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BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM 823

In the Matter of an Investigation into the)
Entry of QWEST CORPORATION, into)
In-Region InterLATA Services under) SPECIAL PROTECTIVE ORDER
Section 271 of the Telecommunications)
Act of 1996.)

DISPOSITION: MOTION GRANTED

Background. On April 3, 2000, Order No. 00-180, a Standard Protective Order, was issued in this proceeding. On August 28, 2001, AT&T Communications of the Pacific Northwest, Inc. and AT&T Local Services on behalf of TCG Oregon and Time Warner Telecom of Oregon LLC ("Joint Movants") filed a Joint Motion for Extraordinary Protective Order, citing the highly sensitive, competitive information sought by Qwest's data requests upon them. On August 31, 2001, Qwest Corporation (Qwest) filed an Opposition thereto. Joint Movants submitted a Response to the Qwest Opposition on September 6, 2001.

On September 7, 2001, the parties reached an agreement with respect to the modification of the protective order. Allan J. Arlow, the Administrative Law Judge presiding in this case, indicated to the parties that he found the modification to be in the public interest. He further indicated that he would recommend to the Commission that the modification be adopted.

ORDER

Usually, neither the presiding administrative law judge nor participating members of the Commission Staff indicate their agreement to be bound by a protective order by executing a signatory page. However, in light of the particularly sensitive nature of the information sought and the affirmative recommendation of the ALJ, we modify the Standard Protective Order No. 00-180, issued April 3, 2000, as follows:

ORDER NO. 01-874

Data sought from AT&T Communications of the Pacific Northwest, Inc. and AT&T Local Services on behalf of TCG Oregon and Time Warner Telecom of Oregon LLC specifying the number of access lines owned or built by any of them, or specifying the number of customers which any of them may have, irrespective of how presented, whether aggregated or disaggregated, whether prepared geographically or otherwise (the Information), shall receive additional protection as follows:

1. The Information shall be made available only to a) individual members of the Commission; b) the presiding Administrative Law Judge; c) David Booth and Tom Harris of the Commission Staff; and d) John Munn on behalf of Qwest and no others.
2. Persons allowed to receive such Information shall not divulge or reveal the Information to anyone not specified in this Order.
3. Within ten days of the issuance of this Order, John Munn on behalf of Qwest, presiding Administrative Law Judge Allan J. Arlow and David Booth and Tom Harris on behalf of the Commission Staff shall each execute Exhibit A, affixed to this Special Protective Order, agreeing to be bound by the Standard Protective Order issued in this proceeding, including Appendix A thereto, and this Special Protective Order as modified herein.

Made, entered, and effective _____.

Roy Hemmingway
Chairman

Lee Beyer
Commissioner

Joan H. Smith
Commissioner

This order may be appealed to the Commission pursuant to OAR 860-014-0091. The appeal should be in the form of a motion. *See* OAR 860-013-0031.

SIGNATORY PAGE

UM 823

Consent to be Bound-

This order governs the use of "confidential information" in this proceeding, generally, and the Information described in this order, in particular.

I have read Order No. 00-180, the Standard Protective Order issued in this proceeding, including Appendix A thereto, and this Special Protective Order. I agree to be bound by the terms contained in each of the aforementioned documents.

Signature & Printed

Date

Party

Signature & Printed

Date

Party