

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

In the Matter of BPS Telephone)	
Company's Election to be Regulated)	
under Price Cap Regulation as Provided)	Case No. IO-2004-0597
in Section 392.245, RSMo 2000.)	

MOTION FOR ISSUANCE OF A PROTECTIVE ORDER

Comes now BPS Telephone ("BPS") and moves the Missouri Public Service Commission ("Commission") to issue its standard-form protective order in the above-referenced case. In support thereof, BPS respectfully states to the Commission as follows:

1. On June 4, 2004, the Commission issued its Notice of Price Cap Election and opened this proceeding to accept responses to the price cap election filed by BPS on May 28, 2004. Both the Staff of the Commission and the Office of Public Counsel filed responses.
2. On August 13, 2004, the Commission issued an Order Adopting Proposed Procedural Schedule and Setting Oral Arguments. According to this procedural schedule the parties are to file a Stipulation of Facts on August 23, 2004. Because BPS anticipates that the stipulation of facts filed by the parties will provide for the inclusion of the record in BPS's previous price cap election, Case No. IO-2003-0012, which includes information that has been designated "proprietary" and "highly confidential" regarding customers of both BPS and the competitive local exchange telecommunications company providing service in its area, BPS requests that the Commission issue a Protective Order so that documents may be filed in this case using the "proprietary" and "highly confidential" designations.

3. BPS anticipates that none of the information for which a claim of confidentiality will be made can be found in any format in any other public document.

4. Therefore, because of the potential for public disclosure of such information without a protective order in place, BPS moves the Commission to issue its standard-form protective order containing classifications of "highly confidential" and "proprietary."

WHEREFORE, BPS respectfully requests that the Commission:

- (a) issue the Commission's standard-form protective order containing classifications of "highly confidential" and "proprietary" to guide the parties' conduct in this case; and,
- (b) grant such further relief as the Commission deems appropriate.

Respectfully submitted,

Sandra B. Morgan

W. R. England, III Mo. #23975
Sondra B. Morgan Mo. #35482
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65101-0456
(573) 635-7166
(573) 635-0427
smorgan@brydonlaw.com (e-mail)

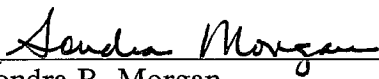
Attorneys for BPS Telephone Company

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, or hand-delivered on this 18th day of August, 2004, to the following parties:

Mr. Cliff Snodgrass
Senior Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Michael F. Dandino
Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102



Sondra B. Morgan