

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

In the matter of the application of USCOC of)
Greater Missouri, LLC for designation as an) Case No. TO-2005-0384
eligible telecommunications carrier pursuant to)
the Telecommunications Act of 1996.)

**AT&T MISSOURI’S REPLY IN SUPPORT OF ITS MOTION TO RECLASSIFY
CERTAIN CONFIDENTIALLY-MARKED INFORMATION OF U.S. CELLULAR
FROM “HC” TO “P”**

U.S. Cellular’s¹ Response to AT&T Missouri’s² Motion to reclassify fundamentally misses the mark and the Commission should reclassify Appendices 1, 2, 4 and 5 of U.S. Cellular’s Compliance Filing from HC to P (i.e., from “Highly Confidential” to “Proprietary”). AT&T Missouri specifically stated -- and U.S. Cellular still does not deny -- that “[m]aterials presenting the same type of information were either filed publicly by U.S. Cellular with its April, 2005, application or were voluntarily declassified by U.S. Cellular at the October, 2005, hearing on the merits.”³ Furthermore, U.S. Cellular still has not adequately explained why similar treatment -- including a “Proprietary” designation, as AT&T Missouri requests here -- should not be afforded these materials. Thus, AT&T Missouri’s Motion to Reclassify should be granted.

U.S. Cellular’s claim that the information shown in its newly filed appendices “was not contained in” or “[is] not the same as” that shown in the materials it previously filed is a red herring.⁴ Obviously, the information is different in some respect. But the important point, as AT&T Missouri noted and which U.S. Cellular does not deny, is that the materials are “the same type of information” as U.S. Cellular previously filed publicly or declassified at the initial

¹ USCOC of Greater Missouri, LLC, d/b/a U.S. Cellular (“U.S. Cellular”).

² Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri (“AT&T Missouri”).

³ Motion to Reclassify, p. 1.

⁴ U.S. Cellular’s Response, p. 3.


hearing on the merits. Because the additional information is of the same type as the previous information, it should not be treated as “Highly Confidential.”

Likewise, U.S. Cellular’s reliance on instances in which like information has been treated elsewhere as confidential completely misapprehends AT&T Missouri’s request for relief. AT&T Missouri does not object to efforts to safeguard the information as “Proprietary.” This designation still entitles the information to be treated confidentially under Paragraphs A and B of the protective order entered in this case. The consequence is that, pursuant to Paragraph D, the information could be disclosed only to “attorneys, and to such employees who are working as consultants to such attorney[s] or intend to file testimony in these proceedings.” Moreover, under Paragraph S of the protective order, the information may only be used for purposes of this proceeding.

AT&T Missouri respectfully submits that its Motion to Reclassify should be granted.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.
D/B/A AT&T MISSOURI

BY 

PAUL G. LANE #27011

LEO J. BUB #34326

ROBERT J. GRYZMALA #32454

Attorneys for Southwestern Bell Telephone, L.P.

One AT&T Center, Room 3516

St. Louis, Missouri 63101

314-235-6060 (Telephone) 314-247-0014 (Facsimile)

robert.gryzmala@att.com

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served to all parties by e-mail on September 8, 2006.


Robert J. Grymala

General Counsel
William K. Haas
Missouri Public Service Commission
200 Madison Street, Suite 8
Post Office Box 360
Jefferson City, Missouri 65102-0360
gencounsel@psc.mo.gov
william.haas@psc.mo.gov

Public Counsel
Michael F. Dandino
Office of the Public Counsel
200 Madison Street, Suite 650
Post Office Box 2230
Jefferson City, Missouri 65102
opcservice@ded.mo.gov
mike.dandino@ded.mo.gov

Brian T. McCartney
Brydon, Swearingen & England
PO Box 456
Jefferson City, MO 65102
bmccartney@brydonlaw.com

Charles Brent Stewart
Stewart & Keevil, LLC
4603 John Garry Drive, Suite 11
Columbia, MO 65203
Stewart499@aol.com

Roger W. Steiner
Karl Zobrist
U.S. Cellular
4520 Main Street, Suite 1100
Kansas City, Missouri 64111
rsteiner@sonnenschein.com
kzobrist@sonnenschein.com