

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE UNIVERSAL ) CASE NO.  
SERVICE FUND ) 2016-00059

ORDER

On August 23, 2016, Teleport Communications of America, LLC ("Teleport"), filed a petition, pursuant to 807 KAR 5:001, Section 13, requesting that certain materials filed with the Commission be afforded confidential protection and not be placed in the public record subject to public inspection.

In support of its request, Teleport states that the information it is requesting to be held confidential is contained in its Response to the Commission Staff's First Request for Information to All Parties of Record (Staff's First Request"), Item 1. The material requested to be held confidential is described as Attachment 1, containing subscriber line information and monthly potential market opportunity competitive information.

Having considered the petition and the material at issue, the Commission finds that the information contained in Teleport's Response to the Staff's First Request, Item 1, meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Teleport's petition for confidential protection for its Response to Staff's First Request, Item 1, Attachment 1, is granted.

2. The materials requested to be held confidential shall not be placed in the public record or made available for public inspection for an indefinite time period, or until further Orders of this Commission.

3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Teleport shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

5. If a non-party to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Teleport shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Teleport is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 20 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow Teleport to seek a remedy afforded by law.

By the Commission

ENTERED  
APR 02 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
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