



Norman J. Kennard, Esquire
Direct Dial: 717-255-7627
nkennard@thomaslonglaw.com

July 7, 2010

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2010 JUL - 7 PM 1:32
SECRETARY'S BUREAU
PA PUC

Re: Joint Petition of

Citizens Telephone Company of Kecksburg, Consolidated Communications of Pennsylvania Company, Hickory Telephone Company, Ironton Telephone Company, Lackawaxen Telecommunications Services, Laurel Highland Telephone Company, North Penn Telephone Company, Palmerton Telephone Company, Pennsylvania Telephone Company, Pymatuning Independent Telephone Company, South Canaan Telephone Company, and Venus Telephone Corporation and for Arbitration of Interconnection Rates, Terms, and Conditions Pursuant to 47 U.S.C. Section 252(b) with Choice One Communications of Pennsylvania, Inc., CTC Communications Corporation, FiberNet Telecommunications of Pennsylvania, LLC, Docket Nos.:

A-2010-2185119,	A-2010-2185131,	A-2010-2185138,	A-2010-2185147,
A-2010-2185150,	A-2010-2185154,	A-2010-2185162,	A-2010-2185167,
A-2010-2185170,	A-2010-2185183,	A-2010-2185185,	A-2010-2185188,
A-2010-2185190,	A-2010-2185193,	A-2010-2185194,	A-2010-2185195,
A-2010-2185198,	A-2010-2185199,	A-2010-2185200,	A-2010-2185201,
A-2010-2185202,	A-2010-2185203,	A-2010-2185205,	A-2010-2185206,
A-2010-2185208,	A-2010-2185209,	A-2010-2185211,	A-2010-2185215,
A-2010-2185216,	A-2010-2185225,	A-2010-2185228,	A-2010-2185229,
A-2010-2185231,	A-2010-2185238,	A-2010-2185245,	and A-2010-2185258

Dear Secretary Chiavetta:

Enclosed for filing on behalf of the Rural Petitioners, please find an original and three (3) copies of the Rural Petitioners' Petition for Protective Order.

Rosemary Chiavetta, Secretary
July 7, 2010
Page 2

If you have any questions, please do not hesitate to contact me.

Sincerely,

THOMAS, LONG, NIESEN & KENNARD

By:


Norman J. Kennard

Attachments

cc: Honorable Angela T. Jones
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re:	:	
	:	
Joint Petition of	:	
Citizens Telephone Company of Kecksburg,	:	Docket Nos. A-2010-2185119
Consolidated Communications of Pennsylvania Company,	:	A-2010-2185131
Hickory Telephone Company,	:	A-2010-2185138
Ironton Telephone Company,	:	A-2010-2185147
Lackawaxen Telecommunications Services,	:	A-2010-2185150
Laurel Highland Telephone Company,	:	A-2010-2185154
North Penn Telephone Company,	:	A-2010-2185162
Palmerton Telephone Company,	:	A-2010-2185167
Pennsylvania Telephone Company,	:	A-2010-2185170
Pymatuning Independent Telephone Company	:	A-2010-2185183
South Canaan Telephone Company, and	:	A-2010-2185185
Venus Telephone Corporation	:	A-2010-2185188
	:	A-2010-2185190
for Arbitration of Interconnection Rates, Terms	:	A-2010-2185193
and Conditions Pursuant to 47 U.S.C. Section 252(b) with	:	A-2010-2185194
	:	A-2010-2185195
Choice One Communications of Pennsylvania, Inc.,	:	A-2010-2185198
CTC Communications Corporation, and	:	A-2010-2185199
FiberNet Telecommunications of Pennsylvania, LLC	:	A-2010-2185200
	:	A-2010-2185201
	:	A-2010-2185202
	:	A-2010-2185203
	:	A-2010-2185205
	:	A-2010-2185206
	:	A-2010-2185208
	:	A-2010-2185209
	:	A-2010-2185211
	:	A-2010-2185215
	:	A-2010-2185216
	:	A-2010-2185225
	:	A-2010-2185228
	:	A-2010-2185229
	:	A-2010-2185231
	:	A-2010-2185238
	:	A-2010-2185245
	:	A-2010-2185258

