

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

August 3, 2000

CASE NO: TE-2000-646

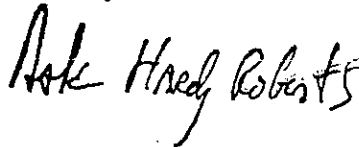
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Navigator)
Telecommunications, LLC Annual Report to the) Case No. TE-2000-646
Missouri Public Service Commission)

ORDER GRANTING CONFIDENTIAL TREATMENT AND LATE FILING

On April 14, 2000, Navigator Telecommunications, LLC (Navigator) filed its petition to file its annual report under seal and for an extension of the time for filing an annual report.

Pursuant to Commission Rule 4 CSR 240-10.080(1), "[a]ll public utilities subject to the jurisdiction of the Missouri Public Service Commission shall file an annual report with the commission on or before April 15 of each year."

Navigator stated that it is a privately held limited liability company not otherwise subject to public reporting requirements and that the annual report requires it to furnish competitively sensitive and confidential information concerning its financial condition that is not known or disseminated outside of the company and that is protected from disclosure as proprietary. Navigator added that it competes for customers with other telecommunications companies operating in Missouri. Navigator also stated that disclosure of its confidential financial information would provide its competitors with valuable market information relating to its financial condition and its competitors could

4

use such information to compete for its customers. Navigator stated that it maintains the secrecy of this confidential financial information by retaining possession and control of such information and by seeking similar protection in each jurisdiction where it has filed such confidential and proprietary information.

Navigator requested that the Commission grant its request to file and maintain its annual report under seal pursuant to Commission Rule 4 CSR 240-10.080(7) and grant its request for an extension of time to file its annual report pursuant to Commission Rule 4 CSR 240-10.080(8).

On July 20, 2000, the Staff of the Commission (Staff) filed a recommendation. Staff stated that it had reviewed the annual report filed by Navigator and that Staff was of the opinion that the information contained on the balance sheet, statement of income, statement of cash flows and number of Missouri access lines is highly confidential or proprietary, as defined by the protective order issued by the Commission in contested cases, and, further, that Navigator had shown good cause based on Commission practice.

Staff made three recommendations:

(1) That only the balance sheet, statement of income, statement of cash flows, and number of Missouri access lines contained in Navigator's 1999 annual report are eligible for treatment as a closed public record. Accordingly, Staff recommended that the Commission grant, in part, Navigator's request for confidential treatment of its annual report, by ordering that the confidential

treatment be limited to the aforementioned financial statements and Missouri access lines until April 15, 2001;

(2) That the Commission's grant of such confidential treatment be contingent upon Navigator's filing within ten days of the effective date, a public version of its annual report that includes notes on all affected pages stating: "The Commission has approved the filing of the specific data identified herein by blacked out text as a 'Closed Public Record in Case No. TE-2000-646 until April 15, 2001.'" After this date, the information should be transferred to the open public record, unless Navigator makes a showing that the information remains confidential.

(3) That the Commission's order should grant Navigator's request for an extension of time to file the annual report ten days after the date of the order.

Neither Navigator nor the Office of the Public Counsel filed a response to the Staff's recommendation.

Upon review of Navigator's motion, Staff's recommendation, and the official case file, the Commission finds that there is good cause shown for the request to protect confidential information and that the request substantially complies with the above-cited rules. Therefore, confidential treatment for those portions identified as needing confidential treatment in the Staff recommendation should be granted. The Commission also finds that there is good cause to extend the filing date of the annual report for Navigator since it applied for an extension

of time before the filing deadline. Therefore, an order allowing Navigator to file out of time should also be granted.

IT IS THEREFORE ORDERED:

1. That, pursuant to the recommendation of the Staff of the Missouri Public Service Commission, the balance sheet, statement of income, statement of cash flows, and number of Missouri access lines contained in the 1999 annual report filed by Navigator Telecommunications, LLC, shall be granted confidential treatment until April 15, 2001.

2. That, pursuant to the recommendation of the Staff of the Missouri Public Service Commission, the grant of such confidential treatment be contingent upon Navigator Telecommunications, LLC's, filing no later than August 14, 2000, a public version of its annual report that includes notes on all affected pages stating: "The Commission has approved the filing of the specific data identified herein by blacked-out text as a 'Closed Public Record in Case No. TE-2000-646 until April 15, 2001.'" After this date, the information shall be transferred to the open public record, unless Navigator Telecommunications, LLC, makes a showing in writing that the information remains confidential.

3. That Navigator Telecommunications, LLC, shall be allowed to file its annual report out of time no later than August 14, 2000.

4. That this order shall become effective on August 14, 2000.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 3rd day of August, 2000.

**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 3rd day of Aug. 2000.

Dale Hardy Roberts

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

