

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Thomas Gamon

v.

Verizon Pennsylvania Inc.

:  
:  
:  
:  
:

C-20077839

DOCUMENT  
FOLDER

PROTECTIVE ORDER

THEREFORE, upon consideration of the Motion for Protective Order filed by  
Verizon Pennsylvania Inc. ("Verizon");

IT IS ORDERED:

**DOCKETED**  
AUG 13 2007

1. That a Protective Order is granted with respect to all materials and information identified at Ordering Paragraph No. 2 below, which are filed with the Public Utility Commission ("Commission"), produced in discovery, or otherwise presented during this proceeding. All persons now and hereafter granted access to the materials and information identified in Ordering Paragraph No. 2 shall use and disclose such information only in accordance with this Protective Order.

2 (a). The materials subject to this Protective Order include 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 the Commission rules and regulations, discovery procedures, direct testimony or cross-examination or provides as a courtesy to the active parties in this proceeding, which are claimed to be or designated as proprietary or confidential and which may be marked as "PROPRIETARY INFORMATION" or "CONFIDENTIAL AND PROPRIETARY" (hereinafter collectively referred to as "Proprietary Information"). Proprietary Information shall include, but is not limited to, Social Security

KJR

numbers, Verizon methods and procedures, Verizon customer service agent scripts and/or job aids, Verizon billing techniques, Verizon settlement discussions and procedures.

2 (b). In addition, the parties may designate extremely sensitive Proprietary Information as "HIGHLY CONFIDENTIAL INFORMATION" or "HIGHLY CONFIDENTIAL MATTER" (hereinafter collectively 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 or, in the event that the information involves a specific customer of Verizon, such customer's names or customers' prospects' names, addresses, telephone service usage, or other customer-identifying information.

3. Proprietary Information and Highly Confidential Information produced in this proceeding shall be made available to Thomas Gamon ("Complainant") for use in this and any related proceeding. For purposes of filing, to the extent that Proprietary Information is placed in the Commission's report folders, such information shall be handled in accordance with routine Commission procedures for Proprietary Information inasmuch as the report folders are not subject to public disclosure. To the extent the Proprietary 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 Protective Order. Public inspection of the Proprietary and Highly Confidential Information shall be permitted only in accordance with this Protective Order.

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

- a. Proprietary Information: To the extent required for participation in this proceeding, the Complainant may afford access to Proprietary Information made available by Verizon ("the producing party") to the Complainant's expert(s), subject to the following restrictions;

- i. Such experts may not hold any of the following positions with any competitor of the producing party: (a) an officer, board member, stockholder, partner, owner, 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 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.
  
- 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.
  
- b. **Highly Confidential Information.** Highly Confidential Information shall be produced for inspection by the Complainant. If the Complainant 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 to the presiding Administrative Law Judge.
  
- c. No other persons may have access to the Proprietary or Highly Confidential Information except as authorized by order of the Commission or the Presiding Administrative Law Judge. No person who may be entitled to receive or who is afforded access to any Proprietary or Highly Confidential Information shall use or disclose for the purposes of business or competition, or any purpose other than the presentation for and conduct of this proceeding or any administrative or judicial review thereof. The Proprietary Information and Highly Confidential Information may not be publicly disclosed.

5. Prior to making Proprietary or Highly Confidential Information available to any person as provided in Paragraph 4 of this Protective Order, the Complainant shall deliver a copy of this Protective Order to such person and shall receive a written acknowledgement from that person in the form attached to this Protective Order and designated as Appendix A. The Complainant shall promptly deliver to the producing party a copy of the executed acknowledgement form.

6. A producing party shall designate data or documents as constituting or containing Proprietary or Highly Confidential Information by affixing an appropriate propriety stamp or typewritten designation on such data or documents. Where only part of the data compilations or multi-page documents constitutes or contains Proprietary or Highly Confidential Information, the producing party shall designate only the specific data or pages of documents which constitute or contain Proprietary or Highly Confidential Information.