SECRETARY'S BUREAU
2010 JUL -7 PM 1:33
RECEIVED

PETITION FOR PROTECTIVE ORDER

NOW COME, Citizens Telephone Company of Kecksburg; Consolidated Communications of Pennsylvania Company, Hickory Telephone Company; Ironton Telephone Company; Lackawaxen Telecommunications Services; Laurel Highland Telephone Company; North Penn Telephone Company; Palmerton Telephone Company; Pennsylvania Telephone Company; Pymatuning Independent Telephone Company; South Canaan Telephone Company; and Venus Telephone Corporation (“Rural Petitioners”), by their counsel, and file this Petition for Protective Order pursuant to 52 Pa. Code § 5.423 and request that the Pennsylvania Public Utility Commission (“Commission”) provide protective or confidential treatment of certain Proprietary and Highly Confidential Information involved in the above-captioned matter filed now and in the future, which are filed with the Commission, produced in discovery, or otherwise presented during these proceedings. In support thereof, the Rural Petitioners submit the following:

1. Choice One Communications of Ohio Inc., Choice One Communications of Pennsylvania, Inc., Choice One Communications of Rhode Island Inc., Choice One Communications of Connecticut Inc., Choice One Communications of Maine Inc., Choice One Communications of Massachusetts Inc., Choice One Communications of New York Inc., Choice One Communications of New Hampshire Inc., US Xchange of Indiana, L.L.C.; US Xchange of Illinois, L.L.C., US Xchange of Wisconsin, L.L.C., and US Xchange of Michigan, L.L.C. collectively submitted identical requests for the negotiation of interconnection agreements to the Rural Petitioners on June 18, 2009.¹ These

¹ With the exception that Laurel Highland Telephone Company’s letter is dated June 5, 2009. Attached to the Petition for Arbitration as Exhibit A.

same Choice One entities subsequently renewed their request for interconnection by letter dated November 24, 2009.²

2. By letter dated August 21, 2009, counsel for Rural Petitioners indicated that they would be jointly represented in a collective negotiation of an interconnection agreement, and submitted a list of twelve questions to Choice One to assist in determining the kinds of traffic, facilities and operations of Choice One so as to better move forward on an interconnection agreement.”³ Choice One did not answer the questions.

3. On May 21, 2010, the Rural Petitioners collectively forwarded a draft proposed interconnection agreement.⁴ Choice One did not provide its own proposed interconnection agreement or respond to that submitted by the Rural Petitioners.

4. On June 25, 2010, Rural Petitioners filed a Petition for Arbitration and formally requested a Commission determination that the Rural Petitioners’ proposed interconnection agreement is reasonable under the Telecommunications Act of 1996.

5. The Rural Petitioners were subsequently advised by counsel for Choice One that the only Choice One companies that are or will be sending traffic to Rural Petitioners are: Choice One Communications of Pennsylvania, Inc., CTC Communications Corporation and FiberNet Telecommunications of Pennsylvania, LLC.

6. On June 30, 2010, the Rural Petitioners so advised the Secretary of the Commission by letter and requested that the caption in the above matter be revised, so as to reflect the twelve Rural Petitioners and the three Choice One Companies.⁵

² Attached to the Petition for Arbitration as Exhibit C.

³ Attached to the Petition for Arbitration as Exhibit B.

⁴ Attached to the Petition for Arbitration as Exhibit G.

⁵ As reported in the June 30, 2010 letter to the Secretary, Counsel for Choice One further agreed that, in the event additional Choice One Companies do send traffic to any of the Rural Petitioners, none of the Choice One Companies will

7. The Secretary then entered the Petition at thirty six separate dockets, as captioned above.

8. A Pre-Arbitration Conference has been scheduled for July 15, 2010.

9. On July 6, 2010, Rural Petitioners moved to consolidate the proceeding.

10. On July 6, 2010, Rural Petitioners served discovery upon Choice One.

11. Certain Proprietary Information, as well as Highly Confidential Information, have been and/or are anticipated to be requested or provided in discovery, in testimony and exhibits, and in settlement discussions in this proceeding. Such information includes commercially-sensitive data that is highly confidential to the parties.

