

# Morgan Lewis

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## **Via E-Filing**

May 12, 2023

Barcy McNeal, Commission Secretary  
Public Utilities Commission of Ohio  
180 East Broad Street, 11th Floor  
Columbus, OH 43215-3793  
Attention: Docketing Division

**RE: Case No. 23-0461-TP-ACE  
Application of ExteNet LVS, LLC to Provide Telecommunications Services  
Throughout the State of Ohio**

## **WITHDRAWAL AND RESUBMISSION OF MOTION FOR PROTECTIVE ORDER**

Dear Secretary McNeal:

On behalf of ExteNet LVS, LLC ("Applicant"), attached for electronic filing is Applicant's resubmitted Exhibit H-1 Motion for Protective Order seeking confidential treatment and a protective order for **Confidential Exhibit H-2** to the above referenced application, which has been electronically filed with the Commission via the Docketing Information System in Case No. 23-0461-TP-ACE. Applicant hereby withdraws the Motion for Protective Order that was originally submitted as Exhibit H-1 of the above-referenced Application, pursuant to staff's instructions.

Please acknowledge receipt and acceptance of this filing. Should you have any questions concerning this filing, please do not hesitate to contact my colleague, Stephany Fan, at (202) 739-5441.

Respectfully submitted,

*/s/ Doriyon Glass*

Doriyon Glass (OH Bar # 98149)

*Counsel for ExteNet LVS, LLC*

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**EXHIBIT H-1**

**Motion for Protective Order**

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

Application of	)	
	)	
ExteNet LVS, LLC	)	
	)	
for a Certificate of Public Convenience and	)	Case No. 23-0461-TP-ACE
Necessity to Provide Telecommunications	)	
Services throughout the State of Ohio	)	
	)	
	)	

**MOTION FOR PROTECTIVE ORDER**

ExteNet LVS, LLC (“ELVS”), by its attorneys and pursuant to OAC 4901-1-24(D), moves for a protective order to prevent public disclosure of the confidential and proprietary financial information included as **Exhibit H-2** in the above-referenced application. In support of this Motion, ELVS states as follows:

1. ELVS is applying for authority to provide telecommunications services throughout the State of Ohio. As part of that Application, ELVS provides the financial statements of its indirect parent, ExteNet Systems, LLC (“ESL”) as **Exhibit H-2** (the “Confidential Exhibit”).

2. ESL is a privately held company and is not required to file financial information with the United States Securities and Exchange Commission and does not otherwise disclose its financial information to the public.

3. ESL uses its best efforts to keep and maintain the confidentiality of the Confidential Exhibit. To the best of the Company’s knowledge, the Confidential Exhibit has not been disclosed or released to the public.

4. The Confidential Exhibit derives economic value from not being generally known to and not being readily ascertainable by proper means by other person who can obtain economic

value from their disclosure and use. Specifically, the information contained therein is extremely sensitive financial information that could be used by competitors to determine revenue and other information damaging to the Company. Disclosure of such information would be extremely detrimental and could be used by the Company's competitors to materially affect the Company's ability to compete effectively.

5. Due to the sensitive nature of the Confidential Exhibit, it is appropriate for the Commission to limit access to it. The Confidential Exhibit should solely be used by the Commission in exercising its governmental functions in considering ELVS's Application. There is no legitimate purpose or public interest to be served in disclosing the Confidential Exhibit to the Company's current or future competitors or to any person other than the appropriate staff of the Commission.

WHEREFORE, ExteNet LVS, LLC respectfully requests that the Commission grant a Protective Order allowing **Exhibit H-2** of the Application to be treated as confidential.

Respectfully submitted,

*/s/ Doriyon Glass*

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*Counsel for ExteNet LVS, LLC*

Dated: May 12, 2023

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**5/12/2023 11:46:16 AM**

**in**

**Case No(s). 23-0461-TP-ACE**

Summary: Motion Withdrawal and Resubmission of Motion for Protective Order for Confidential Exhibit H-2 electronically filed by Renee Britt on behalf of ExteNet LVS, LLC and Doriyon Glass.