

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Commission's</b>	<b>:</b>	
<b>Investigation into Intrastate Carrier Access</b>	<b>:</b>	<b>Case No. 10-2387-TP-COI</b>
<b>Reform Pursuant to Sub. S.B. 162</b>	<b>:</b>	

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**JOINT MOTION TO EXTEND PROTECTIVE ORDER**

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The Ohio Cable Telecommunications Association ("OCTA"); Time Warner Cable Information Services, LLC (Ohio), ("TWCIS"); Comcast Phone of Ohio, LLC ("Comcast") and Armstrong Telecommunications, Inc. ("Armstrong") (collectively, the "Joint Movants") pursuant to Rule 4901-1-24(F) of the Ohio Administrative Code (O.A.C.), move to extend the protective order granted by the Attorney Examiner in his June 25, 2013, Entry in this matter. Specifically, the Joint Movants request that confidential treatment be extended for the March 18, 2011 respective confidential responses to Appendix D of the November 3 Entry submitted by Armstrong, TWCIS and Comcast; to the May 13, 2011 confidential response of Insight Phone of Ohio, LLC to Appendix D of the November 3 2010 Entry; the July 1, 2011 confidential initial supplemental comments of the OCTA; and the July 15, 2011 confidential supplemental reply comments of the OCTA. The reasons underlying this joint motion are detailed in the attached Memorandum in Support.

WHEREFORE, the Joint Movants respectfully request that the Commission extend the June 25, 2013 Entry granting protection for an additional 24 months or until February 25, 2017 for the March 18, 2011 confidential responses to Appendix D of Armstrong, TWCIS and Comcast, for the May 13, 2011 confidential response of Insight Phone of Ohio, LLC to

Appendix D, for the July 1, 2011 confidential initial supplemental comments of OCTA, and for the July 15, 2011 confidential supplemental reply comments of the OCTA.

Respectfully submitted,

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LLC and Armstrong Telecommunications, Inc.

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**MEMORANDUM IN SUPPORT OF  
JOINT MOTION TO EXTEND PROTECTIVE ORDER**

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Pursuant to its Entry of February 23, 2011, the Commission directed all eligible incumbent local exchange companies ("ILECs"), to file on or before March 18, 2011, their respective data for the 2009 and 2010 calendar years in response to Appendix C of the Commission's Entry of November 3, 2010. Additionally, all contributing carriers were directed to file by the same date, their respective data for the 2010 calendar year in response to Appendix D of the Commission's Entry of November 3, 2010. On March 18, 2011, Comcast Phone of Ohio, Time Warner Information Services, LLC, and Armstrong Telecommunications, Inc. filed data for the calendar year 2010 in response to Appendix D of the Commission's Entry of November 3, 2010. On May 13, 2011, Insight Phone of Ohio, LLC ("Insight") filed data for the calendar year 2010 in response to Appendix D of the Commission's Entry of November 3, 2010. Comcast, TWCIS, Insight<sup>1</sup> and Armstrong each requested confidential treatment of this information.

On July 1, 2011, the OCTA filed a motion for protective order relative to the confidential information it filed in conjunction with its initial supplemental comments. Specifically, the OCTA noted that the information pertained to confidential data filed under seal by various carriers, pursuant to the Commission's Entries of November 3, 2010 and February 23, 2011. OCTA represented that it had obtained the specified information pursuant to protective agreements that it had entered into with each of the respective carriers.

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<sup>1</sup> The ownership of Insight was transferred with Commission approval to Time Warner Cable, Inc. in Case No. 11-4984-TP-ACO. Subsequently, Insight filed an application to withdraw basic local exchange service in Case No. 13-379-TP-ZTA. Finally, Insight Phone of Ohio, LLC filed an application to abandon service in Case No. 14-361-TP-ABN. Thus, while Insight has abandoned service, Time Warner Cable Information Services (Ohio) LLC, a subsidiary of Time Warner Cable, Inc. is serving the customers previously served by Insight and is the successor in interest to the May 13, 2011 confidential information submitted in this case.

On July 15, 2011, the OCTA filed a motion for protective order seeking to preserve the confidentiality of certain information contained in its Supplemental Reply Comments filed on that same day. The OCTA explained that the information that it sought to protect included carrier information that was subject to respective protective agreements that OCTA had entered into with those carriers. In particular, the confidential information consisted of carrier information that was filed in response to the Commission's Entries of November 3, 2010 and February 23, 2011.

