of the second

### BEFORE THE PUBLIC SERVICE COMMISSION

#### OF THE STATE OF MISSOURI

In the Matter of the Petition of the North	)		
American Numbering Plan Administrator, on	)		
Behalf of the Missouri Telecommunications	)	Case No.	TO-2000-374
Industry, for Approval of NPA Relief Plan for	)		
the 314 and 816 Area Codes.	)		

# ORDER ADOPTING PROCEDURAL SCHEDULE, GRANTING INTERVENTIONS, AND ISSUING PROTECTIVE ORDER

On December 17, 1999, the North American Numbering Plan Administrator, NeuStar, Inc. (NANPA), filed a petition requesting that the Commission approve a "retroactive" all services overlay relief plan for the 314 Numbering Plan Area (NPA) and a single all services overlay relief plan for the 816 NPA.

On December 27, 1999, the Staff of the Missouri Public Service Commission (Staff) requested that the Commission allow it a time certain to file a response to the petition. The Office of the Public Counsel (Public Counsel) also requested that it be allowed a time certain to respond to the petition.

On January 5, 2000, the Commission issued its Order and Notice of Petition directing notice of the petition, setting response dates for the Staff and for the Public Counsel, and setting an intervention date of February 4, 2000.

On February 3, 2000, the Commission issued its Order and Notice Directing Filing of Proposed Procedural Schedules directing Staff to file a proposed procedural schedule by February 14, 2000, and

providing NANPA and the Public Counsel an opportunity to provide suggestions regarding the proposed procedural schedule.

On February 14, 2000, the Public Counsel filed its response to the petition. On February 15, 2000, the Staff filed its response to the petition and included a proposed procedural schedule. Staff indicated that Public Counsel and NANPA consented to the proposed procedural schedule.

Pursuant to its notice, the Commission received nine applications to intervene. One of the applicants to intervene also requested that the Commission issue a protective order for this proceeding.

#### APPLICATIONS TO INTERVENE

Gabriel Communications of Missouri, Inc. (Gabriel), states that as a provider of telecommunications services in Missouri it has interests in this proceeding different from those of the general public and is interested in enhancing competition in the telecommunications industry. Gabriel is a competitive local exchange company (CLEC).

The Missouri Independent Telephone Group (Telephone Group) stated that it is made up of several local exchange companies generally made up of rural telephone companies and small incumbent local exchange companies (ILECs). The group represents the Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, Modern Telecommunications Company, MoKan Dial Inc., and the Northeast Missouri Rural Telephone Company. The Telephone Group acknowledged that it did not

have exchanges in the 314 and 816 Numbering Plan Areas (NPA or area code). However, the Telephone Group asserted that this proceeding may have a precedential impact on the development of overlay plans statewide. The Telephone Group further asserted that its expertise and perspective on the conditions of telecommunications services in Missouri would aid the Commission and serve the public interest.

CyberTel Cellular Telephone Company and CyberTel RSA Limited Partnership, d/b/a Ameritech Cellular<sup>TM</sup> (Ameritech Cellular) asserted its interest as a telecommunications service provider in the 314 NPA. Ameritech Cellular also asserted that as a cellular telecommunications provider it could present a viewpoint from a segment of the telecommunications industry that might otherwise not be heard.

Birch Telecom of Missouri, Inc. (Birch), stated that it is a basic local, local exchange, and interexchange provider in the 314 and 816 NPAs. Birch asserted that, as such, it has an interest in this proceeding that is different from that of the general public.

Sprint Missouri, Inc. (Sprint local), Sprint Communications Company L.P. (Sprint long distance), and Sprint Spectrum L.P. d/b/a Sprint PCS (Sprint PCS), collectively referred to as "Sprint," asserted a direct interest as an ILEC, CLEC and wireless provider and an interest in assuring number availability on an equitable and competitively neutral basis.

Nextlink Missouri, Inc. (Nextlink), described itself as a provider of intrastate interexchange services, basic exchange and local exchange services in Missouri, and particularly in the 314 NPA.

Nextlink asserted that the outcome in this proceeding would affect it directly in a manner different from the general public.

