

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO DIVERSIFIED)
OPERATIONS OF LOCAL EXCHANGE) ADMINISTRATIVE
TELEPHONE COMPANIES) CASE NO. 340

O R D E R

This matter arising upon petition of Ballard Rural Telephone Cooperative Corporation, Inc. ("Ballard RTCC") filed January 22, 1992 for confidential protection of Exhibit 1 to its responses to the Commission's Order of October 25, 1991 on the grounds that disclosure would not be in the best interest of Ballard RTCC, and it appearing to this Commission as follows:

Exhibit 1 to its responses to the Commission's Order of October 25, 1991 indicates the investment to date that Ballard RTCC has made in a cellular partnership with Contel and West Kentucky Rural Telephone Cooperative and its anticipated investment for 1992. Ballard RTCC seeks to protect the information as confidential on the grounds that public disclosure would not be in its best interest. As noted in the petition, the information will be reflected in Ballard RTCC's financial statements and made available to REA and this Commission.

Information filed with the Commission is required by KRS 61.872(1) of the Kentucky Open Records Act to be maintained for public inspection unless specifically exempted by statute. Exemptions from disclosure are provided by KRS 61.878(1). That

section of the statute exempts 10 separate categories of information. However, to qualify for any of those exemptions, it must be established that the information is not publicly known or available.

The information sought to be protected is information provided in the periodic reports required by the Commission and made a part of the public record. The information being available from other sources is not confidential and, thus, not entitled to protection as confidential. Therefore, the petition for confidential protection should be denied.

This Commission being otherwise sufficiently advised,

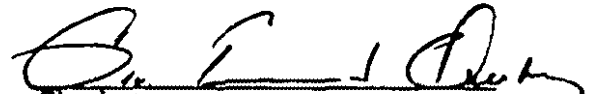
IT IS ORDERED that:

1. The petition to protect as confidential Exhibit 1 of Ballard RTCC's responses to the Commission's Order of October 25, 1991 be and is hereby denied.

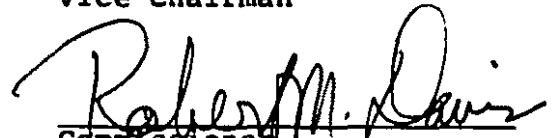
2. The information sought to be protected shall be held and maintained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of this Order, at the expiration of which it shall be placed in the public record without further Orders herein.

Done at Frankfort, Kentucky, this 11th day of February, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director