Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



Commonwealth of Kentucky **Public Service Commission** 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

May 25, 2011

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

Dinsmore & Shohl, LLP Attention: John E. Selent 1400 PNC Plaza 500 West Jefferson Street Louisville, Kentucky 40202

Re: RLECs (Intrastate Switched Access Rates – Local Exchange Carriers) Amended Petition for Confidential Treatment received 4/22/11 PSC Reference – Case No. 2010-00398

Dear Mr. Selent:

The Public Service Commission has received the Amended Petition for Confidential Treatment you filed on April 22, 2011, amending the Petition filed April 15, 2011 on behalf of the RLECs 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 the RLECs' access revenue shift filing. The information is described as spreadsheets labeled as Exhibits 1 through 14 containing access revenue data; expected amount of revenue shift; RLEC's trunking facilities and switches; and the amount of traffic and access revenue.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise the RLECs' competitive position in the industry, which would result in an unfair commercial advantage to the RLECs' competitors.

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 commercial advantage to the RLECs' competitors. 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

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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, the RLECs are 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.

Sincerelv cutive Director

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cc: Parties of Record