

FILED²
OCT 25 2006
Missouri Public
Service Commission

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

R. Mark,)	
)	
Complainant)	
)	
v.)	Cause No. TC-2006-0354
)	
ATT a/k/a SBC a/k/a Southwestern)	
Bell Telephone Company,)	
Respondent)	

**COMPLAINANT'S OBJECTION TO RESPONDENT'S RESPONSE
CLASSIFYING STAFF'S DR. 011 AS "HIGHLY CONFIDENTIAL"**

**MOTION FOR ORDER REQUIRING RESPONDENT TO FURNISH TO
COMPLAINANT THE RESPONDENT'S UNREDACTED RESPONSE TO
STAFF'S DR. 011.**

Comes now Complainant with Complainant's Objection to Respondent's Response Classifying Staff's DR. 011 as "Highly Confidential;" Complainant's Motion for Order Requiring Respondent to furnish to Complainant the Respondent's Unredacted Response to Staff's Dr. 011, and states:

1. That the Staff propounded, *inter-alia*, DR. 011, to wit:

PLEASE PROVIDE THE FOLLOWING INFORMATION: (A) Total number of non-published number subscribers in Missouri (b) Total Annual revenue from non-published number subscribers in Missouri.

Not only has the Respondent failed to furnish this information to the Complainant, but it has submitted such material as "highly confidential." The concealment of this response is improper; the response should not, and cannot, be considered "highly confidential." The Respondent has virtually no actual competition in the State of Missouri and the data request does not request names and addresses of those having non-published numbers, only numbers and annual revenue derived from its charge for non-published numbers to residential subscribers.¹ Further, the total annual revenue of such a service would reflect on the Respondent's incentive and potential motivation to arbitrarily and capriciously deny to a residential customer, i.e., Complainant, the right to a waiver under G.E.T. §6.12.6(c). The information should be reclassified as non-confidential and in any and all events, the information is relevant and material and may lead to the discovery of admissible evidence. The Complainant requires such information; without it, the Complainant cannot adequately prepare for any and all forthcoming hearings and/or proceedings.

¹ There is no charge to business telephone customers.

WHEREFORE, Complaint prays that the Respondent's Response to Staff's DR. 011 be reclassified to *non-confidential* and that in any and all events, the unredacted Response of AT&T's Ron Fink, Associate Director-Adhoc Reporting, San Ramon, Calif 94583, be provided forthwith to the Complainant.

Respectfully,



Complainant

October 23, 2006

Copies faxed to the Public Service Commission,
General Counsel's Office, 573-751-9285;
Lewis R. Mills, Jr., Office of Public Counsel,
573-751-5562, and mailed to the Attorneys for
AT&T Missouri Respondent.

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