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# BRIGGS AND MORGAN

PROFESSIONAL ASSOCIATION

WRITER'S DIRECT DIAL

(612) 977-8246

WRITER'S E-MAIL

pschenkenberg@briggs.com

September 7, 2006

## VIA FEDERAL EXPRESS

Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

RECEIVED  
SEP 08 2006  
PUBLIC SERVICE  
COMMISSION

**Re: Petition of Thacker-Grigsby Telephone Company, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996  
Case No. 2006-00300**

Dear Ms. O'Donnell:

Enclosed herewith please find for filing with the Commission copies of the following documents in the above-referenced matter.

- Verizon Wireless' Petition for Confidential Treatment;
- Affidavit of Elaine Critides in Support of Petition for Confidential Treatment;
  - Confidential Exhibit 1;
  - Exhibit 1 with confidential information redacted (10 copies);
- T-Mobile's Petition for Confidential Treatment;
- Affidavit of Dan Williams in Support of Petition for Confidential Treatment.
  - Confidential Exhibit 1;
  - Exhibit 1 with confidential information redacted (10 copies).

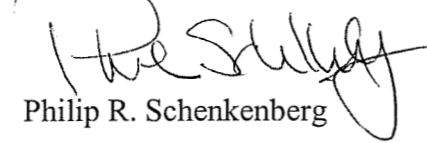
T-Mobile and Verizon Wireless have served written responses to Petitioners' Interrogatories and Document Requests, and have filed those responses in Case No. 2006-00215. Those responses apply to this Petitioner as well. Exhibit 1 to each of these responses is specific to this Petitioner, and that Exhibit 1 is the information for which confidential treatment has been requested.

**BRIGGS AND MORGAN**

Beth O'Donnell  
September 7, 2006  
Page 2

Please do not hesitate to contact me if you should have any questions concerning this filing.

Very truly yours,



Philip R. Schenkenberg

PRS/smo  
Enclosures

cc: John Selent  
James Dean Liebman (w/o confidential information)  
Bhogan M. Modi (w/o confidential information)  
William G. Francis (w/o confidential information)  
Thomas Sams (w/o confidential information)  
NTCH-West, Inc. (w/o confidential information)

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

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Petition of Thacker-Grigsby Telephone Company, )	Case No. 2006-00300
Inc. for Arbitration of Certain Terms and )	
Conditions of Proposed Interconnection Agreement )	
With Cellco Partnership d/b/a Verizon Wireless, )	
GTE Wireless of the Midwest Incorporated d/b/a )	
Verizon Wireless, and Kentucky RSA No. 1 )	
Partnership d/b/a Verizon Wireless, Pursuant to the )	
Communications Act of 1934, as Amended by the )	
Telecommunications Act of 1996 )	

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PUBLIC SERVICE  
COMMISSION

**VERIZON WIRELESS'S PETITION FOR  
CONFIDENTIAL TREATMENT**

Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated, and Kentucky RSA No. 1 Partnership ("Verizon Wireless"), by its undersigned counsel, and pursuant to 807 KAR 5:001, Section 7, hereby petitions the Kentucky Public Service Commission ("Commission") for an Order granting confidential treatment to Exhibit 1 to Verizon Wireless' Response to Petitioner's First Information Requests filed in the above dockets as follows:

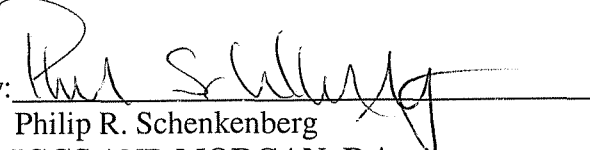
1. Petitioner has requested, and Verizon Wireless will provide, certain information regarding minutes of usage ("MOU") exchanged between Verizon Wireless and Petitioner. The disclosure of such proprietary information would result in irreparable competitive harm to Verizon Wireless by providing its competitors with a non-reciprocal competitive advantage. No public purpose is served by the disclosure of such information, and the Regulations of the Commission contemplate the filing of such information under a Confidentiality Order in proceedings such as this. Additional grounds for this requested relief are stated in the attached affidavit of Elaine Critides which is attached as Exhibit A hereto. The information for which

confidential treatment is requested is attached to this filing. Verizon Wireless requests that the information be identified as "Confidential Data" and protected from disclosure by the Commission.

