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

In the Matter of the Filing of Portions            )  
of the Annual Report, Under Seal,                )  
of Teleglobe USA Inc.                                ) Case No. TO-99-484

**ORDER GRANTING CONFIDENTIAL TREATMENT AND LATE FILING**

Pursuant to 4 CSR 240-10.080, "[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."

On April 22, 1999, Teleglobe USA Inc. (Teleglobe) filed a document entitled Motion for Confidential Treatment of Certain Proprietary Financial Information Contained in the Annual Report. The document requested the proprietary treatment of certain financial information contained in its attached annual report for the year ending December 31, 1998, since it asserted the release of this nonpublic financial information could potentially harm Teleglobe's interests. Also with its motion, Teleglobe submitted a proprietary version of its annual report, which was filed under seal, and a public version which is filed as a matter of public record.

The document cited no statutory provision or other authority which would allow the Commission to grant confidential treatment to such report. The Commission entered its Order Requiring Correction on May 4,

1999, ordering Teleglobe, pursuant to 4 CSR 240-2.060(1)(D), to state under which statute, rule or other authority it filed its request.

In the same order, the Commission also ordered Teleglobe, pursuant to 4 CSR 240-10.080(7), to set forth a factual basis, and not just a conclusory recitation, explaining why the release of nonpublic information would be harmful to it.

Finally, the Commission also required that Teleglobe state whether the information it seeks to make confidential is available in any other form in any other public place (e.g., the Internet, public libraries, reports previously published, filings with other regulatory agencies, etc.)

On May 14, 1999, Teleglobe filed its Amended Application for Confidential Treatment of Certain Proprietary Financial Information Contained in the Annual Report which cured the deficiencies of its first application.

Teleglobe stated that it was requesting under 4 CSR 240-10.080 and Section 386.480, RSMo 1994, for the Commission to enter its order allowing it to file its annual report, granting confidential treatment to those portions identified as confidential.

Teleglobe also stated that the information sought to be protected from public disclosure contained commercially sensitive information regarding Teleglobe's net income, assets, dividends, plants in service, capitalization (including retained earnings), and other information regarding the liabilities and owners' equity in the company. Teleglobe asserted that the information, if made public, could be helpful to

Teleglobe's competitors in assessing Teleglobe's success in Missouri and whether it might be profitable for competitors to seek entrance into the telecommunications markets served by Teleglobe. Teleglobe also stated that the information would be helpful to potential purchasers of Teleglobe or its assets since it includes the book value of those assets.

Teleglobe noted that it is not a public-traded company, but its financial information is consolidated with its public-traded parent corporation. Therefore, the specific financial information contained in Teleglobe's annual report is not otherwise publicly available. Teleglobe stated that none of the information sought to be protected is available in any other form in any other public place, including the Internet, public libraries, reports previously published, or filings with other regulatory agencies.

On August 18, 1999, the Staff of the Commission filed a recommendation that Teleglobe's request be granted insofar as statement of cash flows, balance sheet, and income statement are concerned. Staff also recommended that the Commission grant Teleglobe's request for confidential treatment of the financial statements contained in its 1998 annual report. Staff further recommended, in light of recent Commission practice in similar cases, that Teleglobe be required to file, within ten (10) days of the effective date of this order, an amended public version of its annual report: (a) that blacks out or otherwise obscures the confidential information on its financial statements; (b) that identifies each affected page with the words, "Confidential Information Omitted"; and (c) to which has been attached a copy of said order approving

confidential treatment. Finally, Staff recommended that the Records Department be instructed to return to Teleglobe the currently filed public version of Teleglobe's 1998 annual report upon receipt of the amended version.

Upon review of Teleglobe's motion, the Commission finds that there is good cause shown for the request to protect confidential information, that is, Teleglobe's statement of cash flows, balance sheet, income statement, and financial statements; and that the request substantially complies with the above-cited rules and statutes. Therefore, confidential treatment for those portions identified as confidential of the annual report filed by Teleglobe for 1998 should be granted. The Commission also finds that there is good cause to extend the filing date of the annual report for Teleglobe since it made a good-faith attempt to file on time. Therefore, an order allowing Teleglobe to file out of time should also be granted.

**IT IS THEREFORE ORDERED:**

1. That the request for confidential treatment of Teleglobe USA, Inc.'s statement of cash flows, balance sheet, income statement, and financial statements, filed in its annual report is granted, that such information shall be filed under seal, and that such information shall be maintained under seal.

2. That Teleglobe USA, Inc. be required to file, within ten (10) days of the effective date of this order, an amended public version of its annual report: (a) that blacks out or otherwise obscures the confidential information on its financial statements; (b) that identifies

each affected page with the words, "Confidential Information Omitted"; and (c) to which has been attached a copy of this order.

3. That the Records Department be instructed to return to Teleglobe USA, Inc. the currently filed public version of Teleglobe's 1998 annual report upon receipt of the amended version.

4. That Teleglobe USA, Inc. shall be allowed to file its annual report out of time.

5. That this order shall become effective on September 13, 1999.

6. That this case shall remain open until Teleglobe USA, Inc. has complied with this order.

**BY THE COMMISSION**



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

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
4 CSR 240-2.120(1), (November 30, 1995)  
and Section 386.240, RSMo 1994.

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

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION