

Commissioners

SHEILA LUMPE Chair

M. DIANNE DRAINER Vice Chair

CONNIE MURRAY

ROBERT G. SCHEMENAUER

KELVIN L. SIMMONS

# Missouri Public Service Commission

POST OFFICE BOX 360 JEFFERSON CITY, MISSOURI 65102 573-751-3234 573-751-1847 (Fax Number) http://www.psc.state.mo.us

June 29, 2000

BRIAN D. KINKADE Executive Director

GORDON L. PERSINGER Director, Research and Public Affairs

> WESS A. HENDERSON Director, Utility Operations

ROBERT SCHALLENBERG Director, Utility Services

DONNA M. KOLILIS Director, Administration

DALE HARDY ROBERTS Secretary/Chief Regulatory Law Judge

> DANA K. JOYCE General Counsel

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102

RE: Case No. TE-2000-791

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a STAFF RECOMMENDATION.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Dennis L. Frey

Associate General Counsel

FILED3

JUN 2 9 2000

Service Commission

(573) 751-8700

(573) 751-9285 (Fax)

DLF/lb Enclosure

cc: Counsel of Record

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

ISSION	F., -73
Servi	JUIT 9 8 7 27

In the Matter of the Filing of GTE Communications Corporation's 1999 Annual Reports.

Case No. TE-2000-791

## **STAFF RECOMMENDATION**

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission") and respectfully states:

- 1. On May 30, 2000, GTE Communications Corporation ("GTECC" or "Company"), an interexchange telecommunications company and an alternative basic local exchange carrier, filed with the Commission motions for an extension of time to file its 1999 annual reports, and for a protective order that would afford confidential treatment to the Company's balance sheet, income statement and statement of cash flows contained in its 1999 annual reports.
- 2. Pursuant to 4 CSR 240-10.080(7), the Commission may grant confidential treatment of information in an annual report for good cause. In the attached Memorandum, which is labeled Appendix A, the Staff states its opinion that GTECC has stated good cause for confidential treatment of the subject information.
- 3. It has been the Commission's recent practice to rule on requests for an extension of filing time without the need for a Staff recommendation in cases where, unlike the instant one, said extension is the sole relief sought. In its pleading GTECC cited, as reasons for its requested

extension of time to file: a) recent employee changes at the Company, resulting in an original annual report filing that, although timely, did not fully comply with Commission requirements, and b) the heavy workload of its counsel. Accordingly, the Staff is of the opinion that GTECC has demonstrated good cause for the granting of such extension.

WHEREFORE, the Staff respectfully requests that the Commission issue an Order granting GTECC's request for an extension of time, until 30 days after the date of issuance of said Order, to file its 1999 annual reports; granting the Company's request for confidential treatment of the balance sheet, income statement, and statement of cash flows in its 1999 annual reports until April 15, 2001; and adopting Staff's associated recommendations, as set forth in the attached Memorandum.

Respectfully submitted,

DANA K. JOYCE General Counsel

Dennis L. Frey

Associate General Counsel

Missouri Bar No. 44697

Attorney for the Staff of the Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102

(573) 751-8700 (Telephone) (573) 751-9285 (Fax)

e-mail: dfrey03@mail.state.mo.us

## **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 29th day of June 2000.

#### **MEMORANDUM**

TO:

Missouri Public Service Commission Official Case File Case No. TE-2000-791, GTE Communications Corporation

FROM:

Bill Meyer, Project Coordinator Book 6/29/2000

Roy Boltz, Regulatory Auditor Ross

William 16/29/2000 Man Poten 62900 29-50

Project Coordinated Death 62900 D. 29-50

SUBJECT:

Staff recommendation concerning the request for confidential treatment of portions of the 1999 annual reports of GTE Communications Corporation and extension of time for filing annual reports.

DATE:

June 22, 2000

On May 30, 2000, GTE Communications Corporation (GTECC or Company), an interexchange telecommunications company and a alternative basic local exchange carrier, filed with the Commission a request to file business and financial information in the Company's annual reports under seal and for an extension of time for filing its annual reports, where GTECC requested that the Commission afford confidential treatment of the balance sheet, income statement and statement of cash flows. In support of its Request, GTECC asserted that the information for which protection is sought contains information that is proprietary and highly confidential information, disclosure of which to GTECC's many competitors could be competitively detrimental to GTECC. GTECC discloses such financial information only on a confidential basis and only to banks, financial institutions and others who have a "need to know" requirement for such information. GTECC also requests the Commission grant an extension of time to file the annual reports until such time as the Commission acts on the request.

The pages for which GTECC has requested confidential treatment meets the definition of highly confidential or proprietary, as defined by the protective order issued by the Commission in contested cases. and that, therefore, good cause has been shown based on past Commission practice.

#### RECOMMENDATION

- The Staff recommends that the Commission issue an Order granting GTE Communications Corporation's request for an extension of time to file the annual reports thirty (30) days after the date of the Order.
- The Staff recommends that the Commission issue an Order granting GTE Communications Corporation's request for confidential treatment of the balance sheet, income statement and statement of cash flows contained in its 1999 annual reports until April 15, 2001. After this date, the information should be transferred to the open public record, unless the Company makes a showing that the information remains confidential.
- 3. The Staff recommends the Commission order GTE Communications Corporation to file a public and highly confidential version of the annual reports with a copy of the Order attached to the public version. The redacted public version should have asterisks appearing in the spaces on the affected pages, along with a notation at the bottom of each stating, "denotes highly confidential material that has been filed under seal."

Service List for Case No. TE-2000-791 June 29, 2000

Office of the Public Counsel PO Box 7800 Jefferson City, MO 65102 Charles Brent Stewart Stewart and Keevil Law Office 1001 Cherry Street Suite 302 Columbia, MO 65201