

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
July 7, 2000**

CASE NO: TE-2000-676

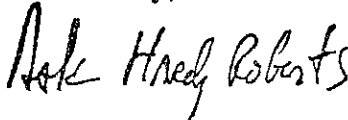
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

Uncertified Copy:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of NEXTLINK Missouri, Inc.'s)
1999 Annual Report to the Commission as an)
Alternative Basic Local Exchange Carrier) Case No. TE-2000-676
and Confidential Treatment of a Portion)
Thereof)

ORDER GRANTING CONFIDENTIAL TREATMENT AND LATE FILING

On April 24, 2000, NEXTLINK Missouri, Inc. (Applicant) filed with the Missouri Public Service Commission (Commission) its motion for leave to file its annual report out of time and application for confidential treatment of its highly confidential treatment of selected pages of its 1999 annual report, which it also filed the same day.

Pursuant to Commission rule 4 CSR 240-10.080(1), "[a]ll public utilities subject to the jurisdiction of the Missouri Public Service Commission shall file an annual report with the commission on or before April 15 of each year."

Commission rule 4 CSR 240-10.080(7) requires that a company requesting confidential treatment of an annual report must do so in writing and state good cause for maintaining the information under seal.

Applicant stated that it attempted to file its annual report on April 18, 2000, but that the Commission rejected the filing because of the absence of a formal request for leave to file out of time. Applicant stated that after closer review of the annual report by officers of the

Applicant, the officers decided to also request confidential treatment of a portion of the annual report. Applicant stated that it sought highly confidential treatment of the information contained on pages 5, 6, 7, and 8, which contain financial information, corporate organization detail, subscription levels and related data. Applicant stated that it deems the pages to be confidential because they contain market sensitive information that competitors could use to their economic advantage. Applicant stated that it treats the information as confidential and proprietary within the company itself and does not reveal the information in any public form. Applicant stated that the public interest will be "negatively effected" [sic] by granting its request.

The Applicant requested that the Commission grant its request to file its annual report out of time and protect from public disclosure and treat with the utmost confidence all of pages 5, 6, 7, and 8 of its annual report.

Commission rule 4 CSR 240-10.080(8) states, in part: "A utility which is unable to meet the filing date [of April 15]...shall make a written request to extend the filing date for its annual report...and state the reason for the extension request." Applicant did not comply with Commission rule 4 CSR 240-10.080(8) in that its motion did not state a reason why it could not file its annual report until April 18, 2000. Thus, the Commission on April 28, 2000, directed that Applicant explain why it could not file its annual report on time.

On May 9, 2000, Applicant filed a supplement to its motion for leave to file annual report out of time and application for confidential

treatment of its annual report. Applicant stated in the supplement that it had not attempted to file its annual report on April 18, 2000, as it had earlier alleged. Applicant now alleged that it had attempted to file its annual report on April 17, 2000. Applicant stated that the Commission's April 28, 2000 order noted that April 15, 2000 fell on a Saturday and thus the actual deadline for filing was Monday, April 17, 2000.

Applicant stated that it decided that a request for confidential treatment of the company's financial statements would be filed in conjunction with the motion for leave to file the annual report out of time. Applicant stated that it appeared that the annual report was timely filed and that the Applicant was requesting that the Commission treat the annual report as timely filed, subject however to the company's application for confidential treatment of its financial statements.

On June 26, 2000, the Staff of the Commission (Staff) filed a recommendation that Applicant's request be granted. Specifically, Staff recommended that the Commission issue an order granting the Applicant'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 that date, Staff recommended, the information should be transferred to the public record, unless the Applicant makes a showing that the information should remain confidential. The Staff also recommended that upon the Commission's issuance of an order granting the Applicant's request, that

a copy of the order should be attached to the public versions already filed.

Upon review of Applicant's motion, Staff's recommendation, and the official case file, the Commission finds that there is good cause shown for the request to protect the selected confidential information and that the request substantially complies with the above-cited rules. Therefore, confidential treatment for those portions identified as confidential of the annual report filed by Applicant in the year 2000 should be granted.

IT IS THEREFORE ORDERED:

1. That NEXTLINK Missouri, Inc.'s request for confidential treatment of certain financial information filed in its annual report, specifically, the balance sheet, income statement, statement of cash flows, and number of Missouri access lines contained in its 1999 annual report, shall be granted until April 15, 2001, and after that transferred to public record unless NEXTLINK Missouri, Inc. makes a showing in writing that the information should remain confidential.

2. That the Records Department of the Missouri Public Service Commission shall attach a copy of this order to the public version of the 1999 annual report of NEXTLINK Missouri, Inc.

3. That this order shall become effective on July 17, 2000.

4. That this case may be closed on July 18, 2000.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

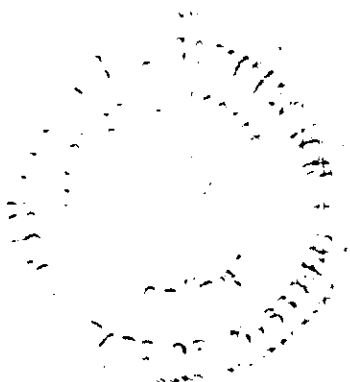
Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 7th day of July, 2000.

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

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 7TH day of July 2000.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge