

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF VANGUARD CELLULAR)
SYSTEMS, INC. FOR ARBITRATION)
PURSUANT TO SECTION 252(b) OF)
THE COMMUNICATIONS ACT OF 1934,) CASE NO. 97-020
AS AMENDED, TO ESTABLISH AN)
INTERCONNECTION AGREEMENT)
WITH GTE OF KENTUCKY, INC.)

O R D E R

This matter arising upon request of Vanguard Cellular Systems, Inc. ("Vanguard"), filed January 15, 1997, for confidential protection of certain information filed on behalf of its petition for arbitration and it appearing to this Commission as follows:

Vanguard has petitioned the Commission under the provisions of the Telecommunications Act of 1996 ("Act") recently enacted by Congress to establish terms and conditions for interconnection between it and GTE South Incorporated ("GTE"). As Exhibit 6 to its petition, Vanguard has filed information from GTE which it says GTE has requested Vanguard to protect as confidential. Vanguard has no position with respect to the confidentiality of the information, but has requested that it be protected as confidential until GTE has filed a petition in accordance with the procedure set forth in 807 KAR 5:001, Section 7. Ordinarily the Commission denies requests for confidentiality when those requests do not satisfy the requirements of the regulation. This request is unquestionably deficient. However, the requesting party is not the entity which possesses an interest in the confidentiality of the material in question. The interested party is GTE, and it should

be given an opportunity to make its case to the Commission that the material at issue should be accorded confidential treatment.

This Commission being otherwise sufficiently advised,

IT IS ORDERED:

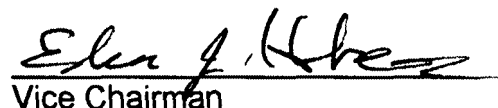
1. The information sought to be protected shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 30 days from the date of this Order to allow GTE to file a petition in accordance with the applicable regulation.

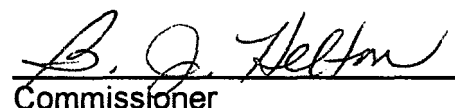
2. If at the expiration of the 30-day period no petition is filed, the information shall, without further Orders herein, be placed in the public record.

Done at Frankfort, Kentucky, this 6th day of February, 1997..

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director