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June 5, 2001

**BY HAND DELIVERY**

Ms. Blanca Bayó, Director  
Division of Records and Reporting  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: FPSC Docket No. 010409-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of Talk America, Inc. are an original and fifteen copies of Talk America, Inc.'s Request for Temporary Protective Order in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance with this filing.

Sincerely,



Norman H. Horton, Jr.

NHH/amb  
Enclosures

cc: Steven A. Augustino, Esq.  
Francie McComb, Esq.  
Parties of Record

DOCUMENT NUMBER-DATE

07030 JUN-5 01

FPSC-RECORDS/REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by the Citizens of )  
Florida to Investigate TALK.com Holding )  
Company and The Other Phone )  
Company for Willful Violation of )  
Rule 25-4.118, Florida Administrative )  
Code )  
\_\_\_\_\_ )

Docket No. 010409-TP  
Filed: June 5, 2001

**TALK AMERICA, INC.'S  
REQUEST FOR TEMPORARY PROTECTIVE ORDER**

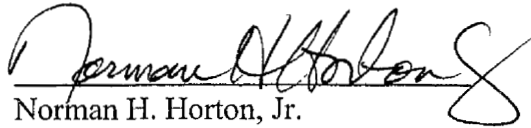
Comes now Talk America, Inc., f/k/a Talk.com Holding Corp. d/b/a Network Services d/b/a The Phone Company and The Other Phone Company d/b/a Access One Communications (“Talk America” collectively) pursuant to section 364.183, Florida Statutes, and Rule 25-22.006(6) and requests a temporary protective order and as grounds states:

1. On June 5, 2001, the Citizens served their Second Set of Requests for Production of Documents on Talk America (f/k/a Talk.com) and the Other Phone Co. In the Request for Production of Documents, the Citizens requested a copy of correspondence and attachments filed with the Public Service Commission on June 4, 2001.

2. The documents sought contain information that the Respondents consider work product and proprietary and confidential business information. Talk America filed the document with the Public Service Commission pursuant to section 364.183, Florida Statutes, and Rule 25-22.006(5), Florida Administrative Code with the claim that the document contains information that is considered and treated as proprietary and confidential. Section 364.183(1) states that when a company claims that the information is proprietary, confidential business information then it shall be exempt from section 119.07(1) and section 24(a), Article 1 of the State Constitution.

3. Rule 25-22.006(6)(c) establishes a procedure whereby information may be provided to the Public Counsel in a proceeding such as this. Pursuant to that procedure, Talk America requests that the Commission issue a temporary protective order with respect to the documents requested in the Citizens Second Set of Requests for Production of Documents.

Respectfully submitted



Norman H. Horton, Jr.  
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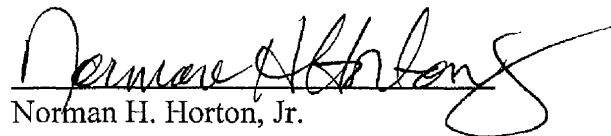
Attorneys for Talk America, Inc.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of Talk America, Inc.'s Request for Temporary Protective Order in Docket No. 010409-TP have been served upon the following parties by Hand Delivery (\*) and/or U.S. Mail this 5<sup>th</sup> day of June, 2001.

Mary Ann Helton, Esq.\*  
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Tallahassee, FL 32399-0850

Charles Beck, Esq.\*  
Office of Public Counsel  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

  
Norman H. Horton, Jr.