2. Verizon Wireless and Petitioner agreed to the contents of the Confidentiality Agreement in mid-August. On August 16, 2006 and August 17, 2006, Verizon Wireless provided Petitioner the Confidentiality Agreement with executed signature pages from all interested CMRS Providers. Despite additional follow-ups by Verizon Wireless, Petitioner has not executed the Confidentiality Agreement. Verizon Wireless has not served this Petition and will not produce the applicable Exhibit 1 to Petitioner until Petitioner signs the Confidentiality Agreement and returns an executed copy to Verizon Wireless.

WHEREFORE, Verizon Wireless respectfully requests that the Commission enter all necessary Orders granting confidential treatment to the Confidential Data.

Dated: September 7, 2006

By:   
Philip R. Schenkenberg  
**BRIGGS AND MORGAN, P.A.**  
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Minneapolis, Minnesota 55402  
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Kendrick R. Riggs  
Douglas F. Brent  
**STOLL KEENON OGDEN PLLC**  
2000 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202  
(502) 333-6000  
(502) 627-8722 (fax)  
kendrick.riggs@skofirm.com

**ATTORNEYS FOR CELLCO  
PARTNERSHIP D/B/A VERIZON  
WIRELESS, GTE WIRELESS OF THE  
MIDWEST INCORPORATED, AND  
KENTUCKY RSA NO. 1 PARTNERSHIP  
(VERIZON WIRELESS™)**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of **VERIZON WIRELESS'S PETITION FOR CONFIDENTIAL INFORMATION** was on this 7th day of September, 2006 served via electronic and United States mail, postage prepaid to the following:

John E. Selent  
DINSMORE & SHOHL, LLP  
1400 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202

William G. Francis  
FRANCIS, KENDRICK AND FRANCIS  
First Commonwealth Bank Building  
311 North Arnold Avenue, Suite 504  
P.O. Box 268  
Prestonburg, Kentucky 41653-0268

James Dean Liebman  
LIEBMAN & LIEBMAN  
403 West Main Street  
P.O. Box 478  
Frankfort, Kentucky 40602

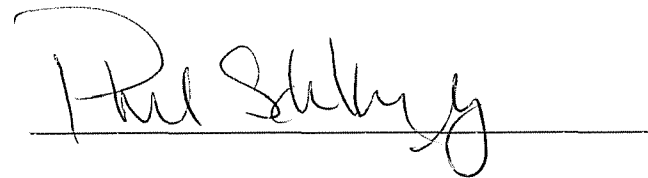
Thomas Sams  
NTCH, INC.  
1600 Ute Avenue, Suite 10  
Grand Junction, Colorado 81501

Bhogin M. Modi  
COMSCAPE COMMUNICATIONS, INC.  
1926 10th Avenue, North  
Suite 305  
West Palm Beach, Florida 33461

NTCH-WEST, INC.  
1970 N. Highland Avenue  
Suite E  
Jackson, Tennessee 38305

The undersigned also hereby certifies that a copy of the unredacted **CONFIDENTIAL EXHIBIT 1** was on this \_\_\_th day of September, 2006 served via electronic and United States mail, postage prepaid to the following:

John E. Selent, Esq.  
Dinsmore & Shohl  
1400 PNC Plaza  
500 West Jefferson Street  
Louisville, KY 40202

A handwritten signature in black ink, appearing to read "Paul Selent", is written over a horizontal line.

