0 day Notice)						
Residential - Introduce New Tariffed	TRF 1-6-05(C)	TRF 1-6-05(C)	☐ TRF 1-6-05(0	C)				
Tier 2 Service(s)	(0 day Notice)	(0 day Notice)	(0 day Notice)					
Residential - Change Rates, Terms and	TRF 1-6-05(E)	TRF 1-6-05(E)	☐ TRF 1-6-05(E	5)				
Conditions, Promotions, or Withdrawal	(0 day Notice)	(0 day Notice)	(0 day Notice)					
Residential - Tier 2 Service Contracts	CTR 1-6-17	CTR 1-6-17	CTR 1-6-17					
Commercial (Business) Contracts	(0 day Notice) Not Filed	(0 day Notice) Not Filed	(0 day Notice) Not Filed					
	Detariffed	Detariffed	Detariffed					
Business Services (see "Other" below) Residential & Business Toll Services	Detariffed	Detariffed	Detariffed					
(see "Other" below)	Detailied	Detailled	Detained					

### Section I - Part II - Certificate Status and Procedural

Section 1 – Part 11 – Certificate Status and Procedural							
Certificate Status	ILEC	CLEC	CTS	AOS/IOS			
Certification (See Supplemental ACE form)			ACE 1-6-10 (Auto 30 days)	ACE 1-6-10 (Auto 30 days)			
Add Exchanges to Certificate	ATA 1-6-09(C) (Auto 30 days)	Auto So days (Delay Notice)	CLECs must attach as Exchange Listing Form	curent CLEO			
Abandon all Services - With Customers	ABN 1-6-11(A) (Non-Auto)	☐ ABN 1-6-11(A) (Auto 90 day)	ABN 1-6-11(B) (Auto 14 day)	☐ ABN 1-6-11(B) (Auto 14 day)			
Abandon all Services - Without Customers		ABN 1-6-11(A) (Auto 30 days)	ABN 1-6-11(B) (Auto 14 day)	ABN 1-6-11(8) (Auto 14 day)			
Change of Official Name (See below)	ACN 1-6-14(B) (Auto 30 days)	ACN 1-6-14(B) (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	☐ CIO 1-6-14(A) (0 day Notice)			
Change in Ownership (See below)	ACO 1-6-14(B) (Auto 30 days)	ACO 1-6-14(B) (Auto 30 days)	CIO 1-5-14(A) (0 day Notice)	CIO 1-6-14(A) (0 day Notice) (			
Merger (See below)	☐ AMT <i>1-6-14(B)</i> (Auto 30 days)	AMT 1-6-14(B) (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	☐ CIO <i>1-6-14(A)</i> (0 day Notice)			
Transfer a Certificate (See below)	☐ ATC 1-6-14(B) (Auto 30 days)	☐ ATC 1-6-14(B) (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	CIO 1-6-14(A) (0 day Notice)			
Transaction for transfer or lease of property, plant or business (See below)	☐ ATR <i>1-6-14(B)</i> (Auto 30 days)	☐ ATR 1-6-14(B) (Auto 30 days)	CIO 1-6-14(A) (0 day Notice)	☐ CIO 1-6-14(A) (0 day Notice)			
<u>Procedural</u>	(35.8.6.1834) Sept. Sept		S. C. S. M. J. P. P. P. P. P. R. S. D. S.				
Designation of Process Agent(s)	TRF (0 day Notice)	TRF (0 day Notice)	☐ TRF (0 day Notice)	☐ TRF (0 day Notice)			
Section II – Carrier to Carrier (Pursuant to 95-845-TP-COI), CMRS and Other							
Carrier to Carrier	ILEC	CLEC	0.814.34				
Interconnection agreement, or amendment to an approved agreement	NAG (Auto 90 day)	NAG (Auto 90 day)					
Request for Arbitration	ARB (Non-Auto)	ARB (Non-Auto)					
Introduce or change c-t-c service tariffs,		☐ ATA (Auto 30 day)					
Introduce or change access service pursuant to 07-464-TP-COI	☐ ATA (Auto 30 day)						
Request rural carrier exemption, rural carrier suspension or modification	UNC (Non-Auto)	UNC (Non-Auto)					
Pole attachment changes in terms and conditions and price changes.	UNC (Non-Auto)	UNC (Non-Auto)					
CMRS Providers See 4901:1-6-15	RCC [Registration & Change i (0 day)	n Operations]	NAG [Interconnection Agreement or Amendment] (Auto 90 days)				
Other (explain)							

