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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

## August 18, 2011

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

AT&T Kentucky Attention: Mary K. Keyer 601 West Chestnut Street, Room 407 Louisville, Kentucky 40203

## Re: AT&T

Petition for Confidential Treatment received 6/13/11 and Amended Petition for Confidential Treatment received 6/14/11 PSC Reference – Case No. 2010-00398

## Dear Ms. Keyer:

The Public Service Commission has received the Petition for Confidential Treatment you filed on June 13, 2011 and Amended Petition filed June 14, 2011 on behalf of BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky, and AT&T Communications of the South Central States, LLC (collectively AT&T) 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 AT&T's Responses to (1) RLEC's initial Data Request Nos. 3 and 5; (2) SE Acquisitions, LLC d/b/a SouthEast Telephone's 1<sup>st</sup> set of Data Requests Nos. 2 and 4; (3) Data Requests, Nos. 1, 2 and 3, to ILECs by TWTC, Level 3 and PAETEC; (4) Verizon's 1<sup>st</sup> set of Data Requests Nos. 7, 8, 9 and 11 to BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky; and (5) Windstream Kentucky East, LLC and Windstream Kentucky West, LLC's Data Requests Nos. 1, 2, 3 and 4 to BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky and AT&T Communications of the South Central States, LLC, and more specifically described as containing carrier-specific marketing, financial and market share information.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise AT&T's competitive position in the industry, which would result in an unfair commercial advantage to AT&T's competitors.

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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 AT&T's 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 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, BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky, and AT&T Communications of the South Central States, LLC (collectively AT&T) 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.

Sincerely Fephanic Bell & Jell Der

Jeff Derouen Executive Director

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cc: Parties of Record