

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the Joint Application of Comtel)
Telecom Assets LP and VarTec Telecom, Inc.,)
Excel Telecommunications, Inc., and VarTec)
Solutions, Inc., for Approval of a Transfer of)
Assets.)
Case No. TM-2006-0186

ORDER GRANTING MOTION FOR PROTECTIVE ORDER

Issue Date: November 3, 2005

Effective Date: November 3, 2005

On November 2, 2005, Comtel Telecom Assets LP and VarTec Telecom, Inc., Excel Telecommunications, Inc., and VarTec Solutions, Inc. (together, the “VarTec Companies”), filed a joint application for authority to complete the acquisition by Comtel of certain assets of the VarTec Companies. On the same date, the applicants filed a Motion for Protective Order, seeking confidential treatment of the Limited Partnership Agreement (Agreement) contained in Exhibit D of the joint application. Specifically, Comtel states that as a privately held entity, the information contained in the Agreement is not made available to external parties, unless it is done on a confidential basis, and that the Agreement is not available to the public through any other source. Making the Agreement available would reveal proprietary information to the public, which Comtel does not wish to disclose without a protective order. Comtel therefore requests that the Commission issue a protective order pursuant to 4 CSR 240-2.085 and treat Exhibit D as highly confidential and proprietary information.

The Commission finds that the motion meets the requirements of 4 CSR 240-2.085 and shall be granted. The Commission has previously recognized the need to protect confidential and proprietary information, and the issuance of protective orders has helped to minimize disputes in past cases. The Commission will adopt its standard protective order for this case.

IT IS THEREFORE ORDERED:

1. That the Motion for Protective Order filed by Comtel Telecom Assets LP and VarTec Telecom, Inc., Excel Telecommunications, Inc., and VarTec Solutions, Inc., on November 2, 2005, is granted and the protective order attached to this order (Attachment A) is adopted.
2. That Exhibit D to the joint application is deemed Highly Confidential in its entirety.
3. That this order shall become effective on November 3, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Vicky Ruth, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 3rd day of November, 2005.