In response to a May 9, 2013 Entry, Armstrong Telecommunications, Inc. ("Armstrong"), Time Warner Cable Information Services (Ohio), LLC ("TWCIS"), the OCTA and Comcast Phone of Ohio, LLC ("Comcast") each made a filing renewing their respective motions or requests for a protective order.

On June 25, 2013, the Attorney Examiner issued an Entry finding that, with respect to the November 3, 2010 Appendix D data, the contributing carrier's 2010 uncollectible intrastate retail telecommunications revenues, the contributing carrier's 2010 total intrastate retail telecommunications revenues minus uncollectibles and the contributing carrier's total Ohio access lines as of December 31, 2010 constitute trade secret information. The Attorney Examiner found that this information should not be disclosed to the public for a period of eighteen (18) months<sup>2</sup> ending February 25, 2015. The Attorney Examiner also indicated that any party wishing to extend a protective order must file an appropriate motion at least forty-five (45) days in advance of the expiration date.

The OCTA alleges that the information for which it sought protection includes carrier-specific information that is subject to protective agreements between the OCTA and each respective carrier. It alleges that the confidential information consisted of information derived

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<sup>2</sup> Rule 4901-1-24(F) of the OAC has been amended to allow for a twenty-four month extension.

from data provided to the Commission Staff in response to data requests included in the November 3, 2010 and February 23, 2011 Entries in this proceeding and filed under seal by the carriers. The OCTA alleges that the carriers have asserted that the public release of this information would cause to them in the various Motions for Protective Order that they have filed in this proceeding and in the protective agreements that they have required. The OCTA respectfully submits that the confidential information it submitted in 2011 was and remains trade secret information that should not be disclosed to the public. Therefore, the OCTA respectfully requests that the Commission extend the protective treatment of this information for an additional twenty-four (24) months.

Armstrong, Comcast and TWCIS also allege that their respective 2010 uncollectible intrastate retail telecommunications revenues, 2010 total intrastate retail telecommunications revenues minus uncollectibles, and total Ohio access lines as of December 31, 2010, were and remain trade secret information. TWCIS, as successor to the interests of Insight, also alleges that the 2010 data submitted under seal by Insight on May 13, 2011 was and remains trade secret information. Therefore, Armstrong, Comcast, and TWCIS respectfully request that the Commission extend confidential treatment for an additional twenty-four (24) months for their respective confidential responses to Appendix D of the November 3, 2010 Entry that was submitted on March 18, 2011. TWCIS also requests that the Commission extend confidential treatment for an additional twenty-four (24) months for the May 13, 2011 confidential response of Insight to Appendix D of the November 3, 2010 Entry.

As additional support, the Joint Movants note that the Commission has recently adopted Rule 4901:1-24-08(A) and Rule 4901:1-27-08(A) of the Ohio Administrative Code which allows protective treatment for certain financial documents to be automatically granted for six (6) years.

Extending protective treatment for such confidential information in this case for an additional twenty-four (24) months would be consistent with this trend of expanding the term of protective treatment for financial exhibits to approximately six years.

WHEREFORE, the Joint Movants respectfully request that the Commission extend the June 25, 2013 Entry granting protection for an additional 24 months or until February 25, 2017 for the March 18, 2011 confidential responses to Appendix D of Armstrong, TWCIS and Comcast, for the May 13, 2011 confidential response of Insight Phone of Ohio, LLC to Appendix D, for the July 1, 2011 confidential initial supplemental comments of OCTA, and for the July 15, 2011 confidential supplemental reply comments of the OCTA.

WHEREFORE, the Joint Movants respectfully request that the Attorney Examiner extend the confidential treatment for their respective confidential information for an additional twenty-four (24) months or until February 25, 2017.

Respectfully submitted,

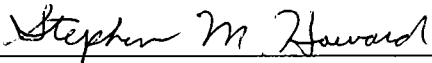
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### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served this 22<sup>nd</sup> day of December, 2014 by electronic mail, upon the persons listed below.

  
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Summary: Motion Joint Motion to Extend Protective Order electronically filed by Mr. Stephen M Howard on behalf of Ohio Cable Telecommunications Association and Time Warner Cable Information Services (Ohio), LLC and Comcast Phone of Ohio, LLC and Armstrong Telecommunications, Inc.