

RECEIVED COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of: PUBLIC SERVICE COMMISSION

PETITION BY KENTUCKY ALLTEL, INC.) CASE NO.
REGARDING SERVICE STANDARDS) 2005-00107

RECEIVED

JUN 20 2005

PUBLIC SERVICE COMMISSION

PETITION FOR CONFIDENTIAL TREATMENT

Kentucky Alltel, Inc. ("Kentucky Alltel") moves the Public Service Commission ("Commission") pursuant to K.R.S. §61.878(1)(c)(1) and 807 KAR 5:001, Section 7 to accord confidential treatment to Kentucky Alltel's Response to Commission Staff Data Request No. 6 ("Employee Information") prepared by Kentucky Alltel in response to data requests served on Kentucky Alltel by Commission Staff on May 23, 2005. In support of Kentucky Alltel's request for confidential treatment of the Employee Information, Kentucky Alltel states as follows:

1. On May 23, 2005 in this proceeding, Commission Staff issued data requests to Kentucky Alltel asking in Request No. 6 that Kentucky Alltel provide employment information including position descriptions, responsibilities, employees per category, and geographic areas.

2. In order to adequately respond to the data requests, Kentucky Alltel compiled the Employee Information, four redacted copies of which are being filed with Kentucky Alltel's Responses and one unredacted copy of which is being filed under seal with this Petition.

3. Kentucky Alltel compiled the Employee Information, which includes proprietary data that are competitively sensitive. Additionally, the Employee Information, if publicly released, poses a threat to homeland security; the Employee Information divulges locations and numbers of employees performing specific functions which information could allow persons to target certain locations in order to disable communications systems.

4. The Employee Information is treated as highly confidential by Kentucky Alltel and its affiliates. The Employee Information contains information that has not been released publicly and is disclosed internally within Kentucky Alltel on a need-to-know basis only and to the Commission only when required and only pursuant to a confidentiality agreement or enforceable order according the information confidential treatment. Kentucky Alltel employs all reasonable measures to protect the confidentiality of the Employee Information and to guard against inadvertent, unauthorized disclosure.

4. K.R.S. §61.878(1)(c)(1) provides in pertinent part:

The following public records are excluded from the application of ...[the Open Records Act] and shall be subject to inspection only upon order of a court of competent jurisdiction ...

(c)1. ...records confidentially disclosed to an agency or required by an agency to 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.

5. Public disclosure of the Employee Information also would provide other entities an unfair competitive advantage by affording them access to employee location and functionality data. Such data contained in the Employee Information are generally considered confidential and proprietary to commercial entities.

6. The Employee Information is also protected from disclosure pursuant to K.R.S. §61.878(1)(c)(2)(c) as confidential and proprietary records disclosed to the Commission in conjunction with the regulation of a commercial enterprise.

WHEREFORE, Kentucky Alltel respectfully requests that the Employee Information be accorded confidential treatment and be placed in the confidential files of the Commission, that no party to this proceeding or otherwise including Commission Staff be permitted to duplicate

the unredacted Employee Information, and that Kentucky Alltel be accorded all other relief to which it may be entitled.

Dated: June 20, 2005.

Respectfully submitted,

KENTUCKY ALLTEL, INC.

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