

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Investigation into the Obligations of Incumbent :  
Local Exchange Carriers to Unbundle Local :  
Circuit Switching for the Enterprise Market :

Docket No. ~~1-00030100~~ PA.P.U.C.  
PROPERTY'S BUREAU

~~I-0003100~~

I-00030100

ORDER APPROVING PROTECTIVE ORDER STIPULATION

On October 3, 2003, the Commission entered a Protective Order governing the above captioned proceeding. On November 3, 2003, Verizon Pennsylvania, Inc., Verizon North, Inc., the Pennsylvania Carriers Coalition, ARC Networks, Inc. d/b/a Infohighway, Metropolitan Telecommunications Corporation of Pennsylvania, the Office of Consumer Advocate, the Office of Trial Staff and the Office of Small Business Advocate submitted a Protective Order Stipulation to clarify issues pertaining to the dissemination of confidential information in this proceeding. I have reviewed the Stipulation, which is attached to, and incorporated in this order, and conclude that it should be approved.

Order

DOCUMENT  
FOLDER

THEREFORE, IT IS ORDERED:

1. That the Protective Order Stipulation submitted on November 3, 2003 in this proceeding is approved.
2. That the Protective Order Stipulation submitted on November 3, 2003 governs the application of the Protective Order entered on October 3, 2003 in this proceeding.

Date: November 5, 2003

*Michael C. Schnierle*  
MICHAEL C. SCHNIERLE  
Administrative Law Judge

DOCKETED

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation into the Obligation	:	
of Incumbent Local Exchange	:	
Carriers to Unbundle Local Circuit	:	Docket No. I-00030100
Switching for the Enterprise Market	:	

**PROTECTIVE ORDER STIPULATION**

Verizon Pennsylvania, Inc., Verizon North, Inc., the Pennsylvania Carriers Coalition, ARC Networks, Inc. d/b/a Infohighway, Metropolitan Telecommunications Corporation of Pennsylvania, the Office of Consumer Advocate, the Office of Trial Staff and the Office of Small Business Advocate submit this Stipulation to the Presiding Officer, Administrative Law Judge Michael Schnierle, and the Commission to clarify issues pertaining to the dissemination of confidential information in this proceeding. The Parties stipulate as follows:

1. On October 3, 2003, the Commission entered a Protective Order governing the above captioned proceeding. Upon review and given the specific circumstances of this case, the Parties desire to clarify the application of the Protective Order to this proceeding.
2. The Protective Order governs treatment of two types of confidential information – Proprietary Information and Highly Confidential Information.
3. As to Highly Confidential Information, the language of the Protective Order will govern and the treatment of this information is not affected by this Stipulation.

4. As to Proprietary Information, the Parties agree that for the Commission's 90-day proceeding regarding enterprise switching, in addition to the category of experts identified in the Protective Order and Attachment A thereto, information so marked may be also disseminated to each of the witnesses in this case. The witnesses in the case may review the proprietary information to defend the sponsoring party's position in this litigation. The witnesses will use the information only in the conduct of this proceeding and any administrative or judicial proceeding arising from this proceeding, and shall not use or disclose the information for any other purpose, including business, governmental, commercial or other administrative or judicial proceedings.

5. This Stipulation shall not be considered precedent for the treatment of Proprietary Information or the application of Protective Orders in any other proceeding (including, but not limited to, the Commission's nine-month review of network elements other than enterprise switching) and is agreed to give the unique circumstances of the enterprise switching case.

6. In all other aspects, the language of the Protective Order shall govern.

7. Counsel for the respective parties sponsoring witnesses in this proceeding shall be responsible for assuring that the witnesses understand and agree to the terms and conditions of this Stipulation.

WHEREFORE, the Parties request that this Stipulation be adopted by the ALJ and the Commission to govern the application of the October 3, 2003 Protective Order to this proceeding.



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Alan Kohler, Esquire  
for Pennsylvania Carriers' Coalition

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Williams B. Petersen, Esquire  
for Verizon, Pennsylvania, Inc. and  
Verizon North, Inc.

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Ross A. Buntrock, Esquire  
for ARC Networks, Inc. d/b/a Infohighway  
and Metropolitan Telecommunications  
Corporation of PA

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Barrett Sheridan, Esquire  
for the Office of Consumer Advocate

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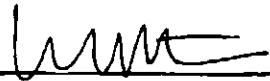
Kandace F. Melillo, Esquire  
for the Office of Trial Staff

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Angela Jones, Esquire  
for the Office of Small Business  
Advocate

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