GTE Midwest Incorporated (GTE) stated that it is a telecommunications company and public utility authorized to provide local exchange telecommunications service within Missouri. GTE asserted that it will be affected by the outcome in this proceeding and as a result has a direct and pecuniary interest different from that of the general public.

AT&T Communications of the Southwest, Inc. (AT&T), stated that it is a competitive interexhange telecommunications company authorized to do business in Missouri. AT&T asserted that its interests in this proceeding as a competitive telecommunications company are different from those of the general public and that it will be directly affected by the outcome of the proceeding.

Southwestern Bell Telephone Company (SWBT) asserted its interest as a local exchange company as an active participant in past NPA relief cases. SWBT stated that it would be affected differently from the general public, that it brings valuable expertise to assist the Commission, and that no other party would adequately protect SWBT's interest. SWBT's application was filed three days late under circumstances it described as an oversight with no prejudice to any party.

No objections to any application for intervention has been filed before the Commission. Each of the applicants for intervention has asserted an interest that supports intervention pursuant to 4 CSR 240-2.075. So long as the applicants adhere to the procedures adopted

for this case, it does not appear that granting the applications to intervene will harm any other interest. Therefore, the Commission will grant each application as described.

#### PROTECTIVE ORDER

Ameritech Cellular, filed a motion to establish a protective order on February 23, 2000, pending its intervention. The motion indicates that Ameritech Cellular has already received data requests from the Public Counsel and that Ameritech Cellular considers some of the information requested to be proprietary or highly confidential. Ameritech Cellular attached a copy of the Commission's standard protective order to its motion and stated that adopting the order for this case would facilitate responding to discovery propounded by the parties among each other and will allow a freer flow of information and communications among all the parties.

The Commission recognizes the need to protect sensitive information, and the issuance of a protective order in this case will allow the parties to provide such information to the Commission and appropriate parties with the assurance that it will be treated according to the terms of the protective order. Therefore, the Commission will establish a protective order in this case.

#### TECHNICAL COMMITTEE

The Commission's Staff and the Office of Public Counsel suggested establishment of a technical committee. The procedural schedule for this case permits adequate time for the parties to meet informally for the purpose of narrowing fact issues. The Commission will direct input from all the parties regarding number conservation.

Thus, there is not a need for the Commission to order a technical committee.

The Commission encourages the parties to initiate and participate in discussions to identify and narrow fact issues and to identify the issues necessary for the Commission to address.

#### NUMBER CONSERVATION IMPACT

Adoption of number conservation measures could significantly affect the need for, and the type of, area code relief considered in this proceeding as well as the effectiveness of any action that might be ordered. The Commission will consider number conservation measures as an alternative for or as a supplement to any NPA relief proposal.

Each party should address through evidence and argument the impact of number conservation measures on the need for area code relief, how number conservation measures may affect the types of area code relief considered, and the authority of the Commission to order number conservation measures in lieu of, or in conjunction with, area code relief. Each party should explain and support its position regarding number conservation measures.

#### PROCEDURAL SCHEDULE

The Commission will adopt a procedural schedule as provided below. The procedural schedule recommended to the Commission has been modified to accommodate a shift of the time frame reserved for local public hearings.

The Staff shall coordinate with each party to identify the witnesses for the hearing and file a motion to establish the order of

witnesses and the order of cross-examination, as directed in the procedural schedule.

The following conditions will also apply.

- (A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.
- (B) Each party shall provide a list of the witnesses to appear at the hearing to Staff no later than June 7, 2000.
- (C) Each party shall file a statement of its position on each disputed issue, including a summary of the factual and legal points relied on by the party. Such statement shall be simple and concise, shall follow the issues set out in the issues statement, and shall not contain argument about why the party believes its position to be the correct one. The position statement shall be filed in both paper form and electronically, either on computer disk orby Electronically submitted documents shall be in Word, WordPerfect, or ASCII format. The Regulatory Law Judge's e-mail address kthornbu@mail.state.mo.us.
- (D) All parties are required to bring an adequate number of copies of exhibits, which they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not

been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

#### LOCAL PUBLIC HEARINGS

Local public hearings shall be held in the St. Louis area and in the Kansas City area in the 314/636 and 816 NPAs. The Commission intends to schedule local public hearings during the period April 24 to May 10, 2000. The Commission will issue a separate order setting the hearings and will provide appropriate notice to the parties and to the public.