12. Proprietary treatment, in the form of the attached Protective Order, is justified, because such information would be of substantial value to the competitors of the Producing Party. The release of this information would allow competitors to gain knowledge of confidential information related to the operations, financial and operating results, and marketing, strategic and business plans of the Complainant and its respective affiliates, thereby placing the Producing Party at a severe competitive disadvantage. Furthermore, limitation on the disclosure of information will not prejudice the rights of the participants, nor will such limitation frustrate the prompt and fair resolution of this proceeding.

13. The Rural Petitioners aver that the disclosure of information designated as Proprietary and/or Highly Confidential to the public and/or the Producing Party's competitors could, among other things, interfere with the development of a competitive market for telecommunications services. Specifically, competitors could use this information to price their services or to develop

object to requests for arbitration in the future, should such an occasion arise. The Choice One Companies have further agreed that the interconnection agreement may be entered into with additional Choice One Companies besides the Pennsylvania-specific entities.

marketing plans to unfairly compete. Additionally, any other materials furnished in this proceeding which are claimed to be Proprietary or Highly Confidential and which are so designated should be subject to the requested Protective Order. As such, the potential harm to the Producing Party is substantial, and the need for protection of this Proprietary and/or Highly Confidential Information outweighs the public's interest in this information. 52 Pa. Code § 5.423(a).

14. The Rural Petitioners seek a Commission Order granting protective status with respect to Proprietary Information. The Rural Petitioners request that Proprietary Information be sealed and not be made available for public inspection. The Rural Petitioners also request that any documents referencing this confidential record produced by the Commission or other parties be placed in a confidential folder and treated consistent with the treatment of confidential information. The Rural Petitioners also request other reasonable assurances regarding the handling, review, disclosure and use of this information by interested parties, consistent with Section 5.423(b) of the Commission's regulations.

15. The attached Protective Order sought by the Rural Petitioners will protect the proprietary nature of competitively valuable information while allowing appropriate parties to use such information for purposes of the instant litigation. The proposed Protective Order applies the least restrictive means of limitation that will provide the necessary protections from disclosure.

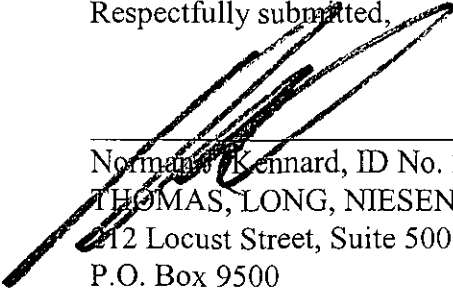
16. As established above, good cause exists for the entry of a Protective Order and the form attached hereto. The form of the attached Protective Order is substantially identical to Protective Orders recently entered in other, similar telecommunications proceedings. Therefore, entry of a Protective Order is necessary to protect the business of the parties to this Arbitration.

17. The attached Protective Order is the very same as was approved by Your Honor under the Order Granting Motion For Issuance of Protective Order dated September 17, 2009 in the matter

Laurel Highland Telephone Company v. Choice One Communications of Pennsylvania, Inc., d/b/a One Communications, and other affiliates, Docket No. C-2009-2108366.

WHEREFORE, the Rural Petitioners respectfully request that Your Honor enter the attached Protective Order.

Respectfully submitted,



Norman Kennard, ID No. 29921
THOMAS, LONG, NIESEN & KENNARD
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500
(717) 255-7600

