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| PUC logo | COMMONWEALTH OF PENNSYLVANIA  PENNSYLVANIA PUBLIC UTILITY COMMISSION  P.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE** |

July 9, 2012

RE*:    Implementation of the Federal Communications Commission Order of November 18, 2011 as Amended or Revised; Docket No. M-2012-2291824*

*Joint Petition of the Pennsylvania Telephone Association, The United Telephone Company of Pennsylvania LLC, d/b/a CenturyLink, and AT&T for Protective Order*

To the Joint Petitioners:

 The Commission sought input from participants at the above-captioned docket for the purpose of implementation of the FCC’s Order of November 18, 2011, as Amended or Revised. The participation and input from the parties to this docket was voluntary. The Commission considered the input of the participants and directed that certain telecommunications carriers make specific tariff filings. (*See*, May 10th Order of the Commission at this docket.) The Commission further ordered that certain portions of the tariff filings would be treated as confidential information by the Commission, not subject to disclosure *by the Commission*. (May 10th Protective Order) The May 10 Protective Order does not require the participants to this Implementation docket to share confidential data related to tariffed rates as filed at the respective R-dockets.

By this letter the Commission denies the Joint Petitioners’ request for protective order at the above-captioned docket because (1) this docket consists of voluntary participants, and therefore, does not constitute a “contested proceeding,” the type of which would warrant a protective order to require information sharing among the parties, and (2) the confidential information which is the subject of the Joint Petitioners’ request is not filed at this docket. Rather, the confidential data to be filed by the incumbent and competitive local exchange carriers in support of their switched access rates resides at the respective carrier’s R-docketed tariff supplements.

Therefore, if carriers mutually agree to share the confidential information filed at the individual R-dockets, they may do so, either by private information sharing agreement, or by a challenge to claimed protective status at the respective R-Docket, in a format similar to the request filed at this docket. Any carrier wishing to voluntarily share confidential information in a non-contested proceeding is free to do so without Commission oversight so long as such disclosure is without prejudice to any requesting carrier under the same terms and conditions. Carriers are welcome to file copies of signed sharing agreements with the Commission at the respective R-dockets, but the Commission will not mandate such filings. If the carriers seek individual protective orders for specific R-dockets, they should include a provision for the Office of Consumer Advocate’s expert to share in the exchange of information, subject to appropriate confidentiality conditions.

Any inquiries on this matter may be addressed to Elizabeth A. Lion Januzzi, Assistant Counsel, at (717) 772-0696.

Respectfully yours,

Rosemary Chiavetta

Secretary

cc: Elizabeth Lion Januzzi, Law Bureau