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February 5, 2002

BY HAND DELIVERY

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

Re: Docket No. 010409-TP

Dear Ms. Bayó:

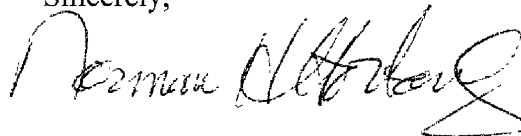
Enclosed for filing on behalf of Talk America are the following documents:

1. An original and one copy of Talk America's Notice of Service of Supplemental Response and Objections to Citizens' First Request for Production of Documents, Item No. 3; and 01403-02
2. An original and fifteen copies of Talk America's Request for Temporary Protective Order. 01404-02

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: Francie McComb, Esq.
Steve Augustino, Esq.
Parties of Record

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: February 5, 2002

**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 April 7, 2001, the Citizens served their First Set of Requests for Production of Documents on Talk America (f/k/a Talk.com) and the Other Phone Co. consisting of items 1 - 3. On July 23, 2001, Talk America filed a Request for Temporary Protective Order as to the requested production and as to Request No. 3 also asserted that certain of the responsive documents were subject to the attorney-client privilege and protected from discovery. Pursuant to a request by the Office of Public Counsel, the Prehearing Office conducted an *in camera* inspection of the responsive portions of documents 4, 5, 7, 9, 10, 12 and 13 as identified by Talk America. By Order No. PSC-02-0131-PCO-TP issued January 30, 2002, the Prehearing Officer determine that with the exception of portions of Document #13, the documents responsive to the request from OPC were not protected by the attorney-client privilege.

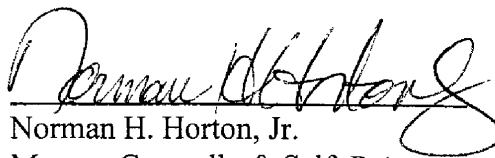
2. The responsive documents contain information which is considered to be and is

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treated as proprietary, confidential information by Talk America. This information, if disclosed, would harm the competitive business of the company and adversely affect the interests of the company and its customers. Talk America has entered its objections to the request but pursuant to the provisions of section 364.183(2), Florida Statutes and Rule 25-22.006(5), Florida Administrative Code, has provided copies of the responsive documents to Office of Public Counsel.

3. Talk America requests that the Commission enter a protective order as to the documents at issue as permitted by section 364.182 and Rule 25-22.006(5), Florida Administrative Code and treat the documents as proprietary, confidential business records.

Respectfully submitted



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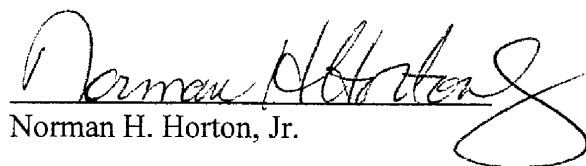
Attorneys for Talk America, Inc.

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 5th day of February, 2002.

Patty Christiansen, Esq.*
Division of Legal Services, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
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.