The Commission requests a recommendation from Staff that suggests proposed locations for the public hearings in the 314/636 NPAs and 816 NPA that would be most likely to promote significant public participation. The Commission may consider fewer or additional public hearings based on anticipated participation and Staff may offer suggestions in this regard also.

#### IT IS THEREFORE ORDERED:

- 1. That the following parties are granted intervention in accordance with 4 CSR 240-2.075.
  - a. Gabriel Communications of Missouri, Inc. The Commission's Records Department shall add its counsel to the service list in this case: Carl J. Lumley, Esq., and Leland B. Curtis, Esq., Curtis, Oetting, Heinz, Garrett & Soule, P.C., 130 South Bemiston, Suite 200, Clayton, Missouri 63105.

- Missouri Independent Telephone Group of local exchange b. companies. The Commission's Records Department shall add the service list its counsel to in this case: Craig S. Johnson, Esq., Andereck, Evans, Milne, Peace & L.L.C., 305 East McCarty Street, Johnson, Hawthorn Building - Third Floor, Post Office Box 1438, Jefferson City, Missouri 65102.
- C. CyberTel Cellular Telephone Company and CyberTel RSA

  Limited Partnership, d/b/a Ameritech Cellular™. The Commission's Records Department shall add its counsel to the service list in this case: James F. Mauzé, Esq., and Thomas E. Pulliam, Esq., Ottsen, Mauzé, Leggat & Belz,

  L.C., 112 South Hanley Road, St. Louis, Missouri 63105-3418.
- d. Birch Telecom of Missouri, Inc. The Commission's Records Department shall add its counsel to the service list in this case: Peter Mirakian III, Esq., and Wendy E. DeBoer, Esq., Spencer, Fane, Britt & Browne, LLP, 1000 Walnut Street, Suite 1400, Kansas City, Missouri 64106-2140.

<sup>1</sup> The Missouri Independent Telephone Group consists of the following companies: Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Company, Modern Telecommunications Company, MoKan Dial, Inc., and Northeast Missouri Rural Telephone Company.

- e. Sprint Missouri, Inc., Sprint Communications Company L.P., and Sprint Spectrum L.P., d/b/a Sprint PCS. The Commission's Records Department shall add their counsel to the service list in this case: Linda K. Gardner, Esq., Sprint Corporation, 5454 West 110th Street, Overland Park, Kansas 66211.
- f. Nextlink Missouri, Inc. The Commission's Records Department shall add its counsel to the service list in this case: Mark W. Comley, Esq., Newman, Comley & Ruth P.C., 601 Monroe Street, Suite 301, Post Office Box 537, Jefferson City, Missouri 65102-0537.
- g. GTE Midwest Incorporated. The Commission's Records Department shall add its counsel to the service list in this case: James M. Fischer, Esq., and Larry W. Dority, Esq., Fischer & Dority, P.C., 101 West McCarty Street, Suite 215, Jefferson City, Missouri 65101.
- h. AT&T Communications of the Southwest, Inc. The Commission's Records Department shall add its counsel to the service list in this case: Paul S. DeFord, Esq., Lathrop & Gage, L.C., 2345 Grand Boulevard, Suite 2500, Kansas City, Missouri 64108.
- i. Southwestern Bell Telephone Company. The Commission's Records Department shall add its counsel to the service list in this case: Paul G. Lane, Esq., Leo J. Bub, Esq., Anthony K. Conroy, Esq., and Mimi B. Macdonald, Esq.,

Southwestern Bell Telephone Company, One Bell Center, Room 3520, St. Louis, Missouri 63101.

- 2. That the protective order attached hereto as Attachment A is adopted.
- 3. That the parties shall address the Commission's authority to adopt number conservation measures and the impact of those measures on Number Plan Area code relief proposals in their testimony and posthearing briefs.
  - 4. That a procedural schedule is adopted as follows.

