

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                    |   |          |
|------------------------------------|---|----------|
| APPLICATION OF NOS COMMUNICATIONS, | ) |          |
| INC. FOR A CERTIFICATE OF PUBLIC   | ) |          |
| CONVENIENCE AND NECESSITY AS A     | ) | CASE NO. |
| RESELLER OF TELECOMMUNICATIONS     | ) | 92-224   |
| SERVICES WITHIN THE COMMONWEALTH   | ) |          |
| OF KENTUCKY                        | ) |          |

O R D E R

This matter arising upon petition of NOS Communications, Inc. ("NOS") filed May 21, 1992 for confidential protection of Exhibits 4 and 5 to its application for a Certificate of Public Convenience and Necessity on the grounds that the information is protected from public inspection under the provisions of KRS 61.878, and it appearing to this Commission as follows:

In this proceeding, NOS seeks a Certificate of Public Convenience and Necessity to serve as a reseller of telecommunications services within this state. In support of its application, NOS has filed as Exhibits 4 and 5 information which it seeks to protect as confidential.

807 KAR 5:001, Section 7, provides the procedure for obtaining confidential protection of information filed with the Commission. Subsection (2)(a)(2) requires a petition seeking confidentiality to identify the material sought to be protected by highlighting it with transparent ink or by other reasonable means. Subsection (2)(b) of the regulation further requires the applicant

to file 10 edited copies of the material with the information sought to be protected obscured. The petitioner has failed to comply with the regulation and therefore the petition should be denied.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

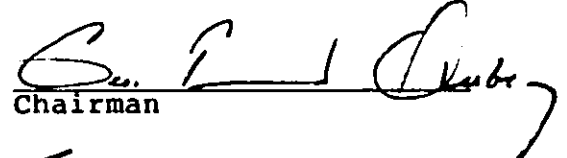
1. The petition to protect as confidential Exhibits 4 and 5 to the application filed by NOS be and is hereby denied.

2. The information sought to be protected shall be held and retained 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 to allow NOS to file a supplemental petition in accordance with the procedures set forth in 807 KAR 5:001, Section 7.

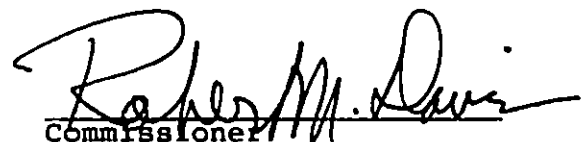
3. If at the expiration of the 20-day period NOS has not filed a petition in accordance with the regulation, the information sought to be protected shall be placed in the public record without further Order of the Commission.

Done at Frankfort, Kentucky, this 8th day of June, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director, Acting