

THE PUBLIC UTILITIES COMMISSION OF OHIO

ENTRY

- (1) In accordance with the attorney examiner Entry of June 24, 2008, Glandorf Telephone Company, Inc.'s (Glandorf) motion for a protective order was granted regarding proprietary information that was filed as part of Glandorf's application in this proceeding.
- (2) By Entry of December 9, 2009, the request of Glandorf to extend the protective order was granted.
- (3) Pursuant to its motion of May 5, 2011, Glandorf seeks to further extend the protective order for an unspecified period of time. In support of its request, Glandorf explains that the relevant information consists of confidential billing system modification information to comply with the Commission's edge-out access rate reduction requirements. Glandorf submits that the information continues to be competitively sensitive trade secret information and public disclosure would impair Glandorf's ability to compete in the marketplace.

(4) Based on the arguments presented, the attorney examiner determines that the protective order previously issued

pursuant to the attorney examiner Entry of December 9, 2009, should be extended due to the continued proprietary nature of the relevant information. However, in reaching this decision, the attorney examiner finds that the protective order should be extended for a period of 18 months from the date of this Entry, rather than the requested indefinite time frame.

In support of this determination, the attorney examiner references the fact that orders prohibiting public disclosure of documents automatically expire within 18 months. Although a party may, pursuant to Rule 4901-1-24, Ohio Administrative Code (O.A.C.), seek an extension of a protective order, the requesting entity must demonstrate the need for the specific time frame requested. While Glandorf has failed to specify a specific time frame, the attorney examiner concludes that, consistent with Commission rules, the maximum extension of an additional 18 months should be granted. After this period of time, Glandorf should perform an evaluation in order to determine whether the protected information continues to require protective treatment.

- (5) Rule 4901-1-24(F), O.A.C., requires a party wishing to extend a protective order to file an appropriate motion at least 45 days in advance of the expiration dated. If Glandorf wishes to extend this confidential treatment, it must file a motion that includes a detailed discussion of the need for continued protection at least 45 days in advance of the expiration date. If no such motion is filed, the Commission may release this information without prior notice to Glandorf.

It is, therefore,

ORDERED, That the protective order of June 24, 2008, shall be extended a second time in accordance with Finding (4). It is, further,

ORDERED, That the Commission's docketing division continue to maintain the proprietary information under seal for a period of 18 months from the date of this Entry. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Jay Agranoff

By: Jay S. Agranoff
Attorney Examiner

JRJ/sc

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in

Case No(s). 08-0701-TP-WVR

Summary: Attorney Examiner Entry ordered that the protective order of 06/24/08 shall be extended a second time in accordance with Finding (4) and ordered that the Commission's Docketing Division continue to maintain the proprietary information under seal for a period of 18 months from the date of this Entry. - electronically filed by Sandra Coffey on behalf of Jay Agranoff, Attorney Examiner, Public Utilities Commission of Ohio