7. Any public reference to Proprietary or Highly Confidential Information by the Commission or by counsel or persons afforded access thereto shall be to the title or exhibit reference in sufficient detail to permit persons with access to Proprietary or Highly Confidential Information to fully understand the reference and not more. Proprietary or Highly Confidential Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

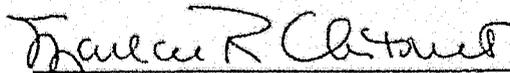
8. Part of the record of this proceeding containing Proprietary or Highly Confidential Information, including but not limited to all exhibits, writings, testimony, cross examination, argument and responses to discovery, and including reference thereto as mentioned in Ordering Paragraph No. 7 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary or Highly Confidential Information is released from the restrictions of this Protective Order, either through the agreement of the parties or pursuant to an Order of the Administrative Law Judge, the Commission or appellate court. Unresolved challenges arising under Paragraph 9 shall be decided on motion or petition by the presiding officer or the Commission as provided in 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.

9. The parties affected by the terms of this Protective Order shall retain the right to question or challenge the alleged confidential or proprietary nature of Proprietary or Highly Confidential Information; to question or challenge the admissibility of Proprietary or Highly Confidential Information; to refuse or object to the production of Proprietary 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 or Highly Confidential Information beyond that allowed in this Order; and to seek additional measures of protection of Proprietary 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 Confidential, the party claiming that the information is Proprietary or Highly Confidential retains the burden of demonstrating that the designation is necessary and appropriate.

10. Upon completion of this proceeding, including any administrative or judicial review, all copies of all documents and other materials, including notes, whether written or oral, which contain any Proprietary or Highly Confidential Information, shall be immediately returned upon request to the party furnishing such Proprietary or Highly Confidential Information. In the alternative, parties may provide an affidavit of counsel affirming that the materials containing or reflecting Proprietary or Highly Confidential Information have been destroyed.

Dated: August 6, 2007

  
\_\_\_\_\_  
Marjane R. Chestnut  
Administrative Law Judge

APPENDIX A  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Thomas Gamon

v.

Verizon Pennsylvania Inc.

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C-20077839

TO WHOM IT MAY CONCERN:

The undersigned is the Complainant (the retaining party) and is not, or has no knowledge or basis for believing that he/she is: (1) an officer, board member, stockholder, partner or owner of any competitor of Verizon Pennsylvania Inc. (the "Producing Party") or, in the event that the information involves a specific customer of Verizon Pennsylvania Inc., such customer; or an employee of any competitor of the Producing Party or such customer 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 such customer; or (2) an officer, board member, stockholder, partner, or owner of any affiliate of a Competitor of the Producing Party or such customer.

The undersigned has read and understands the Protective Order deals with the treatment of Proprietary and Highly Confidential Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Order. In the case of an independent expert, the undersigned represents that he/she has complied with the provisions of paragraph 4(a)(ii) of the Order prior to submitting this Affidavit.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
ADDRESS  
\_\_\_\_\_

DATE: \_\_\_\_\_

**Buchanan Ingersoll & Rooney PC**  
Attorneys & Government Relations Professionals

Margaret A. Morris  
(215) 665-5330  
margaret.morris@birpc.com

1835 Market Street, 14th floor  
Philadelphia, Pennsylvania 19103-2985

T 215 665 8700  
F 215 665 8760

www.buchananingersoll.com

August 30, 2007

VIA HAND DELIVERY

Mr. James J. McNulty, Esquire  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

DOCUMENT  
FOLDER  
**ORIGINAL**

Re: Change of contact information for pending cases

**DOCKETED**  
SEP 5 2007

Dear Secretary McNulty:

Please be advised that effective September 1, 2007, my contact information has changed. I have provided a copy of this letter for each docketed proceeding. The new contact information is as follows:

