

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of American)
Broadband and Telecommunications)
Company Petition for Designation as a Low-) Case No. 12-1714-TP-UNC
Income Competitive Telecommunications)
Carrier.)

ENTRY

The attorney examiner finds:

- (1) On August 16, 2012, American Broadband and Telecommunications Company (ABT) filed, in response to a data request by Staff regarding ABT's application for designation as a low-income competitive telecommunications carrier, a supplement titled "Confidential - Data Request 22." The supplement contains confidential financial information. Also on August 16, 2012, ABT filed a motion for a protective order concerning this financial information. The attorney examiner granted the request for a protective order in an August 23, 2012 Entry, for a period of 18 months, to expire on February 23, 2014.
- (2) On December 16, 2013, ABT filed a motion to extend the protective order beyond its February 23, 2014 expiration. ABT explains that the proprietary financial information that it filed remains competitively sensitive and has not lost its commercial relevance since it was first granted protection. ABT adds that it continues to treat the information as a trade secret, because in the ordinary course of its business such information is considered confidential and proprietary by ABT employees, and is not disclosed to anyone except as part of a legal proceeding, and even then only pursuant to a protective agreement.
- (3) The motion to extend the protective order is reasonable and should be continued for 18 months from February 23, 2014. Therefore, for 18 months from February 23, 2014 (i.e., August 23, 2015), the Docketing Division should maintain under seal all documents and pleadings filed by ABT that are currently under seal in this proceeding.

- (4) The attorney examiner notes that considerable time has passed since the filing of confidential information in this proceeding. In light of this, if ABT wishes to extend the protective order beyond August 23, 2015, ABT should explain in greater detail in any future motion requesting extension of the protective order why the information merits further protection.

It is, therefore,

ORDERED, That ABT's motion to extend the protective order be granted. It is, further,

ORDERED, That the Commission's docketing division maintain, under seal and for a period of 18 months from February 23, 2014 (i.e., August 23, 2015), ABT's financial information, which initially was filed under seal on August 16, 2012. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 12-1714-TP-UNC

Summary: Attorney Examiner Entry grants ABT's motion to extend the protective order and orders the Commission's docketing division to maintain, under seal for a period of 18 months from 02/23/2014 (i.e., 08/23/2015), ABT's financial information, which initially was filed under seal on 08/16/2012. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio