

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Eagle Broadband, Inc., a Texas Corporation, for a Certificate of Public Convenience and Necessity in Order to Provide Limited Facilities-Based and Resold Competitive Local Exchange and Access Service

Application 04-05-009  
(Filed May 4, 2004)

**ADMINISTRATIVE LAW JUDGE RULING GRANTING APPLICANT'S MOTION FOR LEAVE TO FILE CONFIDENTIAL MATERIALS UNDER SEAL AND GRANTING A LIMITED PROTECTIVE ORDER**

Good cause appearing, **IT IS RULED** that:

1. The motion of Eagle Broadband, Inc. (Eagle), for leave to file confidential documents under seal and for a limited protective order, filed on May 4, 2004, is granted to the extent set forth below.

2. Eagle's documents, which have been identified as Exhibits H and I to the application and have been filed under seal as an attachment to the motion for leave to file confidential materials under seal, shall remain under seal for a period of two years from the date of this ruling; and, during that period, the information shall not be made accessible or disclosed to anyone other than Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

3. If Eagle believes that further protection of this information is needed after two years, Eagle may file a motion stating the justification for further withholding the information from public inspection, or for such other relief as

the Commission Rules may then provide. This motion must be filed no later than 30 days before the expiration of this protective order.

Dated July 12, 2004, at San Francisco, California.

/s/ MYRA J. PRESTIDGE

---

Myra J. Prestidge  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge Ruling Granting Applicant’s Motion for Leave to File Confidential Materials Under Seal and Granting a Limited Protective Order on all parties of record in this proceeding or their attorneys of record.

Dated July 12, 2004, at San Francisco, California.

/s/ ELIZABETH LEWIS  
Elizabeth Lewis

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

\*\*\*\*\*

The Commission’s policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

A.04-05-009 TOM/hl2

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.