BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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In the Matter of a Commission Inquiry into the Possibility of Impairment without Unbundled Local Circuit Switching When Serving the Mass Market

Case No. TO-2004-0207

GROUNDS FOR CLASSIFICTION OF CERTAIN PORTIONS OF THE PHASE III REBUTTAL TESTIMONY J. GARY SMITH AS HIGHLY CONFIDENTIAL

Southwestern Bell Telephone, L.P., d/b/a SBC Missouri ("SBC Missouri"), pursuant to Paragraph I of the Commission's Protective Order, hereby states that the Grounds for Classification of Certain Portions of the Phase III Rebuttal Testimony (both Loop and Transport) of its witness J. Gary Smith as Highly Confidential are as follows: the information classified as Highly Confidential in Mr. Smith's Phase III Rebuttal Testimony either is SBC Missouri information that concerns market specific information relating to services offered in competition with others or is CLEC information that was provided to SBC Missouri on a Highly Confidential basis in response to discovery requests directed to CLECs. The SBC Missouri information is also information concerning trade secrets and confidential and private technical, financial and business information that would alternatively be considered proprietary under the terms of the protective order.

WHEREFORE, SBC Missouri respectfully requests that the Commission continue to treat the classified information contained in J. Gary Smith's Phase III Rebuttal Testimony in this proceeding as Highly Confidential under the Protective Order.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

BY Robert J. Fur 3

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CERTIFICATE OF SERVICE

Copies of this document were served on all counsel of record by e-mail on March 4, 2004.

Robert J. Gyzmala

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