Attorneys for the Rural Petitioners

Dated: July 7, 2010

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re:	:	
	:	
Joint Petition of	:	
Citizens Telephone Company of Kecksburg,	:	Docket Nos. A-2010-2185119
Consolidated Communications of Pennsylvania Company,	:	A-2010-2185131
Hickory Telephone Company,	:	A-2010-2185138
Ironton Telephone Company,	:	A-2010-2185147
Lackawaxen Telecommunications Services,	:	A-2010-2185150
Laurel Highland Telephone Company,	:	A-2010-2185154
North Penn Telephone Company,	:	A-2010-2185162
Palmerton Telephone Company,	:	A-2010-2185167
Pennsylvania Telephone Company,	:	A-2010-2185170
Pymatuning Independent Telephone Company	:	A-2010-2185183
South Canaan Telephone Company, and	:	A-2010-2185185
Venus Telephone Corporation	:	A-2010-2185188
	:	A-2010-2185190
for Arbitration of Interconnection Rates, Terms	:	A-2010-2185193
and Conditions Pursuant to 47 U.S.C. Section 252(b) with	:	A-2010-2185194
	:	A-2010-2185195
Choice One Communications of Pennsylvania, Inc.,	:	A-2010-2185198
CTC Communications Corporation, and	:	A-2010-2185199
FiberNet Telecommunications of Pennsylvania, LLC	:	A-2010-2185200
	:	A-2010-2185201
	:	A-2010-2185202
	:	A-2010-2185203
	:	A-2010-2185205
	:	A-2010-2185206
	:	A-2010-2185208
	:	A-2010-2185209
	:	A-2010-2185211
	:	A-2010-2185215
	:	A-2010-2185216
	:	A-2010-2185225
	:	A-2010-2185228
	:	A-2010-2185229
	:	A-2010-2185231
	:	A-2010-2185238
	:	A-2010-2185245
	:	A-2010-2185258

PROTECTIVE ORDER

AND NOW, having considered the Petition for Protective Order filed by the Rural Petitioners, pursuant to 52 Pa. Code § 5.323(a), in the above-captioned proceeding:

IT IS ORDERED:

1. This Protective Order is hereby established for use in this proceeding with respect to all materials and information identified at Paragraph 2 of this Protective Order which are filed with the Commission, produced in discovery, or otherwise presented during these proceedings. All persons now and hereafter granted access to the materials and information identified in Paragraphs 2 and 3 of this Protective Order shall use and disclose such information only in accordance with this Order.

2. The materials subject to this Order are all correspondence, documents, data, information, studies, methodologies and other materials which a party or an affiliate of a party furnishes in this proceeding pursuant to Commission rules and regulations, discovery procedures or cross-examination or provides as a courtesy to a party to this proceeding, which are claimed to be of a proprietary or confidential nature and which are designated "PROPRIETARY" (hereinafter collectively referred to as "Proprietary Information"). Proprietary information shall include, but is not limited to, information that is either specified as confidential by its terms, or pertains to business practices that are commercially sensitive, or which is ordinarily considered and treated as proprietary or confidential by the Producing Party; and all information contained therein or derived therefrom, including, but not limited to, all copies, excerpts or summaries thereof.

3. In addition, the parties may designate extremely sensitive Proprietary Information as "Highly Confidential" (hereinafter referred to as "Highly Confidential Information") and thus secure the additional protections set forth in this Order pertaining to such material. Such "Highly

Confidential” information shall be only such Proprietary Information that constitutes or describes the Producing Party's marketing plans, including, *inter alia*, costing and pricing aspects thereof competitive strategies, market share projections, marketing materials that have not yet been used, customer-identifying information, or other such customer information or customer prospects for services that are subject to competition.

4. Proprietary Information and Highly Confidential Information shall be made available to the Commission and its Staff for use in this proceeding. For purposes of filing, to the extent that Proprietary Information and Highly Confidential Information is placed in the Commission’s report folders, such information shall be handled in accordance with routine Commission procedures inasmuch as the report folders are not subject to public disclosure. To the extent that Proprietary Information or Highly Confidential Information is placed in the Commission’s testimony or document folders, such information shall be separately bound, conspicuously marked, and accompanied by a copy of this Order. Public inspection of Proprietary Information and Highly Confidential Information shall be permitted only in accordance with this Protective Order.

