

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Embarq Missouri, Inc.'s Application for)
Competitive Classification under Section 392.245.5) **Case No. TO-2007-0301**
RSMo (2005))

ORDER GRANTING COMBINED MOTION TO RE-DESIGNATE **SCHEDULE AND FOR EXPEDITED TREATMENT**

Issue Date: February 28, 2007

Effective Date: February 28, 2007

On February 8, 2007,¹ Embarq Missouri, Inc. ("Embarq") filed its verified Application for Competitive Classification pursuant to Section 392.245.5, RSMo Cum. Supp. 2005, in which it requested that the Commission classify the business services Embarq offers in its Lebanon exchange, other than exchange access services, as competitive. In connection with the application, the Staff of the Commission pre-filed the direct testimony of Staff witness Adam C. McKinnie on February 27.

In its combined Motion to Re-Designate Schedule and Motion for Expedited Treatment, which was filed on February 28, Staff avers that Schedule 2 to Mr. McKinnie's testimony consists of pages from the Local Exchange Routing Guide ("LERG"), which Embarq had provided to Staff without designating the pages as confidential or proprietary. Staff states that after it filed Mr. McKinnie's testimony (including Schedule 2), Embarq advised Staff that Embarq should have designated the LERG pages as proprietary since the LERG information was proprietary data provided to Embarq by Telcordia Technologies

¹ Unless otherwise specified, all dates refer to the year 2007.

under a subscription agreement. Therefore, Staff requests that the Commission expeditiously re-designate Schedule 2 of Mr. McKinnie's pre-filed testimony as proprietary.

The Commission finds that Staff's request is reasonable, and that a prompt ruling on Staff's motion is necessary to protect the proprietary information contained in Schedule 2 of Mr. McKinnie's pre-filed testimony, which was inadvertently provided to Staff by Embarras without expressly designating it as confidential or proprietary. Accordingly, the motion shall be granted.

IT IS ORDERED THAT:

1. Staff's combined Motion to Re-Designate Schedule and Motion for Expedited Treatment is granted, and the Commission's Data Center is ordered to expeditiously designate Schedule 2 of Adam McKinnie's pre-filed direct testimony of February 27, 2007 as proprietary.

2. This order shall become effective on February 28, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Benjamin H. Lane, Regulatory
Law Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 28th day of February, 2007.