

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE VERIFIED JOINT APPLICATION OF)	
BRANDENBURG COMMUNICATIONS)	
CORPORATION AND BRANDENBURG)	CASE NO.
TELEPHONE COMPANY FOR THE EXPEDITED)	2017-00209
TRANSFER OF CERTAIN OWNERSHIP)	
SHARES OF BRANDENBURG)	
COMMUNICATIONS CORPORATION)	

ORDER

On May 19, 2017, Brandenburg Communications Corporation (“Brandenburg Communications”) and Brandenburg Telephone Company (“Brandenburg Telephone”) (collectively, “Joint Applicants”) filed a petition, pursuant to KRS 61.878(1)(a), KRS 61.878(1)(c)(1), and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection for an indefinite period to the “Accounting from January 1, 2016 through November 7, 2016 and Proposed Settlement” (the “Estate Settlement”) filed in the Joint Application as Exhibit 1.

As a basis for its request, Joint Applicants state that the designated material contains information that was filed under seal with the Meade County District Court, Probate Division, in Case Number 13-P-0007 in connection with the distribution of the estate of Joseph D. Tobin, Jr. The Estate Settlement sets forth accounting of the estate, real property purchase information, employee salary and benefit information, and allocation of private company shares. The Joint Applicants contend that this information is of a personal nature such that public disclosure would constitute an unwarranted

invasion of personal privacy. The Joint Applicants further assert that disclosure of the information would permit an unfair commercial advantage to competitors.

Having considered the petition and the material at issue, the Commission finds that the Estate Settlement, attached to the Joint Application as Exhibit 1, is generally recognized as confidential or proprietary material, the public disclosure of which would constitute an unwarranted invasion of personal privacy. Therefore the material meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Joint Applicants' petition for confidential protection for the Estate Settlement in Exhibit 1 of the Joint Application is granted pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13.

2. The material contained in the Estate Settlement shall not be placed in the public record or made available for public inspection until further Order of this Commission.

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

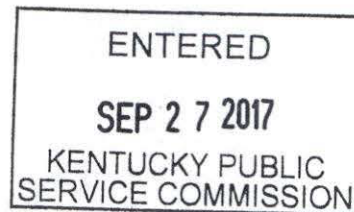
4. Joint Applicants shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

5. If a non-party 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, then Joint Applicants shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within

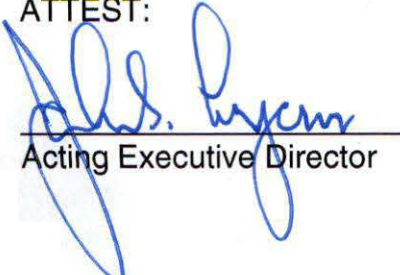
the exclusions from disclosure requirements established in KRS 61.878. If Joint Applicants are unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

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

By the Commission



ATTEST:


Acting Executive Director

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