

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

AN INQUIRY INTO THE STATE)	CASE NO.
UNIVERSAL SERVICE FUND)	2016-00059

Q LINK WIRELESS LLC'S
MOTION FOR CONFIDENTIAL TREATMENT

Q LINK WIRELESS LLC (“Q LINK” or the “Company”), by counsel, submits its Motion for Confidential Treatment (“Motion”) for certain information contained in Exhibits 1 and 2 of its Responses to the Kentucky Public Service Commission (“Commission”) Staff’s First Request for Information to All Parties of Record dated April 6, 2016 (“Response”). Specifically, the Company deems confidential the “Vendor Number” and the information on lines one (1), and three through five (3-5) of Exhibit 1 to its Response; as well as lines eight (a) and (c) (8a and 8c), ten (10) and nineteen (19) of Exhibit 2, including the “Total Lifeline” ETC payment line item, (collectively the “Confidential Information”). Pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1), Q LINK states as follows:

The Kentucky Open Records Act exempts from disclosure certain commercial information, including records generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records. *See* KRS 61.878(1)(c). CMRS is perhaps the most competitive segment of the modern telecommunications business. Potential customers often have five or more carriers to choose from. This reality is acknowledged by Kentucky law, which states the provision of CMRS in Kentucky is market-based and not subject to regulation. *See* KRS 278.54611(1). As

the market is, without question, highly competitive, certain information Q LINK has been requested to file as part of this investigation should be treated by the agency as confidential trade secret information subject to protection under the Kentucky Open Records Act. The Commission has requested copies of KUSF and FCC Form 497 reporting forms from participants in this proceeding. Q LINK's Motion is based on the fact that such data will show the amount and share of Q LINK's presence in Kentucky which may be helpful to competitors in determining whether and what business actions to take in Kentucky.

The Confidential Information for which Q LINK seeks confidentiality contains confidential access line counts and potential market opportunity information. This Confidential Information is commercially sensitive information that Q LINK's competitors could use for their commercial advantage. The Confidential Information is not generally known outside of Q LINK, and is known only by those of Q LINK's employees who have a legitimate business need to know and act upon the information. Q LINK seeks to preserve the confidentiality of this Confidential Information through appropriate means, including the maintenance of appropriate security at its offices. Q LINK takes reasonable precautions to maintain the confidentiality of the Confidential Information in all jurisdictions.

Furthermore, providing this unredacted information to competitors is unnecessary to the Commission's deliberations in this proceeding, and there would be no damage to any public interest by granting Q LINK's request.

WHEREFORE, Q LINK requests that the Commission grant this Motion, and permit Q LINK to submit redacted information to the Commission's publicly accessible venues, and that the Commission deem Q LINK's unredacted submission as confidential information and seal it from public viewing.

Respectfully submitted,

s/ Lance J.M. Steinhart

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April 28, 2016

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that the April 28, 2016 electronic filing of this Motion for Confidential Treatment is a true and accurate copy of the same document being filed in paper medium; that the electronic filing was transmitted to the Commission on April 28, 2016; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper medium of this Motion for Confidential Treatment will be mailed to the Commission by first class United States mail, postage prepaid, on April 28, 2016.

s/ Lance J.M. Steinhart

Lance J.M. Steinhart