Margaret A. Morris, Esquire  
Reger Rizzo Kavulich & Darnall, LLP  
Cira Centre, 13th Floor  
2929 Arch Street  
Philadelphia, PA 19104-2899  
215-495-6524  
215-495-6600 (fax)  
215-870-5785 (cell)  
mmorris@rrkdlaw.com

**RECEIVED**

AUG 30 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I am counsel of record for the following cases:

- City of Philadelphia (South Street) – Docket No. A-00122393
- Janet Coons v Verizon PA – Docket No. C-20077628
- Christopher Harper v Verizon PA – Docket No. C-20077652
- Mindy Jaye Campbell v MCI – Docket No. F-02191274
- Michael Thomas Guethe v Verizon PA – Docket No. F-02188184
- Thomas Gamon v Verizon PA – Docket No. C-20077839
- Soheil Mohajerjasbi v Verizon PA – Docket No. C-2007958
- Cynthia Schmied v Verizon PA – Docket No. C-20077977
- Clyde Ross v Verizon North – Docket No. C-20077985

**BTL**

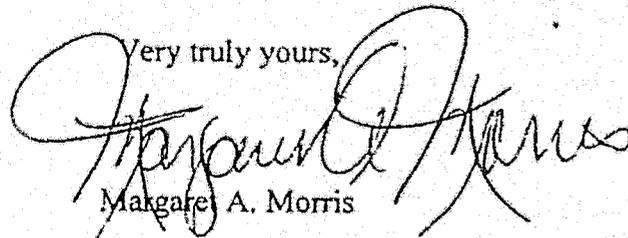
Mr. James J. McNulty, Esquire

August 30, 2007

Page 2

- Carl Aurandt v Verizon PA – Docket No. F-02172212
- Leslie Lehman v Verizon PA – Docket No. F-02221593
- Pregnancy Resource Clinic v Verizon PA – Docket No. C-20078028
- Harry Huang v Verizon PA – Docket No. C-20078070

Where an Administrative Law Judge or Mediator has been assigned to a proceeding, I am providing notice via this letter.

Very truly yours,  
  
Margaret A. Morris

cc: Honorable Cynthia Fordham (South Street) – Philadelphia  
Honorable Marlane Chestnut (Garnon v Verizon) – Philadelphia  
Honorable Fred R. Nene (Harper v Verizon) – Pittsburgh  
Honorable Dave Salapa (Campbell v Verizon) – Harrisburg  
Mediator Herb Nurick (Coons v Verizon) – Harrisburg  
Mediator Bruce Bigelow (Mohajerjasbi v Verizon) – Harrisburg  
Christine Williams, OALJ Scheduling

**Reger  
Rizzo  
Kavulich  
& Darnall LLP**  
ATTORNEYS AT LAW

CENTRE, 13TH FLOOR  
2929 ARCH STREET  
PHILADELPHIA, PA 19104 2899  
TEL 215 495 6500  
FAX 215 495 6600  
www.rrkdllaw.com

MARGARET A MORRIS  
DIRECT DIAL 215 495 6524  
E MAIL mmorris@rrkdllaw.com

September 7, 2007 ORIGINAL

VIA UPS

Mr. James McNulty, Esquire  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**RECEIVED**

SEP - 7 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: **Docket No. C-20077839**  
**Thomas Gamon v Verizon Pennsylvania Inc.**  
**Certificate of Satisfaction**

Dear Secretary McNulty:

Please be advised that the complaint of *Thomas Gamon v Verizon Pennsylvania Inc.*, Docket No. C-20077839 has amicably resolved. The Complainant no longer wishes to pursue the complaint.

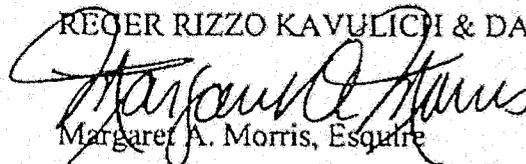
This Certificate of Satisfaction is being served on the Complainant. Notice is given to the Complainant that she has the right to object to the Certificate of Satisfaction within then (10) days from this notification. Absent a timely objection, the complaint docket will be marked closed.