5. Proprietary Information and Highly Confidential Information shall be made available to counsel of record in this proceeding pursuant to the following procedures.

a. Proprietary Information. To the extent required for participation in this proceeding, a party’s counsel may afford access to Proprietary Information made available by another party (“the Producing Party”) to the party's witness(es) or expert(s), subject to the following restrictions:

i. Such witness(es) or expert(s) may not hold any of the following positions with any competitor or affiliate of a competition of the Producing Party: (a) an officer, board

member, stockholder, partner, owner other than owner of stock or an employee who is primarily involved in the pricing, development, and/or marketing of products or services that are offered in competition with those of the Producing Party; or (b) an officer, board member, stockholder, partner, owner other than owner of stock of any affiliate of a competitor of the Producing Party; provided, however, that any expert shall not be disqualified on account of being a stockholder, partner, or owner unless his/her interest in the business constitutes a significant potential for violation of the limitations of permissible use of the Proprietary Information. For purposes of this Order, stocks, partnership, or other ownership interest valued at less than \$500,000 and/or constituting less than a 10 % interest in a business does not, in itself, establish a significant potential for violation.

ii. If a party's independent expert, another member of the independent expert's firm or the independent expert's firm generally also serves as an expert for, or as a consultant or advisor to a competitor or any affiliate of a competitor of the Producing Party, said independent expert must: (1) advise the Producing Party of the competitor's or affiliate's name(s); (2) make reasonable attempts to segregate those personnel assisting in the expert's participation in this proceeding from those

personnel working on behalf of a competitor or any affiliate of a competitor of the Producing Party; and (3) if segregation of such personnel is impractical, the independent expert shall give to the Producing Party written assurances that the lack of segregation will in no way jeopardize the interests of the Producing Party. The Producing Party retains the right to challenge the adequacy of the written assurances that its interests will not be jeopardized.

iii. Any information provided under this provision may be used only for and to the extent that it is necessary for participation in this proceeding; any person obtaining information disclosed through this provision may not use that information to gain any commercial advantage and any person obtaining information may not forward it to any person to gain commercial advantage.

iv. Prior to making Proprietary information available to a party's independent consultant/expert for purposes of participating in this proceeding, a party's counsel of record shall promptly deliver to the Producing Party an executed copy of an Affidavit in the form attached to this Protective Order as Appendix A.

b. Highly Confidential Information. Proprietary Information or other

material designated as Highly Confidential shall be produced for inspection by a party's counsel of record only. If the inspecting lawyer desires copies of such material, or desires to disclose its contents to persons other than counsel of record, she or he shall submit a written request to the Producing Party's counsel. If requesting and Producing Parties are unable to reach agreement with respect to such a request, they may submit the issue orally to the presiding Administrative Law Judge for resolution. If upon inspection the requesting party disagrees with the designation of any of the material as Highly Confidential and the Producing Party does not revise the designation, that issue may also be submitted orally to the Administrative Law Judge for resolution. For purposes of this paragraph, non-lawyer experts engaged by the Office of Consumer Advocate, the Office of Small Business Advocate or the Office of Trial Staff who qualify under the provisions of paragraph 4(a)(i) and sign Appendix A to this Order shall be treated as counsel of record with regard to the production of Highly Confidential Information.

c. No other persons may have access to the Proprietary Information or Highly Confidential Information except as authorized by order of the Commission or of the presiding Administrative Law Judge. No person who may be entitled to receive, or who is afforded access to any Proprietary Information or Highly Confidential Information shall use or disclose such information for the purposes of business or competition, or any purpose other than the preparation for and conduct of this proceeding or any administrative or judicial review thereof.

6. Prior to making Proprietary Information or Highly Confidential Information available to any person as provided in numbered Paragraph 4, above, counsel shall deliver a copy of this Order

to such person and shall receive a written acknowledgment from that person in the form attached to this Order and designated as Appendix A. Counsel shall promptly deliver to the Producing Party a copy of the executed Appendix A.

7. A Producing Party shall designate data or documents as constituting or containing Proprietary Information or Highly Confidential Information by affixing an appropriate proprietary stamp or typewritten or printed designation on such data or documents. Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information or Highly Confidential Information, the Producing Party insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents which constitute or contain Proprietary Information or Highly Confidential Information.

8. Any federal agency which has access to and/or receives copies of the Proprietary Information or Highly Confidential Information will consider and treat the Proprietary Information or Highly Confidential Information as within the exemption from disclosure provided in the Freedom of Information Act as set forth at 5 U.S.C.A. § 552(b)(4) until such time as the information is found to be non-proprietary.

