

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
AT&T Ohio for Approval of an)
Alternative Form of Regulation of Basic) Case No. 09-494-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 the attorney examiner Entry of July 8, 2009, AT&T Ohio's motion for a protective order was granted regarding proprietary information that was filed as part of AT&T Ohio's application in this proceeding.
- (2) Pursuant to its motion of November 5, 2010, AT&T Ohio seeks an extension of the protective order for a period of 18 months. 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. 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.

- (3) On November 8, 2010, Verizon Wireless, one of the telephone companies whose data is the subject of the protective orders for which an extension is being sought, filed a letter in support of

AT&T Ohio's motion. The letter reflects Verizon Wireless' desire to continue to maintain the confidential status of its company-specific data inasmuch as it continues to be a trade secret.

- (4) Based on the arguments presented, the attorney examiner determines that the previously issued protective order should be extended for a period of 18 months from the date of its scheduled expiration (January 8, 2011), due to the continued proprietary nature of the relevant information.

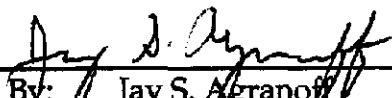
In support of this determination, the attorney examiner references the fact that orders prohibiting public disclosure of documents automatically expire on July 8, 2011. Although a party may, pursuant to Rule 4901-1-24, Ohio Administrative Code, seek an extension of a protective order, the requesting entity must demonstrate the need for the specific time frame requested. 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 order of July 8, 2009, shall be extended in accordance with Finding (4). It is, further,

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

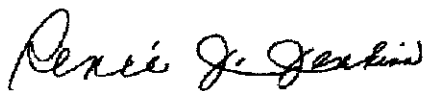
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jay S. Agranoff
Attorney Examiner

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Entered in the Journal

NOV 10 2010



Renee J. Jenkins
Secretary