\*NOTE: During the interim period between the effective date of the rules and an Applicant's Detariffing Filing, changes to existing business Tier 2 and all toll services, including the addition of new business Tier 2 and all new toll services, will be processed as 0-day TRF filings, and briefly described in the "Other" section above.

All Section I and II applications that result in a change to one or more tariff pages require, at a minimum, the following exhibits. Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-14 Filing Requirements on the

Commission's Web Page for a complete list of exhibits.

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s)
В	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
C	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.
D	A copy of the notice provided to customers, along with an affidavit that the notice was provided according to the applicable rule(s).

#### **AFFIDAVIT**

## Compliance with Commission Rules and Service Standards

I am an officer/agent of the applicant corporation, BUSINESS COMMUNICATION ANALYSTS, INC. and am authorized to make this statement on its behalf.

I attest that these tariffs comply with all applicable rules, including the Minimum Telephone Service Standards (MTSS) Pursuant to Chapter 4901:1-5 OAC for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules, including the Minimum Telephone Service Standards, as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) Decompor (19th 300) (Location) NORTH OLMSTED, OHIO

This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicanı.

## VERIFICATION

I, SHARON THOMAS, CONSULTANT TO BUSINESS COMMUNICATION ANALYSTS, INC.

verify that I have utilized the Telecommunications Application Form for Routine Proceedings provided by the Commission and that all of the information submitted here, and all additional information all mitted in connection with this case, is true and correct to the best of my knowledge.

\*(Signature and Title) CONSULTANT \*Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applican

Send your completed Application Form, including all required attachments as well as the required number of copies, to:

Public Utilities Commission of Ohio Attention: Docketing Division

180 East Broad Street, Columbus, OH 43215-3793

OrMake such filing electronically as directed in Case No 06-900-AU-WVR

## BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

In the Matter of the Application of	)			
Business Communication Analysts, Inc.	)			
To Provide Facilities-Based Local and	)			
Resold Local and Interexchange	)	Case No.	08	- TP - ACE
Telecommunications Services Throughout	)		_	
The State of Ohio	)			

## MOTION FOR PROTECTIVE ORDER

Pursuant to Ohio Administrative Code 4901-1-24.D, Business Communication Analysts, Inc. ("Applicant") moves the Public Utility Commission of Ohio to enter a Protective Order prohibiting any disclosure to the general public of any portion of the financial statements, labeled "CONFIDENTIAL".

The Applicant requests that the Protective Order specifically state that the financial documents, required to be submitted to the Commission as part of the Application for authority to provide facilities-based local and resold local and interexchange telecommunications services within the State of Ohio, be disclosed only to Staff members directly involved in this case, and that any pleadings or other filings that incorporate, reference or attach the documents or any portion thereof be submitted under Seal.

As grounds for this motion, the Applicant states that Business Communication Analysts, Inc. is a privately-held Company and its financial statements contain confidential and proprietary information.

Public disclosure of this information would materially damage the competitive and financial position of the Applicant. Public disclosure of the information contained in the financial will compromise the Applicant's competitive or financial position and would ultimately work to the detriment of the consuming public.

For the foregoing reasons, Business Communication Analysts, Inc. requests the entry of a Protective Order containing the terms and conditions set forth above, relative to its Financial Statements, and for all other appropriate relief.

Respectfully submitted,

**Sharon Thomas** 

Consultant for Business Communication Analysts, Inc.

Technologies Management, Inc.

2600 Maitland Center Parkway, Suite 300

Maitland, FL 32751

Telephone:

(407) 740-3031

Facsimile:

(407) 740-0613

Dated: January 15, 2008.