As indicated on the certificate of service, a copy has been served upon the Complainant. Please hand stamp the extra copy and return to me in the self-addressed enclosed envelope.

**DOCUMENT  
FOLDER**

Very truly yours,

REGER RIZZO KAVULICH & DARNALL LLP

  
Margaret A. Morris, Esquire

MAM/tr  
Cc: Thomas Gamon  
Honorable Marlane Chestnut (via facsimile)  
Stacy Nolan (via facisimile)

**DOCKETED**  
SEP 11 2007

**BTL**

PHILADELPHIA PA HARRISBURG PA WEST CHESTER PA MOUNT LAUREL NJ WILMINGTON DE BALTIMORE MD WHITE PLAINS NY

15

Re: Docket No. C-20077839  
Thomas Gamon v Verizon Pennsylvania Inc.  
Certificate of Satisfaction

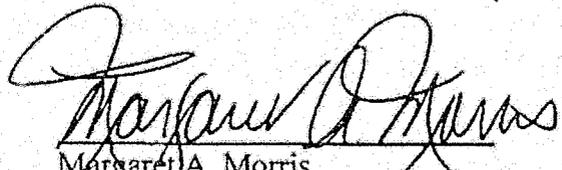
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following persons on the attached service list, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

**Via First Class Mail**

Thomas Gamon  
119 Yerger Road  
Schwenksville, PA 19443

Dated: September 7, 2007

  
Margaret A. Morris

**RECEIVED**

SEP - 7 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**OALJ Hearing Report**

Please check Those Blocks Which Apply

|                 |   |                         |                                     |                                     |                                     |
|-----------------|---|-------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Docket No.:     | C-20077839                                | Prehearing Held:        | <input type="checkbox"/>            | YES                                 | NO                                  |
| Case Name:      | Thomas Gamon v. Verizon Pennsylvania Inc. | Hearing Held:           | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|                 |   | Testimony Taken:        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                 |   | Transcript Due:         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                 |   | Hearing Concluded:      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Location:       | Philadelphia                              | Further Hearing Needed: | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                 |   | Estimated Add'l Days:   |                                     |                                     |                                     |
| Date:           | August 27, 2007                           | RECORD CLOSED:          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ALJ:            | Marlane R. Chestnut                       | DATE:                   |                                     |                                     |                                     |
| Reporting Firm: | Sargents Court Reporting                  | Briefs to be Filed:     | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                 |   | DATE:                   |                                     |                                     |                                     |
|                 |   | Bench Decision:         | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |

**DOCUMENT FOLDER RECEIVED**

SEP 17 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

REMARKS:  
Record to remain open until 9/7/07 - parties will notify if further hearing is necessary

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

| Name and Telephone Number                                     | Address  | Who are you representing? |
|---|--|---------------------------|
| Thomas Gamon  | 119 Yerger Rd<br>Schuonksville Pa 19473          | pro se                    |
| Margaret Manns, Esq<br>Buchanan Ingersoll & Rooney, PC<br>25- | 1835 Market St<br>14th fl<br>Phila Pa 19103-2985 | resp                      |
| Telephone: 610-287-5322                                       | E-mail Address:                                  | Fax Number:               |
| Telephone: 215-605-5330                                       | E-mail Address:                                  | Fax Number:               |
|   |  |                           |
|   |  |                           |
|   |  |                           |
|   |  |                           |

**BTL**

Check this box if additional parties or attendees appear on back of form.

*Mildred Culver*  
Reporter's Signature



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

October 22, 2007

C-20077839

THOMAS GAMON  
119 YERGER ROAD  
SCHWENKSVILLE PA 19473

THOMAS GAMON  
v.  
VERIZON PENNSYLVANIA INC

**DOCKETED**  
OCT 18 2007

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty  
Secretary

cc: All parties of Record

nvl

**DOCUMENT  
FOLDER**

BTL