

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 3rd day of  
April, 2007.

In the Matter of the Application of MCC     )  
Telephony of Missouri, Inc. for Waiver of     )  
Compliance with the Requirement of     )  
4 CSR 240-32.     )

**Case No. TE-2006-0415**

**ORDER GRANTING STAFF'S MOTION TO CLASSIFY IN-CAMERA  
TRANSCRIPT AS PUBLIC INFORMATION**

Issue Date: April 3, 2007

Effective Date: April 13, 2007

**Syllabus:** This order grants Staff's Motion to Classify In-Camera Transcript as Public Information.

On March 21, 2007, the Missouri Public Service Commission's Staff filed Staff's Motion to Classify In-Camera Transcript as Public Information. In that motion Staff contended that the testimony contained in Volume 3 of the official transcript of the January 25, 2007 evidentiary hearing ("Transcript Volume 3"), which is currently classified as highly confidential, should be reclassified as public information.

Because the due dates for briefs were rapidly approaching, the Commission directed MCC Telephony to file its response to Staff's motion no later than 1:00 p.m. on Friday, March 23, 2007. The Commission further directed any other party wishing to file a response to Staff's motion to do so no later than 1:00 p.m., Friday, March 23, 2007.

MCC Telephony timely filed a response objecting to Staff's request to reclassify Transcript Volume 3 as public information. In its response MCC Telephony states that while Transcript Volume 3 does not contain specific figures, it does discuss the specific models for

fees structures between MCC and Sprint which were the product of negotiations. Further, MCC contends that the testimony contained in Transcript Volume 3 “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.” MCC argues that this type of information is proprietary “business information” and is therefore covered by the protective order issued in this case. MCC further argues that Staff’s motion does not provide good cause for the reclassification of the in-camera testimony as public.

Having reviewed the content of Transcript Volume 3, Staff’s verified motion and MCC’s verified response, the Commission finds that Transcript Volume 3 does not contain proprietary “business information” covered by the protective order issued in this case. Accordingly, the Commission will grant Staff’s motion and reclassify Transcript Volume 3 as public.

**IT IS ORDERED THAT:**

1. Staff’s Motion to Classify In-Camera Transcript as Public Information is granted, and the testimony contained in Volume 3 of the official transcript of the January 25, 2007 evidentiary hearing is reclassified as public information.
2. This order shall become effective on April 13, 2007.

( S E A L )

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

Davis, Chm., Gaw, Clayton,  
and Appling, CC., concur.  
Murray, C., dissents.

Voss Regulatory Law Judge