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David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

January 30, 2012

Stoll Keenon Ogden PLLC
Attention: Douglas F. Brent
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202-2828

Re: MCImetro Access Transmission Services, LLC ("MCImetro")
Petition for Re-hearing on Request for Confidential Treatment received 1/6/12
PSC Reference – Case No. 2008-00203

Dear Mr. Brent:

The Public Service Commission has received the Petition for Re-Hearing for Confidential Treatment you filed on January 6, 2012 on behalf of MCImetro Access Transmission Services, LLC ("MCImetro") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as being contained in MCImetro's Response to Windstream's Data Request Nos. 5(a) and (c). The information is described as additional Response to D.R. 5 filed November 4, 2011, and more particularly described as correspondence concerning a proposed contract governing ISP-bound traffic and infrastructure records. The Commission on December 21, 2011 had denied the materials confidential protection based upon a procedural issue of not being accompanied by a Petition Requesting Confidential Treatment.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors, and the disclosure of infrastructure materials could result in an unwarranted risk to the public and to MCImetro.

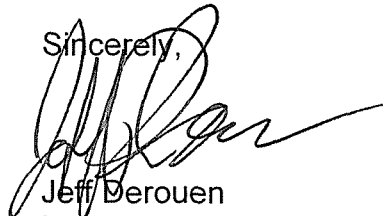
Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair

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commercial advantage to MCImetro's competitors, and disclosure of infrastructure materials could result in an unwarranted risk to the public and to MCImetro. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, MCImetro Access Transmission Services, LLC ("MCImetro") is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen", with a long horizontal flourish extending to the right.

Jeff Derouen
Executive Director

kg/

cc: Parties of Record