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July 20, 2000

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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-2000-646

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

DLF/lb
Enclosure
cc: Counsel of Record

FILED³

JUL 20 2000

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

JUL 20 2000

Missouri Public
Service Commission

In the Matter of: Navigator)
Telecommunications, LLC's Annual)
Report to the Missouri Public Service)
Commission)

Case No. TE-2000-646

STAFF RECOMMENDATION

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

1. On April 14, 2000, Navigator Telecommunications, LLC ("Navigator" or "Company") filed a petition with the Commission requesting, confidential treatment of the Company's 1999 annual report to the Commission. The petition included a request to for an appropriate extension of time for filing the subject annual report until such time as the Commission is able to consider the Company's request for confidentiality.

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 Navigator has stated good cause for confidential treatment only of the balance sheet, income statement, statement of cash flows, and number of access lines contained in its annual report.

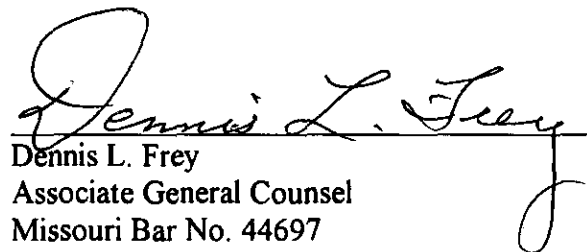
3. It has been the Commission's recent practice to rule on requests for an extension of filing time without the need for a Staff recommendation in cases where, unlike the instant one,

said extension is the sole relief sought. The Staff is of the opinion that Navigator's pleading demonstrates good cause for granting the requested extension.

WHEREFORE, the Staff respectfully requests that the Commission issue an Order granting, in part, Navigator's request for confidential treatment of the Company's 1999 annual report. In particular, the Company's balance sheet, income statement, statement of cash flows, and the number of access lines should be kept under seal until April 15, 2001. Staff further requests that said Order grant Navigator's request: for an appropriate extension of time for the filing of an annual report in compliance with Staff's associated recommendations, as set forth in the attached Memorandum.

Respectfully submitted,

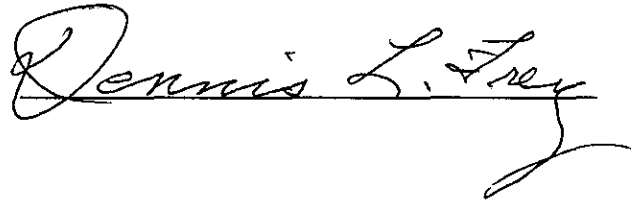
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Certificate of Service

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 20th day of July, 2000.

A handwritten signature in cursive script, reading "Dennis L. Frey", written over a horizontal line.

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. TE-2000-646, Navigator Telecommunications, LLC.

FROM: Bill Meyer, Project Coordinator *7/20/2000*
Roy Boltz, Regulatory Auditor *RB 7/20/2000*

William G. Meyer *7/20/2000*
Project Coordinator/Date

Wm K Hane *7/20/00* *D.K.S. 7-20-00*
General Counsel's Office/Date

SUBJECT: Staff Recommendation concerning the request for confidential treatment of the 1999 annual report and extension of time for filing annual report.

DATE: July 19, 2000

On April 14, 2000, Navigator Telecommunications, LLC. (Navigator), an alternative basic local exchange carrier, filed with the Commission a confidential copy of its 1999 annual report. Accompanying the filing was a Petition To File Annual Report Under Seal And For Extension Of Time For Filing Annual Report, wherein Navigator requested that the Commission afford confidential treatment of its entire 1999 Annual Report. In support of its Petition, Navigator asserted that the information for which protection is sought contains competitively sensitive confidential information concerning Navigator's financial condition that is not known or disseminated outside of the company and that is protected from disclosure as proprietary. Navigator stated that disclosure of this protected information would cause substantial damage to the competitive and financial position of Navigator, and the public interest will be best served by non-disclosure of this confidential information. Navigator stated that it competes with other telecommunications companies operating within the State of Missouri and disclosure of Navigator's confidential financial information would provide Navigator's competitors with valuable market information relating to Navigator's financial condition. Navigator stated that it maintains secrecy of this confidential information by retaining possession and control of such information and by seeking similar protection in each jurisdiction where Navigator has filed such confidential and proprietary information. Navigator also requested an appropriate extension of time for filing its Annual Report until such time as the Commission can consider its request to file under seal.

The Staff has reviewed the annual report and is of the opinion that the information contained on the balance sheet, statement of income, statement of cash flows and number of Missouri access lines is 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

1. The Staff concludes that only the balance sheet, statement of income, statement of cash flows and number of Missouri access lines contained in Navigator Telecommunications' 1999 annual report are eligible for treatment as a closed public record. Accordingly, Staff recommends that the Commission grant, in part, the Company's request for confidential treatment of its annual report, by ordering that the confidential treatment be limited to the aforementioned financial statements and Missouri access lines until April 15, 2001.

2. The Staff recommends that the Commission's grant of such confidential treatment be contingent upon Navigator's filing within ten days of the effective date, a public version of its annual report that includes notes on all affected pages stating: "The Commission has approved the filing of the specific data identified herein by blacked out text as a "Closed Public Record in Case No. TE-2000-646 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 that the Commission, in its Order, grant Navigator Telecommunications, LLC's request for an extension of time to file the annual report ten days after the date of the Order.

Service List for
Case No. TE-2000-646
July 20, 2000

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