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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION  
Case No. 2018-00157

In the Matter of

CMN-RUS, INC.

COMPLAINANT

v.

WINDSTREAM KENTUCKY EAST, LLC

RESPONDENT

**WINDSTREAM KENTUCKY EAST, LLC'S PETITION FOR CONFIDENTIAL  
TREATMENT OF ADDITIONAL CONFIDENTIAL CONTRACTS**

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Comes the Defendant, Windstream Kentucky East, LLC's ("Windstream"), and for its Reply to CMN-RUS, Inc.'s ("CMN") Response to Windstream's Petition for Confidential Treatment of Additional Confidential Contracts, hereby states as follows:

In its Responses to CMN's Second Requests for Information, Windstream has provided two contracts at WIN7835-7871 for which it seeks confidential treatment pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1)(c). CMN argues that these documents are not entitled to confidential treatment. CMN also complains that Windstream has declined to offer to give CMN copies of the confidential agreements.

For all the reasons stated in Windstream's previous filings concerning this issue, Windstream now reiterates its request that the documents be given confidential treatment. As previously noted, these documents contain confidentiality provisions that were bargained and paid for by the parties to the agreements. The disclosure of these documents would threaten Windstream's business interests. These interests are protected by KRS 61.878(1)(c)'s exemption for disclosure of documents "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."

Windstream also wishes to refute CMN's argument that it should be providing CMN copies of these documents. Each time Windstream has sought confidential treatment of documents in this litigation, it has carefully followed the provisions of seeking the confidential treatment which are set forth in 807 KAR 5:001, Section 13(2). This section describes in detail how to seek confidential treatment and does not include any provision requiring the seeking party to give unredacted copies of the documents to opposing parties. It does require the party seeking confidential treatment to give unredacted copies of the documents to the PSC by filing the documents under seal, and this procedure has been followed in all cases.

WHEREFORE, Windstream requests the PSC to grant its Petition for Confidential Treatment of Additional Confidential Contracts.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

This is to certify that a true and accurate copy of the foregoing was sent via email on  
October 12, 2018 upon the following:

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