

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE	)	CASE NO.
PROPOSED POLE ATTACHMENT TARIFFS OF	)	2022-00108
INCUMBENT LOCAL EXCHANGE CARRIERS	)	

ORDER

On June 3, 2022, Windstream Kentucky East, LLC, and Windstream Kentucky West, LLC (collectively, Windstream) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for ten years for Windstream’s response to Commission Staff’s Second Request for Information (Staff’s Second Request), Items 3 and 13.<sup>1</sup> Staff’s Second Request, Item 3 requested detailed cost support for Windstream’s one-time agreement fee, application for pole license fee, pole removal verification fee, and additional field or engineering fees.<sup>2</sup> Staff’s Second Request, Item 13 requested that Windstream to provide any current joint use agreements.<sup>3</sup>

In support of its petition, Windstream argued that Item 3 and Item 13 contain proprietary information that would aid competitors of Windstream, and if openly disclosed, would permit an unfair commercial advantage to competitors of Windstream.<sup>4</sup>

---

<sup>1</sup> Petition (filed June 3, 2022).

<sup>2</sup> Commission Staff’s Second Request for Information (Staff’s Second Request) (filed May 19, 2022), Item 3 at 3.

<sup>3</sup> Staff’s Second Request, Item 13 at 5.

<sup>4</sup> Petition (filed June 3, 2022) at 2.

Having considered the petition and the material at issue, the Commission finds that the information provided in response to Staff's Second Request, Item 3 and Item 13, is generally recognized as confidential or proprietary, the disclosure of which may present the filer's competitors with an unfair business advantage; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878 (1)(c)(1) for a period of ten years.

IT IS THEREFORE ORDERED that:

1. Windstream East's June 3, 2022 petition for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Windstream East shall inform the Commission and file with the Commission an unredacted copy of the designated material.
5. If a nonparty 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, Windstream East 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 Windstream East

is 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 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Windstream East to seek a remedy afforded by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Entered on this 29th day of June, 2026.

PUBLIC SERVICE COMMISSION



---

Angie Hatton  
Chair



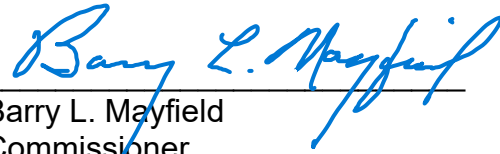
---

Mary Pat Regan  
Vice Chair



---

Andrew W. Wood  
Commissioner



---

Barry L. Mayfield  
Commissioner

ATTEST:



---

Linda C. Bridwell, PE  
Executive Director

## Service List for 2022-00108

\* Cincinnati Bell Telephone Company LL dba altafiber Network Solutions  
Cincinnati Bell Telephone Company LLC dba altafiber Network Solutions  
221 E Fourth Street, Room 103-1080  
Cincinnati, OH 45201-2301

\* Windstream Kentucky East, LLC  
Windstream Kentucky East, LLC  
4005 N Rodney Parham Road  
Little Rock, AR 72212

\* Cheryl Winn  
Waters Law Group, PLLC  
12802 Townepark Way, Suite 200  
Louisville, KY 40243

\* Douglas E Hart  
Frost & Jacobs  
2500 Pnc Center  
201 E. Fifth Street  
Cincinnati, OH 45202

\* Eduardo Arellano  
BellSouth Telecommunications, LLC dba AT&T Kentucky and AT&T Southeast  
P. O. Box 436885  
Louisville, KY 40253

\* Hannah Wigger  
Sheppard Mullin Richter & Hampton LLP  
2099 Pennsylvania Avenue NW, Suite 1  
Washington, DC 20006

\* James W Gardner  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY 40507

\* John Tyler  
BellSouth Telecommunications, LLC dba AT&T Kentucky and AT&T Southeast  
P. O. Box 436885  
Louisville, KY 40253

\* Kevin Mann  
Cincinnati Bell Telephone Company  
221 E 4th Street, Room 103-1170  
Cincinnati, OH 45202

\* Denotes served by Email

\* Katie M Glass  
Stites & Harbison  
421 West Main Street  
P. O. Box 634  
Frankfort, KY 40602-0634

\* Leigh Fox  
Cincinnati Bell Telephone Company  
201 E. Fourth Street  
P. O. Box 2301  
Cincinnati, OH 45201-2301

\* BellSouth Telecommunications, LLC db  
BellSouth Telecommunications, LLC dba AT&T Kentucky and AT&T Southeast  
P. O. Box 436885  
Louisville, KY 40253

\* Paul Werner  
Sheppard Mullin Richter & Hampton LLP  
2099 Pennsylvania Avenue NW, Suite 1  
Washington, DC 20006

\* Rebecca C. Price  
Sturgill, Turner, Barker & Moloney  
155 East Main Street  
Lexington, KY 40507

\* Suzanne Pagana  
Inteserra Consulting Group  
151 Southhall Lane Suite 450  
Maitland, FL 32751

\* Sharon Thomas  
Inteserra Consulting Group  
151 Southhall Lane Suite 450  
Maitland, FL 32751

\* M. Todd Osterloh  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY 40507