

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF PEOPLES TELECOM, LLC FOR)	
DESIGNATION AS AN ELIGIBLE)	CASE NO.
TELECOMMUNICATIONS CARRIER IN THE)	2017-00061
COMMONWEALTH OF KENTUCKY)	

ORDER

On February 3, 2017, Peoples Telecom, LLC (“Peoples Telecom”) 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, Peoples Telecom states that the information it is requesting to be held confidential is contained in an attachment to its application requesting designation as an Eligible Telecommunications Carrier. The information is more particularly described as portions of Exhibit C related to Peoples Telecom’s five-year plan for network expansion, including the exchanges and populations that it intends to target for future network deployment. Peoples Telecom states that the disclosure of the information for which confidential treatment is requested could result in a competitive disadvantage to Peoples Telecom and 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 Peoples Telecom 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 Peoples Telecom 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. People Telecom's motion for confidential protection is granted under the exemption of KRS 61.878(1)(c)(1).

2. The materials for which Peoples Telecom 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.

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

4. Peoples Telecom shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

5. 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, then Peoples Telecom 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 Peoples

Telecom is unable to make such demonstration, the requested materials shall be made available for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Peoples Telecom to seek a remedy afforded by law.

By the Commission



ATTEST:


Executive Director

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