

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

A CERTIFICATION OF THE CARRIERS)	ADMINISTRATIVE
RECEIVING FEDERAL UNIVERSAL)	CASE NO. 381
SERVICE HIGH-COST SUPPORT)	

ORDER

On September 17, 2020, New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T Mobility) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for attachments A-1 and A- 2 of AT&T Mobility’s Certification and Report for ten years. The information for which AT&T Mobility seeks confidential treatment is more specifically described as Kentucky Service Improvement Plan (2021 Projection) and Kentucky Service Improvement Plan (2019 Actuals) and associated spreadsheets describing the location of cell sites, proposed service improvement projects, and the estimated costs associated with said improvements. .

In support of its motion, AT&T Mobility argues that all information within the documents is confidential, proprietary, and trade secret information that would permit an unfair commercial advantage to competitors of AT&T Mobility. AT&T Mobility states public disclosure of the information would provide competitors with proprietary information regarding AT&T Mobility’s network infrastructure, build out plans, and operating costs which would not be publically available otherwise.

Having considered the motion and the material at issue, the Commission finds the information regarding the usage statistics of AT&T Mobility customers is generally recognized as confidential or proprietary; and therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. AT&T Mobility's motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. AT&T Mobility shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, AT&T Mobility shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If AT&T Mobility is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow AT&T Mobility to seek a remedy afforded by law.

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By the Commission



ATTEST:


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