

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Sprint Nextel Corporation for)	
Approval of the Transfer of Control of Sprint)	
Missouri, Inc., Sprint Long Distance, Inc., and)	<u>Case No. IO-2006-0086</u>
Sprint Payphone Services, Inc. from Sprint Nextel)	
Corporation to LTD Holding Company)	

ORDER GRANTING EXCEPTION TO THE PROTECTIVE ORDER

Issue Date: January 18, 2006

Effective Date: January 18, 2006

On January 6, 2006, the Communications Workers of America (CWA) filed a motion asking for an exception to the protective order that was previously entered in this case. The motion explains that the protective order provides that materials designated as highly confidential are to be made available only to attorneys or outside experts who have been retained for the purposes of the case. The protective order specifically states that employees of a party cannot be considered to be outside experts for purposes of viewing highly confidential materials. CWA's witness in the case is Debbie Goldman, a research economist employed by CWA. Since she is an employee of CWA, the protective order would deny her the ability to view highly confidential information.

CWA asks the Commission to grant an exception to the protective order to allow Ms. Goldman to view highly confidential information in this case. CWA explains that the issues presented to the Missouri Commission in this case are also before several other state commissions. Those other states do not forbid expert employee witnesses to view highly confidential information. As a result, Ms. Goldman has viewed the identical

confidential information in other states that would be forbidden to her by the protective order in Missouri.

Commission rule 4 CSR 240-2.080(15) provides that parties are allowed not more than ten days in which to respond to a motion. No party has filed a response to CWA's motion and the Commission will treat the motion as unopposed.

The provision in the protective order that would prevent an employee of a party from being designated as an outside expert for purposes of viewing highly confidential information is designed to prevent the disclosure of confidential information to employees of competing companies who might obtain a competitive advantage from their knowledge of that information. Obviously, CWA is not a competitor of Sprint Nextel. Furthermore, CWA's expert witness already has access to the confidential information through disclosure in similar proceedings in other states. CWA's motion is reasonable and is not opposed by any party. It will be granted.

IT IS THEREFORE ORDERED:

1. That the Communications Workers of America's Motion for an Exception to the Protective Order is granted.
2. That the Communications Workers of America's expert witness, Debbie Goldman, may view and use highly confidential information in the same manner as an outside expert who is not an employee of a party to this case.
3. That in all other respects, the protective order issued in this case remains in effect.

4. That this order will become effective on January 18, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of January, 2006.