

James C. Stroo  
Associate General Counsel-Midwest



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June 5, 1996

Mr. David Rauch  
Executive Secretary  
Missouri Public Service Commission  
301 W. High Street  
5th Floor, Room 530  
Jefferson City, MO 65101

Subject: IN THE MATTER OF THE PROPOSED AMENDMENTS TO  
COMMISSION RULES FOR CSR 240-20.030; 30.040; 40.040;  
50.030; 61.020; AND PROPOSED RULE FOR CSR 240-10.080  
CASE NO. AX-96-301

Dear Mr. Rauch:

Enclosed for filing are the original and fourteen (14) copies of GTE Midwest Incorporated's Comments in the above-referenced case.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, reading "James C. Stroo", is written over a horizontal dashed line.

James C. Stroo

JCS:sah  
Enc.

c: Service List  
C. Little - Jefferson City, MO

FILED  
JUN 5 - 1996  
MISSOURI  
PUBLIC SERVICE COMMISSION

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

IN THE MATTER OF THE PROPOSED )  
AMENDMENTS TO COMMISSION )  
RULES FOR CSR 240-20.30; 30-040; )      CASE NO. AX-96-301  
40.040; 50.030; 61.020; AND )  
PROPOSED RULE FOR CSR )  
240-10.080 )

**COMMENTS OF GTE MIDWEST INCORPORATED**

GTE Midwest Incorporated (GTE) has concerns with only one provision of proposed 4 CSR 240-10.080 and the rescision of 4 CSR 240-30.040(4).

GTE's concern relates to paragraph 7 of the proposed 4 CSR 240-10.080. Paragraph 7 proposes that where a utility filing an annual report considers the information requested on the annual report form to be confidential, it must make a written request to the Executive Secretary to file that information under seal. That certainly seems appropriate. Then, the proposed rule would require the Executive Secretary through the General Counsel to present that request to the Commission for approval. That step should be unnecessary.

Currently, when confidential information is submitted to the Commission in annual reports or in other standard reporting type filings with the Commission, they are considered confidential until someone seeks the information. At that point, the Commission makes a decision as to whether the information should or should not be confidential. That procedure has worked very well.

**FILED**

**JUN 5 - 1996**

**MISSOURI  
PUBLIC SERVICE COMMISSION**

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Moreover, the Telecommunications Act of 1996 and the changes to Missouri telecommunications law enacted in Senate Bill 507 will produce a very competitive telecommunications industry in Missouri. In such an atmosphere, maintenance of the confidentiality of competitively sensitive information becomes extremely important. Accordingly, the Commission should not enact any rules which would make it easier for competitors to obtain each other's competitively sensitive information. GTE believes this paragraph would do that.

Therefore, GTE proposes that paragraph (7) should read as follows:

"Where a utility subject to this rule considers the information requested on the annual report form to be confidential, it must make a written notice to the Executive Secretary to file that information under seal. The Executive Secretary shall then file the information under seal. If the information is requested by any person, the Commission shall decide whether the information can be released after the utility is given an opportunity to defend its request for confidentiality. The Executive Secretary shall inform the utility in writing within three days of the decision of the Commission."

Respectfully submitted,

GTE MIDWEST INCORPORATED

By: 

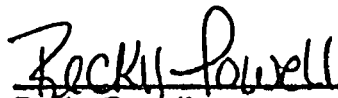
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Its Attorney

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document was hand delivered to David Rauch, Executive Secretary, Missouri Public Service Commission, 301 W. High Street, Room 530, Jefferson City, MO 65101 and was mailed, postage prepaid, this 5th day of June, 1996 to the following:

Office of the Public Counsel  
301 W. High Street, Room 250  
Jefferson City, MO 65101

  
Becky Powell  
AX-96-301