COMMONWEALTH OF KENTUCKY

AUG 29 2008

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of)	OMMINISSION
)	
A CERTIFICATION OF THE CARRIERS)	ADMINISTRATIVE CASE NO. 381
RECEIVING UNIVERSAL SERVICE HIGH)	
COST SUPPORT)	

NPCR, INC.'S PETITION FOR CONFIDENTIAL TREATMENT

NPCR, Inc., by counsel, and pursuant to 807 KAR 5:001, Section 7, petitions the Commission ("PSC") for an Order granting confidential treatment to certain exhibits to NPCR, Inc.'s Annual Certification filed pursuant to the Commission's September 25, 2001 Order in this Docket. In support of this petition, NPCR, Inc. states as follows:

- NPCR, Inc. is requesting confidential treatment for its filing of the following 1. documents: (1) a spreadsheet describing the Company's proposed service improvement projects estimated locations and costs associated with such improvements and the (Confidential Attachment A); (2) a map depicting the estimated location of cell sites proposed to be constructed by NPCR, Inc. and the expansion of the Company's RF coverage within the Commonwealth of Kentucky from 2008 to 2009 (Confidential Attachment B); and (3) a summary description of the operational and maintenance costs associated with operating a single cell site in Kentucky (Confidential Attachment C).
- 2. These exhibits contain proprietary information that would aid competitors of NPCR, Inc. and such proprietary trade secret information is subject to protection from disclosure pursuant to Kentucky law. See KRS 61.870, et seq.

¹ By Order dated April 24, 2008, the Commission granted NPCR, Inc.'s petition to expand its ETC designation to all Sprint Nextel affiliates, specifically, Nextel West Corporation, Sprint Spectrum, L.P., and SprintCom, Inc., for those areas in which NPCR, Inc. was previously designated.

- 3. The specific exhibits NPCR, Inc. proposes to file would reveal proprietary information regarding NPCR, Inc.'s network infrastructure and buildout plans. This information constitutes a trade secret because it is commercial information that, if disclosed, could cause substantial competitive harm to NPCR, Inc. This information is either not publicly available or not generally available in this format. It would be difficult (or impossible) for someone to discover this information from other sources. If this information were available to competitors in this form, they could use it to the competitive detriment of NPCR, Inc.
- 4. Unlike incumbent telephone companies who are typically subject to a high degree of regulation, wireless providers like NPCR, Inc. operate in a highly competitive marketplace where such proprietary information is closely guarded to ensure it is not disclosed to competitors.
- 5. This information is not generally disclosed to non-management employees of NPCR, Inc., and is protected internally by the Company as proprietary information.
- 6. The disclosure of this proprietary information would result in significant or irreparable competitive harm to NPCR, Inc. by providing its competitors with non-reciprocal competitive advantage. No public purpose is served by the disclosure of such information, and the Regulations of the PSC contemplate the filing of such information under Confidentiality Order.
- 7. Additional grounds for the requested relief are stated in the attached affidavit of Karine M. Hellwig as an authorized representative of NPCR, Inc.
- 8. The three documents for which confidential treatment is sought (Confidential Attachments A through C), are attached to this filing in a sealed envelope for inspection, and

NPCR, Inc., pursuant to the preceding discussion, requests that the documents be deemed confidential by the PSC.

NPCR, Inc. requests that the PSC enter all necessary Orders granting confidential treatment to Confidential Attachments A through C.

John N. Hughes

Frankfort, KY 40601

502 227 7270

Attorney for NPCR, INC.

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of)	
A CERTIFICATION OF THE CARRIERS RECEIVING UNIVERSAL SERVICE HIGH COST SUPPORT)))	ADMINISTRATIVE CASE NO. 381
AFFIDAVIT OF KARINE	M. HE	LLWIG IN SUPPORT

OF PETITION FOR CONFIDENTIAL TREATMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

- I, Karine M. Hellwig, being first duly sworn on oath, state as follows:
- 1. I am the Manager of Regulatory Reporting for NPCR, Inc. In this capacity I have personal knowledge of the matters set forth in this affidavit and am authorized to make this affidavit on behalf of NPCR, Inc.
- 2. NPCR, Inc. is requesting confidential treatment for its proposed filing of the following documents: (1) a spreadsheet describing the Company's proposed service improvement projects and the estimated locations and costs associated with such improvements (Confidential Attachment A); (2) a map depicting the estimated location of cell sites proposed to be constructed by NPCR, Inc. and the expansion of the Company's RF coverage within the Commonwealth of Kentucky from 2008 to 2009 (Confidential Attachment B); and (3) a summary description of the operational and maintenance costs associated with operating a single cell site in Kentucky (Confidential Attachment C).
- 3. These exhibits contain proprietary information that would aid competitors of NPCR, Inc., and such trade secret information is subject to protection from disclosure pursuant to Kentucky law. *See* KRS 61.870, *et seq*.

4. The specific exhibits NPCR, Inc. proposes to file would reveal proprietary

information regarding the Company's network infrastructure, buildout plans and operating costs.

This information constitutes a trade secret because it is commercial information that, if disclosed,

could cause substantial competitive harm to NPCR, Inc. This information is either not publicly

available or not generally available in this format. It would be difficult (or impossible) for

someone to discover this information from other sources. If this information were available to

competitors in this format, they could use it to the competitive detriment of NPCR, Inc.

5. Unlike incumbent telephone companies who are typically subject to a high degree

of regulation, wireless providers like NPCR, Inc. operate in a highly competitive marketplace

where such proprietary information is closely guarded to ensure it is not disclosed to

competitors.

6. This information is not generally disclosed to non-management employees of

· NPCR, Inc. and is protected internally by the Company as proprietary information.

Respectfully submitted,

Karine M. Hellwig

Manager, Regulatory Reporting

NPCR, Inc.

Subscribed and sworn to before me this 26th day of August, 2008.

Notary Public

NOTARY PUBLIC - State of Kansas

KAREN C. KELLY

My Appt. Exp. 1-6-09