9. Any state agency which has access to and/or receives copies of the Proprietary Information or Highly Confidential Information will consider and treat the Proprietary Information or Highly Confidential Information as within the exemption from disclosure provided in the Pennsylvania Right-to-Know Act as set forth at 65 P.S. § 66.1(2) until such time as the information is found to be non-proprietary.

10. Any public reference to Proprietary Information or Highly Confidential Information by counsel or persons afforded access thereto shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information or Highly Confidential

Information to fully understand the reference and not more. The Proprietary Information or Highly Confidential Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

11. Parts of any record in this proceeding containing Proprietary Information or Highly Confidential Information, including but not limited to all exhibits, writings, testimony, cross examination, argument and responses to discovery, and including reference thereto as mentioned in number Paragraph 9 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information or Highly Confidential Information is released from the restrictions of this Order, either through the agreement of the parties or pursuant to order of the Administrative Law Judge or the Commission. Unresolved challenges arising under Paragraph 12 shall be decided on motion or petition by the presiding officer or the Commission as provided by 52 Pa. Code § 5.423(a). All such challenges will be resolved in conformity with existing rules, regulations, orders, statutes, precedent, etc., to the extent that such guidance is available.

12. The parties affected by the terms of this Order shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information or Highly Confidential Information; to question or challenge the admissibility of Proprietary Information or Highly Confidential Information; to refuse or object to the production of Proprietary Information or Highly Confidential Information on any proper ground, including but not limited to irrelevance, immateriality or undue burden; to seek an order permitting disclosure of Proprietary Information or Highly Confidential Information beyond that allowed in this Order; and to seek additional measures of protection of Proprietary Information or Highly Confidential Information beyond those provided in this Order. If a challenge is made to the designation of a document or information as Proprietary

or Highly Confidential, the party claiming that the information is Proprietary or Highly Confidential retains the burden of demonstrating that the designation is necessary and appropriate.

13. Every person to whom disclosure is made of any Proprietary Information or Highly Confidential Information subject to this Protective Order shall be informed of the terms of this Protective Order, and shall agree to be bound by it, and his or her name shall be designated in writing to the Producing Party within five (5) days of the date on which the first disclosure is made. Every such person shall also sign a Protective Order Acknowledgement in the form attached hereto as Appendix A, copies of which, after execution, must be supplied to the Producing Party. Copies of the executed forms shall be forwarded to counsel for the Producing Party. The Parties expressly agree that all such persons to whom Proprietary Information or Highly Confidential Information is disclosed may use such Proprietary Information or Highly Confidential Information solely for preparing or presenting evidence, cross-examination, argument or briefing in the proceeding and for no other purpose.

14. The parties agree to investigate reasonable alternatives before proposing to place into the public record any deposition, brief, memorandum, written discovery material, or other writing that: (a) refers to, discusses, or directly relates to, Proprietary Information or Highly Confidential Information, or (b) has any such Proprietary Information or Highly Confidential Information affixed thereto as an exhibit or otherwise. If a party determines that it cannot agree to any reasonable alternative to public disclosure of any such writing, the party shall file any such writing under seal. Counsels' copies of all such writings shall be subject to the provisions of this Protective Order concerning disclosure and use.

15. If a Producing Party includes material it has designated as "Proprietary" or "Highly Confidential," or references thereto that disclose the matter designated as "Proprietary" or "Highly

Confidential,” in any unsealed filing of its own to the Commission, that Producing Party waives the protection provided by this Protective Order with respect to such Proprietary Information or Highly Confidential Information, with the exception that, for testimony and exhibits designated as “Proprietary” or “Highly Confidential,” the Producing Party does not waive any protections provided by this Protective Order by including the Proprietary Information or Highly Confidential Information in its application, testimony, or exhibits, as filed with the Commission.

16. Any party, who believes that another party has violated or intends to disclose or use any Proprietary Information or Highly Confidential Information in a manner prohibited by this Protective Order, may move the Commission for an order imposing appropriate sanctions on the party allegedly in violation of this Protective Order, and/or directing the adverse party to refrain from such disclosure or use when appropriate. The parties agree that the Commission shall have the authority to adjudicate such a dispute and agree to be bound by whatever determination the Commission makes.