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

Petition of Ballard Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	Case No. 2006-00215
	)	
	)	
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	)	
	)	

Petition of Duo County Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	Case No. 2006-00217
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Petition of Logan Telephone Cooperative Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	Case No. 2006-00218
	)	
	)	
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	)	
	)	
	)	

Petition of West Kentucky Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996	)	
	)	Case No. 2006-00220
	)	
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Petition of North Central Telephone Cooperative Corporation, For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular Corporation f/k/a ACC Kentucky License LLC, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00252

Petition of South Central Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00255

Petition of Foothills Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00292

Petition of Brandenburg Telephone Company For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00288



Petition of Gearheart Communications Inc. d/b/a Coalfields Telephone Company, For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00294

Petition of Mountain Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00296

Petition of Peoples Rural Telephone Cooperative Corporation, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00298

Petition of Thacker-Grigsby Telephone Company, Inc., For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With Cellco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless, and Kentucky RSA No. 1 Partnership d/b/a Verizon Wireless, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996 ) Case No. 2006-00300

**AFFIDAVIT OF ELAINE CRITIDES IN SUPPORT  
OF T-MOBILE'S PETITION FOR CONFIDENTIAL TREATMENT**

Elaine Critides, being first duly sworn on oath, states as follows:

1. I am a Senior Attorney for Celco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated, and Kentucky RSA No. 1 Partnership ("Verizon Wireless"), Respondents in the instant proceeding. In my capacity I have personal knowledge of the matters set forth in this affidavit and am authorized to make this affidavit on behalf of Verizon Wireless.

2. Verizon Wireless is requesting confidential treatment for Exhibit 1 to its Response to each of Petitioner's First Information Request, which includes information regarding minutes of usage ("MOU") exchanged between Verizon Wireless and each Petitioner. This information has been attached to the affidavit as Exhibit 1.

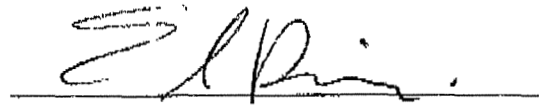
3. Exhibit 1 contains proprietary information that would aid competitors of Verizon Wireless, and such trade secret information is subject to protection from disclosure pursuant to Kentucky law. *See* KRS 61.870, et seq.

4. The specific Exhibit Verizon Wireless proposes to file would reveal proprietary information. This information constitutes a trade secret because it is commercial information related to market share and market penetration that, if disclosed, could cause substantial competitive harm to Verizon Wireless. This information is either not publicly available or not generally available in this format. It would be difficult (or impossible) for someone to discover this information from other sources. If this information were available to competitors in this format, they could use it to the competitive detriment of Verizon Wireless.

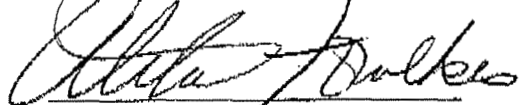
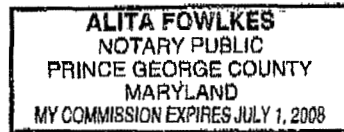
5. Unlike incumbent telephone companies who are typically subject to a high degree of regulation, wireless providers like Verizon Wireless operate in a highly competitive marketplace where such proprietary information is closely guarded to ensure it is not disclosed to competitors.

6. This information is not generally disclosed to non-management employees of Verizon Wireless, and is protected internally by Verizon Wireless as proprietary information.

FURTHER YOUR AFFIANT SAYETH NOT.



Subscribed and sworn to before me  
this 6<sup>th</sup> day of September, 2006.

  
Notary Public

**EXHIBIT 1 TO VERIZON WIRELESS' RESPONSE TO PETITIONERS'**  
**INTERROGATORIES AND DOCUMENT REQUESTS**  
**(THACKER-GRIGSBY)**

PETITIONER	TIME PERIOD	M-L TRAFFIC	L-M TRAFFIC
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Thacker

Verizon Wireless does not have software that would allow it to measure and bill traffic for intercarrier compensation purposes. However, Verizon Wireless has pulled raw switch data for Verizon Wireless switches that serve the applicable areas. Verizon Wireless has endeavored to exclude mobile-to-land traffic that is delivered via wholesale interexchange carrier subject to applicable access tariffs, but that is done by looking at call translations information rather than call records, so it is possible that there is some such traffic included in the "M-L Traffic" Column. Verizon Wireless has provided the most recently available month for which data was complete and appeared to be accurate.