

**BEFORE THE
MISSOURI PUBLIC SERVICE COMMISSION**

In the Matter of the Application of)	
Missouri RSA No. 5 Partnership for)	
Designation as a Telecommunications Company)	
Carrier Eligible for Federal Universal Service)	Case No. TO-2006-0172
Support Pursuant to § 254 of the)	
Telecommunications Act of 1996.)	

MOTION FOR PROTECTIVE ORDER

Comes Now MISSOURI RSA No. 5 PARTNERSHIP (“MO5” or “Applicant”) by its undersigned counsel and, pursuant to 4 CSR 240-2.085, hereby moves the Commission to adopt a Protective Order for use in the above-captioned matter. In support of this motion, the Applicant states as follows:

1. Applicant has simultaneous with the filing of this Motion submitted its Application for Designation as an Eligible Telecommunications Carrier Pursuant to § 254 of the Telecommunications Act of 1996.

2. Applicant is requesting proprietary and/or highly confidential treatment of certain portions of the Application and appendices. MO5 believes that the designated portions should be protected from disclosure because of the following reasons:

a. Disclosure of certain information could adversely affect MO5’s business strategy.

b. The designated material may include sensitive financial information and proprietary network information.

c. None of the information for which a claim of confidentiality is made can be found in any format in any other public documents.

5. MO5 believes that disclosure of the confidential portions would cause substantial harm to it and that the potential harm to it outweighs the public's interest in free and open access to such information. The information set forth in the confidential portions are of no particular benefit to the public, but such information could create a commercial and competitive advantage to MO5's competitors and others in MO5's industry. Additionally, the harm that would be caused to MO5 by disclosure of the confidential portions would indirectly have an adverse effect on the public and the customers of MO5.

6. MO5 is not requesting confidential treatment of more material than necessary to protect its business interests. The requested protective order would protect the MO5's proprietary and confidential information with the least restrictive means of limitation that will provide the necessary protections from disclosure.

WHEREFORE, MO5 respectfully requests that the Commission adopt its standard protective order permitting highly confidential and proprietary information to be maintained under seal in the Commission's files.

Respectfully submitted,

LATHROP & GAGE, L.C.

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Attorneys for Missouri RSA No. 5 Partnership

Dated: October 18, 2005

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Motion for Protective Order has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 18th day of October, 2005, to:

Dana K. Joyce
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Jefferson City, MO 65102

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/s/ Paul S. DeFord
Paul S. DeFord