

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of All)
American Telephone Co., Inc., for a *nunc*) DOCKET NO. 08-2469-01
pro tunc Amendment of its Certificate of)
Authority to Operate as a Competitive) ORDER ON MOTION FOR
Local Exchange Carrier within the State) PROTECTIVE ORDER
of Utah)

ISSUED: April 23, 2009

By the Commission:

This matter is before the Commission on All American Telephone Company, Inc.'s (Company), Motion for a Protective Order that delays discovery in this matter until such time as AATCO's proposed Motion for Summary Decision is briefed and decided. The purpose of the motion is to avoid the burden and expense associated with discovery that may ultimately become unnecessary if AATCO's Motion for Summary Decision is ultimately successful.

ORDER

The Commission grants the protective order on a limited basis as follows:

Consistent with the Second Interim Scheduling Order, with regards to discovery, if a party feels it needs additional information during the filing of the responses to pending motions or initial filing of motions, it may conduct *informal* discovery during the filing of the moving and responding papers. Counsel for the Company and Beehive Telephone have stated that they would work with the Committee, AT&T and other parties in the informal exchange of information. All parties should be similarly cooperative in exchanging informal discovery as needed. As counsel for Beehive Telephone stated, "the parties...probably can resolve any discovery differences,

as they should, cooperatively and voluntarily with a telephone call or e-mail exchange in the event that additional facts become necessary to process the motions.” However, *formal* discovery, e.g. data requests, responses to data requests, etc. is stayed pending the resolution of the motions or until otherwise ordered by the Commission. If a party feels it needs more substantive discovery besides that gathered in informal discovery, it may make a motion asking that formal discovery be had. It should detail why the information is needed for resolution of its motion or motions, and also detail why or how the existing record fails to provide the information it needs

This Protective Order remains effective pending resolution of the parties’ Motions or as otherwise ordered by the Commission.

DATED at Salt Lake City, Utah, this 23rd day of April, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 23rd day of April, 2009, as the Order on the Motion for Protective Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#61628