

ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Application of )  
BroadStream Corporation for a Certificate )  
of Service Authority to provide )  
Basic Local Telecommunications Service )  
in Portions of the State of Missouri )  
and for Competitive Classification. )

Case No. TA-2000- 304

FILED  
OCT 29 1999  
Missouri Public  
Service Commission

MOTION FOR ISSUANCE OF PROTECTIVE ORDER

Come now BroadStream Corporation ("BroadStream"), pursuant to 4 CSR 240-2.090 and Civil Rule 56.01(c), and for its Motion For Issuance Of Protective Order respectfully states as follows:

1. BroadStream has this date filed its Application For Certificate of Service Authority And For Competitive Classification wherein it seeks Commission approval to provide basic local telecommunications services in portions of the state of Missouri. While not specifically required by 4 CSR 240-2.060(4), competitive local exchange company ("CLEC") applicants in Missouri normally file certain financial documentation along with their application in order to comply with the financial qualifications provision of Section 392.455(1) RSMo Supp. 1998.


2. As noted in its Application, BroadStream certainly intends to provide its financial information to the Commission, specifically as late-filed Appendix D to its Application, but at this time BroadStream deems such information to be highly confidential pursuant to Section 386.480 RSMo 1994. Such information, among other things, reflects internal strategies and business plans, and BroadStream believes it would be entirely inappropriate for competitors of the companies, or the general public, to have access to this information. Moreover, public disclosure of such information could jeopardize the upcoming private equity placement of

BroadStream's parent corporation. To counsel's best knowledge and belief, none of the information here deemed to be highly confidential by BroadStream can be found in any format in any other public document. To the extent the same information is being required by other state regulatory commissions in other BroadStream certificate of authority applications, BroadStream has requested or is requesting that such information be filed under seal.

3. Because the potential for public disclosure exists until such time as the Commission would first issue its standard protective order, BroadStream respectfully requests that the Commission issue its standard form protective order in this case *prior to* BroadStream submitting its financial information. Once the protective order is issued, BroadStream will promptly provide its financial information to the Commission under seal as late-filed Appendix D to BroadStream's Application, consistent with the terms of the protective order.

WHEREFORE, BroadStream Corporation respectfully moves the Commission to issue its standard-form protective order in this proceeding as expeditiously as possible.

Respectfully submitted,



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ATTORNEY FOR APPLICANT  
BROADSTREAM CORPORATION

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was served on the General Counsel's Office and the Office of the Public Counsel this 29<sup>th</sup> day of October, 1999 by hand-delivery.