Direct Testimony	April 3, 2000 3:00 PM
Rebuttal Testimony	May 12, 2000 3:00 PM
Surrebuttal Testimony :	June 2, 2000 3:00 PM
Prehearing Conference	June 6, 2000 10:00 AM
List of Issues Filed by Staff	June 8, 2000 3:00 PM
Order of Witnesses	June 8, 2000 3:00 PM
Statement of Positions, All Parties	June 13, 2000 3:00 PM
Hearing	June 19-22, 2000 9:00 AM

The prehearing conference and hearing will be held on the fifth floor of the Harry S Truman State Office Building, Room 530A, 301 West High Street, Jefferson City, Missouri. Any person with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the

hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211, or TDD Hotline - 1-800-829-7541.

- 5. That the Staff of the Missouri Public Service Commission shall file a memorandum in this case on or before March 14, 2000, suggesting the number and locations for public hearings in this proceeding that would facilitate significant public participation.
  - 6. That this order shall become effective on March 14, 2000.

BY THE COMMISSION

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

Keith Thornburg, Regulatory Law Judge, by delegation of authority pursuant to 4 CSR 240-2.120(1) (November 30, 1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri, on this 1st day of March, 2000.

#### PROTECTIVE ORDER

A. The following definitions shall apply to information which a party claims should not be made public.

HIGHLY CONFIDENTIAL: Information concerning (1) material or documents that contain information relating directly to specific customers; (2) employee-sensitive information; (3) marketing analyses or other market-specific information relating to services offered in competition with others; (4) reports, work papers or other documentation related to work produced by internal or external auditors or consultants; (5) strategies employed, to be employed, or under consideration in contract negotiations.

PROPRIETARY: Information concerning trade secrets, as well as confidential or private technical, financial and business information.

B. During the course of discovery a party may designate information as HIGHLY CONFIDENTIAL or PROPRIETARY (hereinafter, "designated information") and shall make such designated information available to the party seeking discovery, if such information is not objectionable on any other ground, under the restrictions set out in paragraphs C and D. The party designating the information as HIGHLY CONFIDENTIAL or PROPRIETARY shall provide to counsel for the requesting party, at the time the designation is made, the ground or grounds for the designation. The requesting party may then file a motion challenging the designation. The party designating the

information confidential shall have five (5) days after the filing of the challenge to file a response. No other filings are authorized.

- C. Materials or information designated as HIGHLY CONFIDENTIAL may at the option of the furnishing party, be made available only on the furnishing party's premises and may be reviewed only by attorneys or outside experts who have been retained for the purpose of this case, unless good cause can be shown for disclosure of the information off-premises and the designated information is delivered to the custody of the requesting party's attorney. Outside expert witnesses shall not be employees, officers or directors of any of the parties in this proceeding. No copies of such material or information shall be made and only limited notes may be taken, and such notes shall be treated as the HIGHLY CONFIDENTIAL information from which notes were taken.
- D. Disclosure of PROPRIETARY information shall be made only to attorneys, and to such employees who are working as consultants to such attorney or intend to file testimony in these proceedings, or to persons designated by a party as outside experts. Employees to whom such disclosure is to be made must be identified to the other party by name, title and job classification prior to disclosure. Information designated as PROPRIETARY shall be served on the attorney(s) for the requesting party. On-premises inspection shall not be required for PROPRIETARY information, except in the case of voluminous documents (see paragraph K). Any employees of the party

who wish to review such PROPRIETARY materials shall first read this order and certify in writing that (s)he has reviewed same and consented to its terms. The acknowledgment so executed shall contain the signatory's full name, permanent address, title or position, date signed, and an affirmation that the signer is acting on behalf of his/her employer. Such acknowledgment shall be delivered to counsel for the party furnishing the information or documents before disclosure is made.

