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June 26, 2000

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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

FILED³

JUN 26 2000

Missouri Public
Service Commission

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-2000-676

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,

Bruce H. Bates
Assistant General Counsel
(573) 751-7434
(573) 751-9285 (Fax)

BB/df
Enclosure
cc: Counsel of Record

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

FILED³

JUN 26 2000

Missouri Public
Service Commission

In the Matter of NEXTLINK Missouri,)
Inc.'s 1999 Annual Report to the)
Commission as an Alternative Basic Local)
Exchange Carrier and Confidential)
Treatment of a Portion Thereof.)

Case No. TE-2000-676

STAFF RECOMMENDATION

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

1. On April 24, 2000, NEXTLINK Missouri, Inc. ("NEXTLINK") filed a *Motion for Leave to File Annual Report Out of Time and Application for Confidential Treatment of Annual Report* with the Missouri Public Service Commission ("Commission") requesting confidential treatment of the balance sheets, income statements, statements of cash flows, and the number of Missouri access lines contained in NEXTLINK's 1999 Annual Report to the Commission. NEXTLINK also requested that the Commission grant it an extension of time to file the 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.

3. In the attached *Memorandum*, which is labeled Appendix A, the Staff states its opinion that NEXTLINK has stated good cause for confidential treatment of the subject information.

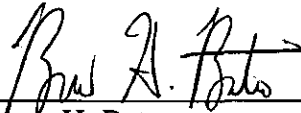
5

4. Pursuant to 4 CSR 240-10.080(8), the Commission may grant an extension of time to file annual reports for good cause.

WHEREFORE, the Staff recommends, *inter alia*, that the Commission issue an Order granting NEXTLINK's request for confidential treatment of its 1999 annual report until April 15, 2001, and requiring that NEXTLINK file the confidential version thereof in accordance with the specifications set forth in the attached *Memorandum*. Staff further recommends that the Commission issue an Order that after that date the information should be transferred to the public record unless NEXTLINK makes a showing that the information should remain confidential.

Respectfully submitted,

DANA K. JOYCE
General Counsel

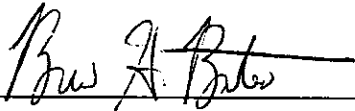


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Certificate of Service

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 26th day of June, 2000.



MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. TE-2000-676, NEXTLINK Missouri, Inc.

FROM: Bill Meyer, Project Coordinator *RD 6/23/2000*
Roy Boltz, Regulatory Auditor *RB 6/23/2000*

William Boltz 6/23/2000
Project Coordinator/Date

Mark Porter 6/26/00
General Counsel's Office/Date

SUBJECT: Staff Recommendation Concerning the Request for Confidential Treatment of portions of
the 1999 Annual Report of NEXTLINK Missouri, Inc.

DATE: June 21, 2000

On April 24, 2000, NEXTLINK Missouri, Inc. (NEXTLINK), an alternative basic local exchange carrier, filed with the Commission both a complete and a redacted copy of its 1999 annual report. Accompanying the filing was an Application for Confidential Treatment of Annual Report, wherein NEXTLINK requested that the Commission afford confidential treatment of the balance sheet, income statement, statement of cash flows and number of Missouri access lines (respectively, pages 5, 6, 7 and 8 of the annual report). In support of its Application, NEXTLINK asserted that the information for which protection is sought contains "market-sensitive information that competitors could use to their economic advantage," and that NEXTLINK "treats this information as confidential and proprietary within the company itself and does not reveal this information in any public forum." In the redacted, or public version submitted by NEXTLINK, asterisks appear in the spaces on the affected pages, along with a notation at the bottom of each stating, "denotes highly confidential material."

The Staff has reviewed these pages and is of the opinion that this information 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

1. The Staff recommends that the Commission issue an Order granting NEXTLINK Missouri Inc.'s request for confidential treatment of the balance sheet, income statement, statement of cash flows, and number of Missouri access lines contained in its 1999 annual report until April 15, 2001. After this date, the information should be transferred to the public record, unless the Company makes a showing that the information remains confidential.
2. The Staff recommends that upon Commission issuance of an Order granting this request, Records Department be ordered to attach a copy of said Order to the public version already filed.

Service List for
Case No. TE-2000-676
June 26, 2000

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