

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

In the Matter of the Application of)	
MCC Telephony of Missouri, Inc.)	Case No. TE-2006-0415
For a Waiver of Compliance with)	
The Requirement of 4 CSR 240-240-32)	

**RESPONSE OF MCC TELEPHONY OF MISSOURI, INC. TO STAFF'S
MOTION TO CLASIFY IN-CAMERA TRANSCRIPT AS PUBLIC
INFORMATION**

Comes Now MCC Telephony of Missouri, Inc. ("MCC"), and in response to Staff's Motion to classify in-camera transcript as public information states:

1. On March 21, 2007 Attorney for Staff, William Haas, filed a motion to classify the in-camera transcript of certain testimony given during the Public Service Commission hearing held on January 25, 2007 as public information.

2. The Protective Order issued in this case on June 12, 2006 sets forth the proper treatment of designated CONFIDENTIAL or PROPRIETARY testimony during live testimony in paragraph Q of the Standard Protective Order. These procedures were correctly followed during the hearing on January 25, 2007.

3. The Protective Order provides the following definitions for the terms HIGHLY CONFIDENTIAL or PROPRIETARY:

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.

4. In its motion, Staff claims that the in-camera testimony does not contain highly confidential or proprietary testimony; but does instead include only discussions of “routine matters”.

5. Staff’s characterization of the in-camera portion of hearing testimony is not accurate. The in-camera hearing testimony contains discussion of the fee structures existing between Sprint and MCC, and while not addressing specific figures, does discuss the specific models for fees which were the product of negotiations. Further the testimony described, in some detail, the methods and structures developed by the parties for carrying on their business relationship and the procedures and expectations that have evolved over the course of the relationship. These carry implications of each party’s interpretation of the agreement. This is certainly proprietary “business information” and is clearly covered by the protective order.

6. Staff’s motion does not provide good cause for the reclassification of the in-camera testimony as public. In fact, there is no support for the request except the mischaracterization of the in-camera testimony as discussed above.

WHEREFORE, the Staff’s request to classify the in-camera transcript as public information should be denied.

Respectfully submitted,

/s/ Mark W. Comley

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 23rd day of March, 2007 to General Counsel's Office at gencounsel@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov; and Craig Johnson at Craig@csjohnsonlaw.com.

/s/ Mark W. Comley