- E. Attorneys, in-house experts or outside experts who have been provided access to material or information designated HIGHLY CONFIDENTIAL or PROPRIETARY shall be subject to the nondisclosure requirements set forth in paragraphs C or D, whichever is applicable, and S.
- F. If material or information to be disclosed in response to a data request contains material or information concerning another party which the other party has indicated is confidential, the furnishing party shall notify the other party of the intent to disclose the information. The other party may then choose to designate the material or information as HIGHLY CONFIDENTIAL or PROPRIETARY under the provisions of this Protective Order.
- G. Any party may use material or information designated as HIGHLY CONFIDENTIAL or PROPRIETARY in prefiled or oral testimony at hearing provided that the same level of confidentiality assigned by the furnishing party is maintained, unless otherwise classified by the Commission. In filing testimony all parties shall designate as

HIGHLY CONFIDENTIAL or PROPRIETARY only those portions of their testimony which contain information so designated by the furnishing party. If any party plans to use information and testimony which has been obtained outside this proceeding, it must ascertain from the furnishing party if any of such information is claimed to be HIGHLY CONFIDENTIAL or PROPRIETARY prior to filing.

- A party may designate prefiled or live testimony, or portions Η. thereof, submitted in this case as HIGHLY CONFIDENTIAL PROPRIETARY (hereinafter, "designated testimony"). Prefiled testimony designated as HIGHLY CONFIDENTIAL or PROPRIETARY shall be filed under seal and served upon all attorneys of record. those portions of the prefiled testimony designated as HIGHLY CONFIDENTIAL or PROPRIETARY should be filed under seal, and should be marked in a manner which clearly indicates which materials are considered HIGHLY CONFIDENTIAL and which considered are PROPRIETARY.
- I. Within five (5) days of the filing of designated testimony, the party asserting the claim shall file with the Commission the specific ground or grounds for each claim. Such filing shall show the nature of the information sought to be protected and specifically state the alleged harm of disclosure. Such filing shall be filed under seal only if it contains either PROPRIETARY or HIGHLY CONFIDENTIAL information and shall be served upon all attorneys of record.

- J. Attorneys upon whom prefiled testimony designated HIGHLY CONFIDENTIAL or PROPRIETARY has been served shall make such testimony available only to those persons authorized to review such testimony under the restrictions in Paragraphs C or D, whichever is applicable.
- K. If a response to a discovery request requires the duplication of voluminous material or material not easily copied because of its binding or size, the furnishing party may require the voluminous material be reviewed on its own premises. Voluminous material shall mean a single document, book or paper which consists of more than 150 pages.
- L. Attorneys of record in this case shall require that the in-house or outside expert read this Protective Order and certify in a written nondisclosure agreement that the person has reviewed the Protective Order and consented to be bound by its terms. The nondisclosure agreement shall contain the signatory's full name, permanent address, employer and the name of the party with whom the signatory is associated. Such agreement shall be filed with the Commission. Attached hereto as Appendix "A" and incorporated by reference herein is a form for use in complying with the terms of this paragraph.
- M. In the event a witness discloses the contents of designated prefiled testimony in his or her own prefiled testimony, such testimony shall also be designated in the same manner as the

designated prefiled testimony and handled in accordance with this order.

- N. Unless good cause is shown, challenges to the confidential nature of prefiled designated testimony shall be filed with the Commission no later than ten (10) days after the grounds supporting the designations are filed or at the hearing, whichever occurs first.

  The party making the designation shall have five (5) days to respond to the challenge or may respond at the hearing, whichever occurs first.
- O. The Commission or Regulatory Law Judge may rule on the challenge to the designations prior to the hearing, or at the hearings.
- P. In the event no party:challenges prefiled designated testimony, or in the event the Commission or its Regulatory Law Judge rules that testimony was properly designated, then such testimony shall be received into evidence, subject to any other objections being made and ruled upon, and kept under seal.
- In addition, all live testimony, including cross-examination and Q. oral argument which reveals the content of prefiled designated testimony or which is otherwise held to be confidential, including any argument as to whether certain testimony is designated, shall be made only after the hearing room is cleared of all persons besides the Commission, its Regulatory Law Judges, court reporters, attorneys of record and witnesses to whom the designated information is available pursuant to the terms of this Protective Order. The transcript of such live testimony or oral

argument shall be kept under seal and copies shall only be provided to the Commission, its Regulatory Law Judges, and attorneys of record. Such attorneys shall not disclose the contents of such transcripts to anyone other than those who may have access to the designated information under the terms of this Protective Order. Persons who have access to the designated information under the terms of this Protective Order shall treat the contents of such transcript as any other designated information under the terms of this Protective Order.

