

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

IR 13-038

Stakeholder Review of Utility Assessment System

MOTION FOR CONFIDENTIAL TREATMENT

Pursuant to RSA 91-A:5, IV and N.H. Admin. Rules Puc 203.08, AT&T Corp. and TCG New Jersey, Inc.¹ (collectively, “AT&T”), hereby move for a protective order to prevent public disclosure of the confidential and proprietary information included in their response, dated February 18, 2013, to the Commission’s Information Requests in IR 13-038. In support of this Motion, AT&T states as follows:

1. The information for which AT&T seeks confidential treatment consists of designated portions of its response to Request No. 4, which provides revenue information for the two responding AT&T entities. This information should be treated as proprietary and confidential information of AT&T (“Confidential Information”).

2. The Confidential Information sets out financial information related to the competitive services that AT&T provides in New Hampshire, which is not public knowledge or published elsewhere, and for which AT&T has taken measures to prevent dissemination in the ordinary course of business. As such, it constitutes confidential, commercial and financial information exempt from public disclosure pursuant to RSA 91-A:5, IV.

3. The Confidential Information derives economic value from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain

¹ TCG New Jersey, Inc. merged into Teleport Communications America, LLC as of December 31, 2012, and now does business in New Hampshire under the latter name.

economic value from its disclosure and use. Because the telecommunications industry is highly competitive, AT&T believes that disclosure of this information would impede full and fair competition. Unrestricted availability of this information would provide competitors with insight into the operations of the two AT&T entities, which is otherwise unavailable.

4. Due to the sensitive nature of the Confidential Information, it is appropriate for the Commission to limit access to it. The Confidential Information should be used by the Commission solely in exercising its governmental functions in conducting a review of the current utility assessment system. There is no legitimate purpose or public interest to be served in disclosing the Confidential Information to any person other than the appropriate staff of the Commission. Moreover, confidential treatment of this information will not adversely affect any innocent party.

WHEREFORE, AT&T respectfully requests that the Commission grant a Protective order allowing the Confidential Information to be treated a confidential.

Respectfully submitted,

AT&T CORP. and TCG NEW JERSEY, INC.
n/k/a TELEPORT COMMUNICATIONS
AMERICA, LLC

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