

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Onvoy,)
 Inc. d/b/a Onvoy Voice Services for a)
 Certificate of Public Convenience and)
 Necessity to Provide Local Exchange Service) Case No. 08-624-TP-ACE
 and Interexchange Telecommunications)
 Services Within the State of Ohio.)

ENTRY

The attorney examiner finds:

- (1) On May 23, 2008, the applicant, Onvoy, Inc. d/b/a Onvoy Voice services (Onvoy) filed an application in this case seeking a certificate of public convenience and necessity to provide local exchange service in telephone exchanges identified in the application and interexchange services throughout the state of Ohio.
- (2) On May 23, 2008, counsel for the applicant filed a motion for protective order by which the applicant seeks to protect the confidentiality of the financial information set forth in Exhibits D-2 and D-3 to its certification application, which have been marked confidential and filed under seal. The information for which protective treatment is sought consists of: (a) Exhibit D-2 to the application setting forth the applicant's most recent audited financial statements, namely its consolidated balance sheets, consolidated statements of operation, and consolidated statements of cash flow; and (b) Exhibit D-3 to the application, setting forth documentation regarding the applicant's current cash and funding sources.
- (3) Onvoy is privately held, rather than a publicly traded company. In its motion for a protective order, the applicant indicates 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.
- (4) Under certain limited circumstances, the Commission has been willing to grant motions of telephone companies who seek to

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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 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.
- (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 Exhibits D-2 and D-3 of Onvoy's certification application in this case. Accordingly, Onvoy's motion for protective order should be granted, such that, unless and until specifically ordered otherwise, public disclosure of Exhibits D-2 and D-3 to Onvoy's certification application shall occur for the first time on December 15, 2009, i.e., the date 18 months from the date of the issuance of this protective order. In the event that Onvoy 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.).

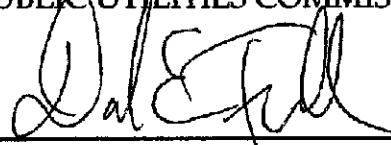
It is, therefore,

ORDERED, That Onvoy's motion for protective order filed by Onvoy in this case is granted. Accordingly, unless and until specifically ordered otherwise, public disclosure of the Exhibits D-2 and D-3 to Onvoy's certification application shall occur for the first time on December 15, 2009, i.e., the date 18 months from the date of the issuance of this protective order. In the event that Onvoy 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 entry be served upon Onvoy, 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

JUN 13 2008



Renee J. Jenkins
Secretary