17. This Protective Order shall continue to be binding throughout and after the conclusion of the proceeding in the above-captioned matter.

18. Within thirty (30) days after a Commission decision is entered in the proceeding, or in the event of appeals, within thirty (30) days after appeals are finally decided: (a) any party receiving Highly Confidential Information must return that information, as well as any notes, whether written or oral, which contain any Highly Confidential Information to the Producing Party; and (b) any party receiving Proprietary Information, upon request, shall either destroy or return to the Producing Party all copies of all documents and other materials not entered into the record, including notes, whether written or oral, which contain any Proprietary Information. In the event that a party elects to destroy all copies of documents and other materials containing Proprietary Information instead of returning

them to the Producing Party, such party shall certify in writing to the Producing Party that the Proprietary Information has been destroyed.

Dated: _____

Angela T. Jones
Administrative Law Judge

APPENDIX A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: :
 :
 :
Joint Petition of :
Citizens Telephone Company of Kecksburg, : Docket Nos. A-2010-2185119
Consolidated Communications of Pennsylvania Company, : A-2010-2185131
Hickory Telephone Company, : A-2010-2185138
Ironton Telephone Company, : A-2010-2185147
Lackawaxen Telecommunications Services, : A-2010-2185150
Laurel Highland Telephone Company, : A-2010-2185154
North Penn Telephone Company, : A-2010-2185162
Palmerton Telephone Company, : A-2010-2185167
Pennsylvania Telephone Company, : A-2010-2185170
Pymatuning Independent Telephone Company : A-2010-2185183
South Canaan Telephone Company, and : A-2010-2185185
Venus Telephone Corporation : A-2010-2185188
 : A-2010-2185190
 : A-2010-2185193
for Arbitration of Interconnection Rates, Terms : A-2010-2185194
and Conditions Pursuant to 47 U.S.C. Section 252(b) with : A-2010-2185195
 : A-2010-2185198
Choice One Communications of Pennsylvania, Inc., : A-2010-2185199
CTC Communications Corporation, and : A-2010-2185200
FiberNet Telecommunications of Pennsylvania, LLC : A-2010-2185201
 : A-2010-2185202
 : A-2010-2185203
 : A-2010-2185205
 : A-2010-2185206
 : A-2010-2185208
 : A-2010-2185209
 : A-2010-2185211
 : A-2010-2185215
 : A-2010-2185216
 : A-2010-2185225
 : A-2010-2185228
 : A-2010-2185229
 : A-2010-2185231
 : A-2010-2185238
 : A-2010-2185245
 : A-2010-2185258

TO WHOM IT MAY CONCERN:

The undersigned is the expert officer, member, employee or counsel of _____ (the retaining party).

The undersigned has read and understands the Protective Order issued in the above-captioned proceeding, which Order deals with the treatment of Proprietary Information and Highly Confidential Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Order. The undersigned agrees that any Proprietary Information and Highly Confidential Information shall be used or disclosed only for purposes of preparation for, and conduct of the above-captioned proceeding, and any administrative or judicial review thereof, and shall not be disclosed or used for any other purpose whatsoever.

Signature

Date: _____

Print Name

Address

Employer

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July 2010 copies of the foregoing document have been served, via electronic and first class mail, postage prepaid at Harrisburg, Pennsylvania, as indicated, upon the persons listed below in accordance with the requirements of 52 Pa Code §§ 1.54 and 1.55 of the Commission's rules.

John C. Dodge
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue NW
Washington, DC 20006-3402
JohnDodge@dwt.com

Joel Cheskis
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
jcheskis@paoca.org

William Lloyd
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101
willlloyd@state.pa.us

Johnnie E. Simms, Director
PUC Office of Trial Staff
Commonwealth Keystone Building
2nd Floor, F West
Harrisburg, PA 17120
josimms@state.pa.us



Norman J. Kennerd, Esq.

RECEIVED
2010 JUL -7 PM 1:33
SECRETARY'S BUREAU