- R. References to designated testimony, whether prefiled or live and transcribed, in any pleadings before the Commission, shall be by citation only and not by quotation. Subject to the jurisdiction of any reviewing court, references to designated testimony in pleadings or oral arguments made to such reviewing court shall also be by citation only.
- S. All persons who are afforded access to information under the terms of this Protective Order shall neither use nor disclose such information for purposes of business or competition or any other purpose other than the purpose of preparation for and conduct of this proceeding and then solely as contemplated herein, and shall keep the information secure and in accordance with the purposes and intent of this order.
- T. Subject to the jurisdiction of any reviewing court, designated testimony constituting part of the record before the Commission

- shall be delivered to any reviewing court under seal upon service of the appropriate writ of review.
- U. The Commission may modify this order on motion of a party or on its own motion upon reasonable notice to the parties and opportunity for hearing.
- V. Within ninety (90) days after the completion of this proceeding, including judicial review thereof, all designated information, testimony, exhibits, transcripts or briefs in the possession of any party other than Staff or the Public Counsel shall be returned to the party claiming a confidential interest in such information and any notes pertaining to such information shall be destroyed.
- W. The provisions of paragraph C, D, J and L of this Protective Order do not apply to Staff or Public Counsel. Staff and Public Counsel are subject to the nondisclosure provisions of Section 386.480, RSMo 1994. Staff and Public Counsel shall provide a list of the names of their employees who will have access to the designated information.
- X. Outside experts of Staff or Public Counsel who have been contracted to be witnesses in this proceeding shall have access to designated information and testimony on the same basis as Staff and Public Counsel except the outside expert shall read this order and sign the nondisclosure agreement attached as Appendix "A" hereto.
- Y. Outside experts of Staff and Public Counsel who have not been contracted to be witnesses in this proceeding are subject to the provisions of this Protective Order.

Z. Prefiled testimony and exhibits, whether filed or offered at the hearing, shall be prepared in the manner described in Appendix "B".

## STATE OF MISSOURI PUBLIC SERVICE COMMISSION

#### NONDISCLOSURE AGREEMENT

	I,						
have be				Protective			in Case
No.	on t	the	day of _			, 19_	·
	I have	requested	review	of the co	nfident	ial inf	ormation
produced	l in Case	No.	on be	ehalf of			
	I here	by certify	that I	have read	l the	above-n	
Protecti	ve Order	and agree	to abide by	its terms	and cond	ditions.	
	Dated	this	day	of		·	
19							
		Sign	ature and	Fitle			
		:					
		_					
		Empl	oyer				_
		Part					<del></del>
		Addr	ess				
		Tele	phone				

- 1. If prefiled testimony contains parts which are classified as Proprietary or Highly Confidential, it shall be filed with the Commission's Secretary/Chief Regulatory Law Judge's Office as follows:
  - A. An original plus eight (8) copies of prefiled testimony with the Proprietary or Highly Confidential portions obliterated or removed shall be filed.
  - B. One (1) copy of those pages which contain information which has been designated as Proprietary, with any Highly Confidential portions obliterated or removed, shall be filed in a separate envelope. The portions which are Proprietary shall be indicated as described in D, below.
  - C. One (1) copy of those pages which have been designated as Highly Confidential shall be filed in a separate envelope. The portions which are Highly Confidential shall be indicated as described in D, below.
  - D. Six (6) copies of the complete prefiled testimony to be filed under seal for the Regulatory Law Judge and Commissioners.

    The Proprietary pages shall be stamped "P" and the Proprietary information indicated by two asterisks before and after the information, \*\*Proprietary\*\*. The Highly Confidential pages shall be stamped "HC" with the Highly Confidential information indicated by two asterisks and underlining before

Attachment A
Page 11 of 12 pages

and after the Highly Confidential information, \*\*Highly Confidential\*\*.

Any deviations from this format must be approved by the Regulatory Law Judge.

2. Three (3) copies of exhibits, whether testimony or other, shall be filed at the hearing with the information separated as described in 1.A, 1.B and 1.C above with each copy of the Proprietary and Highly Confidential portions placed into separate envelopes to be marked as Exhibit \_\_, Exhibit \_\_P and Exhibit \_\_HC.