

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: November 9, 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 October 5, 2001, the Citizens served their Fourth Set of Request for Production of Documents and Second Set of Interrogatories on Talk America (f/k/a Talk.com) and the Other Phone Co. Each requested responses relative to documents which were previously provided pursuant to a request for Temporary Protective Order.

2. Talk America continues to consider the underlying documents as proprietary and confidential and also considers and treats information requested by the Interrogatories and Production of Documents similarly. Objections have been noted as necessary on the respective documents.

3. Section 364.183(2), Florida Statutes, and Rule 25-22.006(5), Florida Administrative Code, direct that records produced pursuant to a discovery request for which proprietary confidential status is requested shall be treated by any party subject to the public records law as confidential and

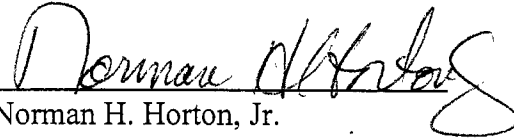
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exempt from sections 119.07(1), Florida Statutes. Talk America has recorded its objections to the requests but has provided the requested documents to the Office of Public Counsel pursuant to section 364.183, Florida Statutes and Rule 25-22.006, Florida Administrative code and requests the entry of a protective order with respect to the answers and documents at issue.

Respectfully submitted



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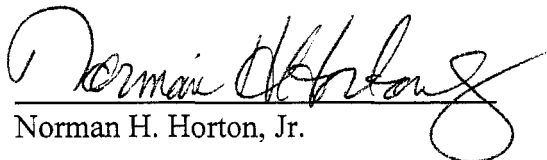
Attorneys for Talk America, Inc.

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 9th day of November, 2001.

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