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September 16, 2011

Stoll Keenon Ogden PLLC
Attention: C. Kent Hatfield
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

Re: Dana Bowers v. Windstream Kentucky East, LLC
Petition for Confidential Treatment received 9/15/11
PSC Reference – Case No. 2010-00447

Dear Mr. Hatfield:

The Public Service Commission has received the Petition for Confidential Treatment you filed on September 15, 2011 on behalf of Dana Bowers, Complainant ("Complainant") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as being contained in the Brief of Petitioner you filed with the Commission on August 29, 2011 as part of discovery materials in accordance with the U.S. District Court Protective Order entered April 1, 2011, Western District of Kentucky. The information is described as Tab Nos. 3 and 8 attached to the aforementioned brief.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would be in violation of the Protective Order entered in U.S. District Court, Western District of Kentucky on April 1, 2011.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is protected by Order entered April 1, 2011 in U.S. District Court, Western District of Kentucky, and therefore **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

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If the information becomes publicly available or no longer warrants confidential treatment, Dana Bowers is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen
Executive Director

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cc: Parties of Record