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April 3, 2003

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street, Suite 650  
P. O. Box 360  
Jefferson City, MO 65102

**RECEIVED<sup>3</sup>**

**APR 10 2003**

*Records  
Public Service Commission*

RE: Comments regarding the "Proprietary" and "Highly Confidential" designations  
contained in Standard Protective Orders

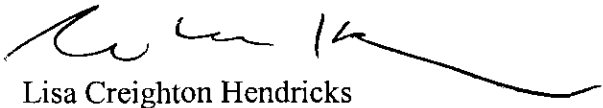
Dear Judge Roberts:

Please find the following comments regarding current Commission procedures governing protective orders. In a case with a typical protective order issued by the Missouri Public Service Commission, a party may designate information provided as either "Proprietary" or "Highly Confidential". Information designated as "Proprietary" may be viewed by counsel of record and internal and external persons who have signed a non-disclosure agreement. Information that is designated as "Highly Confidential" may only be reviewed by counsel of record and outside consultants who have signed non-disclosure agreements. Internal subject matter experts are prohibited from reviewing information provided by another party when that other party has designated the information as "Highly Confidential". This restricts companies from using internal subject matter experts, and forces a company to either needlessly contract an outside consultant or rely on the technical and analytical skills of its counsel. Further, this type of protective order may lead to unduly delaying parties in obtaining access to information necessary to effectively participate in proceedings, thus impeding those parties' ability to participate fully and equally.

Moreover, to Sprint's knowledge, no other state commission has such a restriction on the review of confidential information. In addition, such a restriction is not justified. Sprint, as well as many other companies, employs individuals for their expertise in certain specific areas such as costing. By limiting these internal experts access to the type of information designated as highly confidential, the Commission requires that Sprint and the other parties hire an outside expert even though they have the expertise to analyze the information in-house.

Sprint recognizes that certain information must be protected from inappropriate use. However, Sprint believes that limiting internal experts access to relevant information is unjustified. Accordingly, Sprint would support a rule establishing a single confidentiality designation that would allow internal experts access to such information, subject to the restrictions of the protective order. Sprint believes that a protective order containing a single designation would provide more than adequate protection from inappropriate use. If you have any questions or comments, please do not hesitate to contact me at 913-315-9363.

Sincerely



Lisa Creighton Hendricks