

BEFORE THE
MISSOURI PUBLIC SERVICE COMMISSION

Staff of the Public Service Commission)	
Of the State of Missouri,)	
)	
Complainant,)	
v.)	Case No. TC-2007-0111
)	
Comcast IP Phone, LLC,)	
)	
Respondent.)	

MOTION FOR PROTECTIVE ORDER

Comes now Comcast IP Phone, LLC (“Comcast”), pursuant to 4 CSR 240.2.085, hereby moves the Public Service Commission of the State of Missouri (Commission) for a protective order that precludes public disclosure of certain proprietary, confidential information that has been requested in data requests in the above referenced case. In support of its motion, Comcast states as follows:

1. The information Comcast seeks to protect as highly confidential and proprietary includes, but is not limited to, the number of Comcast subscribers in Missouri. Comcast believes this information should be protected from disclosure because this information is integral to Comcast’s business plan in Missouri. Comcast submits that none of the information for which this protective order is sought can be found in any format in any public document.

2. Comcast believes that disclosure of its confidential data could cause substantial harm to it and that the potential harm outweighs the public’s interest in free and open access to information. The information Comcast seeks to protect from disclosure is of no particular benefit to the public, but such information could create a commercial and competitive advantage to Comcast’s competitors.

3. While Comcast cannot predict what additional potentially proprietary and confidential information it may be asked or ordered to produce in this proceeding, Comcast has received discovery requests seeking confidential information and it is anticipated that Comcast will receive additional discovery requests seeking confidential information. For this reason Comcast respectfully reserves the right to designate as confidential, in accordance with the Commission's Rules of Practice and Procedure information in addition to that referenced in paragraph one above.

4. Comcast respectfully requests that the Commission issue a protective order in this proceeding to govern the furnishing and dissemination of confidential and proprietary information. Comcast further requests that the Commission's protective order require that any information designated as confidential in this proceeding be used exclusively in this proceeding and not for any competitive purpose; that the confidential information used in exhibits, prefiled testimony, pleadings or briefs be redacted, clearly marked as confidential and filed under seal; neither the filing or furnishing of confidential information by Comcast be construed as a waiver of any subsequent claim of confidentiality; and not later than 30 days following the issuance of a final nonappealable order of the Commission, all information designated as confidential, including any copies or reproductions, either be returned to Comcast or destroyed by the holder.

5. Comcast is not requesting confidential treatment of more material than necessary to protect its business interests. The requested protective order would protect Comcast's proprietary and confidential information with the least restrictive means.

WHEREFORE, Comcast respectfully requests the Commission grant this motion and enter its standard protective order in this proceeding highly confidential and proprietary information to be maintained under seal in the Commission's files.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

By: /s/ Mark P. Johnson

Mark P. Johnson MO Bar #30740
Roger W. Steiner MO Bar #39586
4520 Main Street, Suite 1100
Kansas City, Missouri 64111
Phone: 816.460.2400
Fax: 816.531.7545
Email: mjohnson@sonnenschein.com

ATTORNEYS FOR COMCAST IP PHONE, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading was emailed to all counsel of record in this proceeding on this 1st day of February, 2007.

/s/ Mark P. Johnson