

**Dinsmore & Shohl** LLP  
ATTORNEYS

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January 11, 2005

RECEIVED

JAN 11 2005

PUBLIC SERVICE  
COMMISSION

**via Hand Delivery**  
Ms. Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
P. O. Box 615  
Frankfort, KY 40601

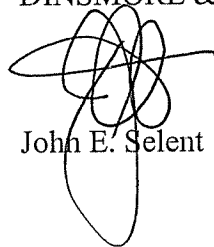
**Re: *Kentucky RSA #3 Cellular General Partnership ("RSA #3") Petition for Designation as Eligible Telecommunications Carrier in the Commonwealth of Kentucky, Case No. 20005-00019***

Dear Ms. O'Donnell:

Enclosed for confidential filing with the Public Service Commission of the Commonwealth of Kentucky (the "Commission"), pursuant to 807 KAR 5:001, Section 7, is one original (containing the confidential information highlighted in orange) and ten (10) redacted copies (not containing the confidential information) of RSA #3's Petition for Confidential Treatment of Exhibit C to the Petition for Designation as an Eligible Telecommunications Carrier in the above-styled case.

Very truly yours,

DINSMORE & SHOHL LLP



John E. Selent

JES/HCW/rk

Enclosure

cc: Ron Smith (with enclosure)

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31160/2

BEFORE THE  
KENTUCKY PUBLIC SERVICE COMMISSION

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COMMISSION

*In the matter of:*

KENTUCKY RSA #3 CELLULAR GENERAL )  
PARTNERSHIP PETITION FOR DESIGNATION AS )  
AN ELIGIBLE TELECOMMUNICATIONS CARRIER) Case No. 2005-00019  
IN THE COMMONWEALTH OF KENTUCKY )

PETITION FOR CONFIDENTIAL TREATMENT OF EXHIBIT C  
TO THE PETITION FOR DESIGNATION AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER

Kentucky RSA #3 Cellular General Partnership ("RSA #3"), by counsel, pursuant to 807 KAR 5:001, Section 7, hereby petitions the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for confidential treatment of the attached coverage area maps, in their entirety, of RSA #3, Kentucky RSA #4 Cellular General Partnership ("RSA #4"), and Cumberland Cellular Partnership ("Cumberland Cellular"), which are submitted as Exhibit C to RSA #3's petition for designation as an eligible telecommunications carrier. In support of its motion, RSA #3 states as follows.

1. Although RSA #3, RSA #4 and Cumberland Cellular are separate entities, the three companies: 1) operate under a single management company known as Bluegrass Cellular, Inc., which is jointly owned by the three companies, 2) jointly market their services under the name of Bluegrass Cellular, and 3) share a switch. For these reasons, RSA #3 submits the coverage area maps of all three companies as Exhibit C to its petition for designation as an eligible telecommunications carrier and requests confidential treatment for all three maps in their entirety.

2. The coverage area maps are exempt from public disclosure pursuant to KRS 61.878(c). This statute provides that "records confidentially disclosed to an agency or required

by an agency to be disclosed to it, 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” shall remain confidential unless otherwise ordered by a court of competent jurisdiction.

3. RSA #3 notes that the cellular telephone market is a competitive industry and that it has active competitors.

4. The public disclosure of the coverage area maps would permit an unfair advantage to RSA #3’s competitors.

5. With the information provided in the attached coverage area maps, RSA #3’s competitors could very easily determine the location of RSA #3’s cell sites, and more importantly, the scope and strength of RSA #3’s signal throughout its service area. Ordinarily, a competitor could not obtain this information without investing considerable time and money. This information would give RSA #3’s competitors a distinct competitive advantage due to the inability of RSA #3 to likewise determine the scope and strength of its competitors’ signals without investing thousands of dollars.

WHEREFORE, pursuant to 807 KAR 5:001, Section 7, RSA #3 requests the Commission issue an order directing that the attached coverage area maps, which are Exhibit C to RSA #3’s petition for designation as an eligible telecommunications carrier, be afforded confidential treatment pursuant to the rules and regulations of the Commission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John E. Selent", written over a horizontal line.

John E. Selent  
Holly C. Wallace  
DINSMORE & SHOHL LLP  
1400 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202  
(502) 540-2300  
(502) 585-2207 (facsimile)  
**Counsel to Kentucky RSA #3  
Cellular General Partnership**

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