

BEFORE THE PUBLIC SERVICE
COMMISSION OF THE STATE OF MISSOURI

FILED

FEB 23 2000

In the Matter of the Application of)

@link Networks, Inc.)

for a Certificate of Service Authority to Provide)
Basic Local Telecommunications Services)
in the State of Missouri)
and for Competitive Classification)

Missouri Public
Service Commission

Case No. TA-2000-521

MOTION FOR PROTECTIVE ORDER

INTRODUCTION

@link Network, Inc. ("@link" or "Movant"), by its attorneys and pursuant to 4 CSR § 240-2.085 hereby files this Motion for a Protective Order ("Motion") in the above-captioned proceedings. @link submits this Motion for the purpose of seeking the confidential treatment of certain commercially-sensitive financial information which is filed together with this Motion under confidential seal and which is further referred to as *Exhibit 2* to its Application for a Certificate of Service Authority to Provide Basic Local Telecommunications within the State of Missouri ("Basic Local Application").

In support of this Motion, @link states the following:

I. DESCRIPTION OF CONFIDENTIAL INFORMATION

1. To demonstrate its financial ability to provide basic local services, @link is filing a copy of its audited financial statements for the year ended May 31, 1999 and a copy of @link's financial statement for the six month period ending November 30, 1999. These documents are specifically referred to as *Exhibit 2* to the Basic Local Application.

II. GROUND FOR CLAIM OF PROTECTIVE TREATMENT

2. @link seeks to protect the information contained in *Exhibit 2* because its financial statements contain highly-confidential and strictly-proprietary information, the public disclosure of which potentially may result in direct and immediate harm to the competitive position of @link in Missouri and elsewhere.

3. Because the Company's financial statements contain confidential and commercially sensitive information from which its competitors may derive economic value, @link actively seeks to protect such material from public disclosure. @link derives independent economic value from the fact that significant and proprietary information regarding the Company's financial structure and current financing activities is unknown to its competitors. Given this fact, the disclosure of this information could provide existing and potential competitors, including competitive local exchange carriers ("CLECs"), incumbent local exchange carriers ("ILECs"), independent local exchange carriers, and interexchange carriers ("IXCs") in Missouri, as well as in other states in which @link provides or intends to provide telecommunication services, with an unfair and undeserved competitive advantage over @link and its affiliates.

4. @link is a privately-held corporation presently immune from a legal obligation to prepare or submit financial statements to any public entity. As such, the financial statements set forth in the *Exhibit 2* to @link's Basic Local Application are not readily ascertainable by persons external to the Company, and none of the information for which this claim of confidentiality is made may be found in any format in any other public document.

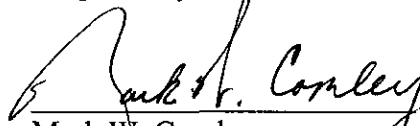
III. CONCLUSION

The information for which confidential treatment is sought in this Motion is both private and competitively-sensitive. The direct harm that could be caused to @link as a result of any such

disclosure is real and not speculative. Moreover, to date, no other jurisdiction or governmental agency has required @link to make its financial statements available to the public. For all of these reasons, @link's financial statements should be protected from public disclosure.

WHEREFORE, @link Networks, Inc. respectfully requests that the Commission grant its Motion for Protective Order with respect to **Exhibit 2** of its Application for a Certificate of Service Authority to Basic Local Telecommunications within the State of Missouri.

Respectfully submitted,



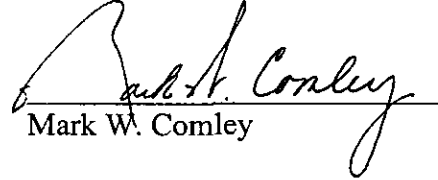
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, to Office of Public Counsel, P.O. Box 7800, Jefferson City, MO 65102-7800 on this 23rd day of February, 2000.


Mark W. Comley