

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BALLARD RURAL TELEPHONE )	
COOPERATIVE CORPORATION, INC. FOR A )	CASE NO. 2014-00330
GENERAL ADJUSTMENT IN RATES )	

ORDER

On October 16, 2014, Ballard Rural Telephone Cooperative Corporation, Inc. ("Movant") moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its petition, Movant states that the information it is requesting to be held confidential is contained in attachments to its application. The information is more particularly described as portions of Exhibit 1 related to the revenue changes due to adjustment of terminating access rates pursuant to Federal Communications Commission requirements; the entirety of Exhibit 1, Attachment B, that details subscriber line data and service usage information; and portions of Exhibit 1, Attachment C, related to historical and projected subscriber service usage and revenue. The Movant further states that the disclosure of the information for which confidential treatment is requested could result in a competitive disadvantage to Movant. Movant requests that the information for which confidential treatment is requested remain confidential for a period of five years.

Having carefully considered the petition and the materials at issue, the Commission finds that:

1. The materials for which Movant seeks confidential treatment are records that are generally recognized as confidential or proprietary, and which, if openly disclosed, would permit an unfair commercial advantage to competitors, and therefore meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

2. The materials for which Movant seeks confidential treatment should not be placed in the public record or made available for public inspection for a period of five years from the date of this Order.

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection is hereby granted under the exemption of KRS 61.878(1)(c)(1).

2. The materials for which Movant seeks confidential treatment shall not be placed in the public record or made available for public inspection for a period of five years from the date of this Order, or until further Orders of this Commission. At the end of this period, the materials shall be placed in the public record. The Movant may request that the materials continue to be treated as confidential, but must demonstrate that the materials still fall within the exclusions established in KRS 61.878.

3. If Movant objects to the time limits that the Commission has placed on the confidential treatment for the materials in question, it must seek either rehearing pursuant to KRS 278.400 or judicial review of this Order pursuant to KRS 278.410. Failure to exercise either of these statutory rights will be deemed as agreement with the Commission's determination of the period for which the material is afforded confidential treatment and will require Movant to demonstrate a change in circumstances in any

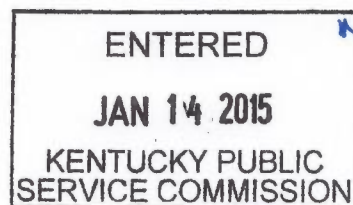
subsequent motion for continued confidential treatment of the materials in question after the end of the period set forth in ordering paragraph 2.

4. Use of the materials in question in any proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

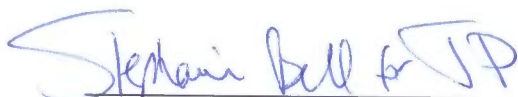
5. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

6. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, the Movant shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection.

By the Commission



ATTEST:

  
Executive Director

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