

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of USCOC of)
Greater Missouri, LLC for Designation as an)
Eligible Telecommunications Carrier)
Pursuant to the Telecommunications Act of)
1996.)

Case No. TO-2005-0384

MOTION FOR PROTECTIVE ORDER

USCOC of Greater Missouri, LLC, d/b/a U.S. Cellular (“U.S. Cellular”), pursuant to 4 CSR 240.2.085, hereby moves the Public Service Commission of the State of Missouri (“Commission”) for a protective order that precludes public disclosure of certain proprietary, confidential information to be filed in connection with U.S. Cellular’s application for designation as an eligible telecommunications carrier (“ETC”) within the State of Missouri. In support of its Motion, U.S. Cellular states as follows:

1. The information U.S. Cellular seeks to protect as highly confidential and proprietary includes, but is not limited to, detailed maps U.S. Cellular is preparing which will show the signal coverage for its current Missouri service area and predicted signal coverage for each of the 16 proposed cell sites referred to in its Application and in response to data requests received by intervenors. U.S. Cellular believes that this information should be protected from disclosure because the map will contain certain proprietary information integral to U.S. Cellular’s business plan in Missouri. U.S. Cellular submits that none of the information for which this protective order is sought can be found in any format in any public document.
2. U.S. Cellular believes that disclosure of its confidential data could cause substantial harm to it and that the potential harm outweighs the public’s interest in free and open

access to such information. The information U.S. Cellular seeks to protect from disclosure is of no particular benefit to the public, but such information could create a commercial and competitive advantage to U.S. Cellular's competitors and others in the telecommunications industry. In addition, the public disclosure of such information could compromise U.S. Cellular's business plan in Missouri.

2. While U.S. Cellular cannot predict what additional potentially proprietary information it may be asked or ordered to produce in this proceeding, it is anticipated that U.S. Cellular will receive additional discovery requests seeking confidential information, such as sensitive financial information and proprietary network data. For this reason, U.S. Cellular respectfully reserves the right to designate as confidential, in accordance with the Commission's rules of practice and procedure, information in addition to that referenced in paragraph one above.

3. U.S. Cellular respectfully requests that the Commission issue a protective order in this proceeding to govern the furnishing and dissemination of confidential and proprietary information. U.S. Cellular further requests that the Commission's protective order require that any information designated as confidential in this proceeding be used exclusively for the purpose of evaluating the merits of U.S. Cellular's application for ETC designation and not for any competitive purpose; that the review, and any reproduction thereof, of such confidential information be restricted to counsel for the parties and any Commission Staff or agents specifically assigned to this proceeding; that the confidential information used in exhibits, prefiled testimony, pleadings, or briefs be redacted, clearly marked as confidential, and filed under seal; that neither the filing or furnishing of confidential information by U.S. Cellular be construed as a waiver of any subsequent claim of confidentiality; and that not later than thirty

days following the issuance of a final non-appealable order of the Commission, all information designated as confidential, including any copies or reproductions, either be returned to U.S. Cellular or destroyed by the holder.

4. U.S. Cellular is not requesting confidential treatment of more material than necessary to protect its business interests. The requested protective order would protect U.S. Cellular's proprietary and confidential information with the least restrictive means.

WHEREFORE, U.S. Cellular respectfully requests that the Commission grant this motion and enter its standard protective order in this proceeding, permitting highly confidential and proprietary information to be maintained under seal in the Commission's files.

Respectfully submitted,

/s/ Anne E. Bos

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed this 11th day of August, 2005, to:

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