

Decision No. C04-0111

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03I-478T

REGARDING THE UNBUNDLING OBLIGATIONS OF INCUMBENT LOCAL EXCHANGE CARRIERS PURSUANT TO THE TRIENNIAL REVIEW ORDER--INITIAL COMMISSION REVIEW.

**ORDER GRANTING JOINT
MOTION FOR CLARIFICATION**

Mailed Date: February 2, 2004
Adopted Date: January 28, 2004

I. BY THE COMMISSION

A. Statement

1. The Commission issued Decision No. C03-1225, on October 31, 2003, opening this docket for the purpose of conducting the investigations required by the Federal Communications Commission's Rules 51.319(a)(7), 51.319(d)(5), and 51.319(e)(4). In that order we required that parties designate two in-house experts for matters relating to Highly Confidential Information. *See* Supplemental Protective Order included as Attachment C to Decision No. C03-1225.

2. On January 27, 2004, a motion for clarification (motion) regarding the treatment of access to highly confidential information and a request for a waiver of response time was filed by Qwest Corporation; AT&T Communications of the Mountain States, Inc., and TCG Colorado; WorldCom, Inc.; and Allegiance Telecom of Colorado, Inc. (collectively Joint Parties), in this docket and in Docket No. 03I-485T.

3. Regarding Docket No. 03I-478T, the Joint Parties request that parties be permitted to designate a reasonable number of, instead of two, in-house experts to review Highly Confidential Information. The Joint Parties contend that they have determined that it is necessary to designate more than two in-house experts in responding to discovery and preparing for hearings.

4. The Joint Parties state that they are authorized to represent that the Staff of the Public Utilities Commission, the Colorado Office of Consumer Counsel, McLeodUSA Telecommunications Services, Inc., Eschelon Telecom of Colorado, Inc., and Covad Communications Company do not oppose granting this motion.

5. Being duly advised, we grant the motion and the request for waiver of response time. The Supplemental Protective Order, Attachment A, is modified: “Parties seeking disclosure of Highly Confidential Information shall not designate more than(2) a reasonable number of in-house experts;...”.

II. ORDER

A. The Commission Orders That:

1. The motion for clarification regarding the treatment of access to highly confidential information and a request for a waiver of response time filed by Qwest Corporation; AT&T Communications of the Mountain States, Inc., and TCG Colorado; WorldCom, Inc.; and Allegiance Telecom of Colorado, Inc., as it pertains to Docket No. 03I-478T is granted.

2. The request to waive response time as it pertains to Docket No. 03I-478T is granted.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' DELIBERATIONS MEETING
January 28, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners