

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of AT&T Communications of)
Ohio, Inc.'s Petition for Arbitration of Inter-)
connection Rates, Terms, and Conditions) Case No. 96-752-TP-ARB
and Related Arrangements with Ohio Bell)
Telephone Company d.b.a. Ameritech Ohio.)

ENTRY

The attorney examiner finds:

- (1) On December 5, 1996, the Commission issued its arbitration award in this case. Among the Commission's conclusions in that decision, was that it reaffirmed confidential treatment of certain information in the record.
- (2) On May 22, 1998, Ameritech Ohio (Ameritech) filed a motion for a protective order continuing the confidential treatment of certain evidence. In its motion, Ameritech stated that it had begun, but had not completed, the process of evaluating the extent to which documents previously granted protection continued to require such treatment. Ameritech requested additional time to supplement its motion for confidential treatment.
- (3) On May 27, 1998, AT&T Communications of Ohio, Inc. (AT&T) filed a response to Ameritech's renewed motion for protective order. AT&T stated that it did not object to Ameritech's request that all of the confidential submissions in this proceeding remain redacted from the public record and protected from disclosure until a further review of those documents and record had occurred.
- (4) By entry of June 11, 1998, the attorney examiner granted Ameritech additional time to review the protected information.
- (5) On July 5, 1998, Ameritech and AT&T jointly submitted a supplemental memorandum in support of renewed protective order. In the memorandum, Ameritech and AT&T stated that Ameritech had completed its review of the documents and testimony and both parties requested the Commission grant continued confidential treatment of the documents and testimony constituting proprietary cost,

negotiation strategy, marketing, methods and procedures, and product development information. The parties attached to the memorandum charts depicting what documents and information they believed should remain under seal. In general, Ameritech states that the vast majority of these documents consist of both Ameritech and AT&T confidential documents and limited portions of the testimony, exhibits, and pleadings presented during the hearing, which contain trade secret information. Ameritech also stated that it had determined that a limited amount of information no longer required special protection and should be released for public disclosure. The latter category of information was identified in Attachment A to the July 6, 1998 memorandum filed by Ameritech and AT&T as 2165-2180; 2181-2190; 2191-2201; 3677-3692; 3777, 3778, 3779-3783; 3919-3934; 3935-3944; 3945-3955; 4071-4086; 4087-4102; 4103-4112; 4113-4123; 4273; 4327-4328; and 12450-12467.

- (6) Upon review, the attorney examiner concludes that Ameritech's motion and Ameritech's and AT&T's joint memorandum are well taken and should be granted. It appears that the information, which is currently under seal and which Ameritech and AT&T seek to remain under seal, constitutes a trade secret under Ohio law and nondisclosure is not inconsistent with the purposes of Title 49 of the Revised Code. In addition, the attorney examiner finds that the information identified in Exhibit A of the joint memorandum, that Ameritech and AT&T jointly agree no longer requires confidentiality, should be made public. Accordingly, the information under seal in this docket should remain under seal for another period of 18 months from the date of this entry, except with respect to the documents identified in Finding (5) of this entry and in Exhibit A in the memorandum filed July 6, 1998, which should be made public.

It is, therefore,

ORDERED; That the motion of Ameritech to renew the protective order previously granted in this case is granted in accordance with Finding (6). It is, further,

ORDERED, That the Docketing Division of the Commission shall, pursuant to Rule 4901-1-24, Ohio Administrative Code (O.A.C.), maintain under seal the portion of the information currently under seal for 18 months from the date of this entry as delineated in Finding (6). It is, further,

ORDERED, That the Docketing Division of the Commission shall no longer maintain under seal and shall make public the portion of the information identified in Finding (5). It is, further,

ORDERED, That, in accordance with Rule 4901-1-24(F), O.A.C., the protective order prohibiting disclosure in this case is renewed and shall now automatically expire 18 months after the date of this entry. Any party wishing to extend this confidential treatment should file the appropriate motion at least 45 days in advance of the expiration of the date of this protective order. It is, further,

ORDERED, That a copy of this entry should be served upon AT&T, Ameritech, and their respective counsel, and all other parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Scott E. Farkas
Attorney Examiner

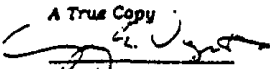
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Entered in the Journal

SEP 23 1998

A True Copy



Gary E. Vigorito
Secretary

SERVICE NOTICE

CASE NUMBER 96-752-TP-ARB
CASE DESCRIPTION AT&T COMMUNICATIONS/AMERITECH OHIO
DOCUMENT SIGNED ON September , 1998
DATE OF SERVICE Sept. 1998

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