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August 20, 2010

Hon. Robert C. Moore
Hazelrigg & Cox, LLP
415 West Main Street, First Floor
P.O. Box 676
Frankfort, Kentucky 40602-0676

Re: **Windstream Confidentiality Request dated May 27, 2010** -
Updated Cost Study and Attachments A to J - PSC Case No. 2009-00246

Mr. Moore:

The Public Service Commission has received the Confidentiality Petition you filed on May 27, 2010 on behalf of Windstream Kentucky East, LLC ("Windstream"). Windstream seeks to protect all portions of the **Updated Cost Study and Attachments A to J** as confidential under Section 7 of 807 KAR 5:001 and KRS 61.878, *et seq.* Windstream alleges that the cost study and attachments contain specific dollar figures for the company's costs of providing service in Kentucky. Windstream states that this information is based on highly confidential and proprietary network, switching and traffic information, which if made available to competitors, could be used to disadvantage Windstream and create significant and irreparable harm to the company.

Attachments A to J

The Commission has carefully analyzed the information contained within **Attachments A to J** and has determined that part of the information contained therein, if disclosed, would permit an unfair commercial advantage to Windstream's competitors and cause competitive injury. The Commission has determined that confidential treatment for portions of **Attachments A to J** are hereby **GRANTED, in part** and **DENIED, in part**. The Commission finds that a portion of the information satisfies the standard for protection under KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 7. Confidential treatment is **DENIED** as to the title pages for Attachments A to J. The public availability of those title pages is not harmful to the business operations of Windstream and provides no competitive details to the public so as to justify confidential protection under KRS 61.878(1)(c)(1). However, confidential protection is **GRANTED** as to the remainder of the Attachments.

Updated Cost Study

The Commission has carefully analyzed the information contained within the **Updated Cost Study** and has determined confidential protection of the information contained therein, shall be **GRANTED, in part** and **DENIED, in part**. The Commission's determinations are provided in the Appendix to this decision letter. The determinations are denoted by the title of the chart on each page of the cost study. For any portions where confidential protection has been **DENIED**, the Commission has determined that the public availability of those details is not harmful to the business operations of Windstream and provides no competitive details to the public so as to justify confidential protection under KRS 61.878(1)(c)(1). The calculations and figures included by Windstream within the Updated Cost Study which are used to develop the rates shall be **GRANTED** confidential protection, pursuant to KRS 61.878(1)(c)(1). The Commission finds that if those specific calculations and figures were openly disclosed, such information would permit an unfair commercial advantage to Windstream's competitors.

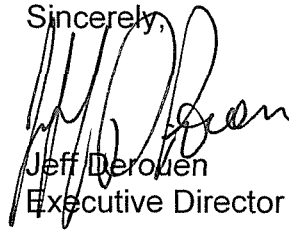
Conclusion

The information granted confidential protection will be withheld from public inspection. If the information that has been granted protection becomes publicly available or no longer warrants confidential treatment, you are required by 807 KAR 5:001, Section 7(9)(a), to inform the Commission so that the information may be placed in the public record.

The information denied confidential treatment will be withheld from public inspection for 20 days from the date of this letter in accordance with 807 KAR 5:001. If you disagree with the Commission's decision, you may seek a rehearing with the Commission within 20 days of the date of this letter under the provisions of KRS 278.400. If you seek to contest this decision, you must file a redacted copy of the materials within the 20 days in order for the material in question to be withheld from the public records pending a review of any rehearing petition.

If you do not intend to seek rehearing, for the portions of the Updated Cost Study that have been denied protection, you are instructed to file an amended version of the Updated Cost Study to be placed within the Commission's public file. You must file an original and 5 copies of the Updated Cost Study for the public file. The public version of the amended cost study shall conform to the Commission's determinations, as provided within this letter. You must make this amended filing within 25 days of the date of this letter.

Sincerely,



Jeff Derouen
Executive Director

JD/tjb

cc: Main File
Hon. Stacy Majors
Parties of Record for Case No. 2009-00246

Appendix

Updated Cost Study
Confidential Treatment Decisions

| <u>Page Title</u> | <u>Decision</u> |
|---|--|
| The Total Element Long Run Incremental Cost ("TELRIC") Model Page | DENIED in the entirety. |
| Per Minute Cost Study Results by Connection Type Page | DENIED in the entirety. |
| Reciprocal Compensation Interconnection Weighted Composite Results Page | DENIED in the entirety. |
| Element Costs Page | DENIED as to the table headings and the column and row headings; DENIED as to the entire "Network Element Costs per Minute" section and the entire "Rates per Minute" section; GRANTED as to the remainder of the table |
| End Office Switching Page | DENIED as to the table headings and the column and row headings; DENIED as to Line 29 in the entirety; GRANTED as to the remainder of the table |
| Tandem Switching Page (Please note: Two copies of this page were provided in the Confidential Version submitted to the Commission) | DENIED as to the table headings and the column and row headings; DENIED as to Line 29 in the entirety; GRANTED as to the remainder of the table |
| LATA Tandem Switching Page | DENIED as to the table headings and the column and row headings; DENIED as to Line 29 in the entirety; GRANTED as to the remainder of the table |
| IX Transport Facility Page | DENIED as to the table headings and the column and row headings; DENIED as to Line 29 in the entirety; GRANTED as to the remainder of the table |
| IX Transport Termination Page | DENIED as to the table headings and the column and row headings; DENIED as to Line 29 in the entirety; GRANTED as to the remainder of the table |
| IX Transport Facility Page (Host/Remote Transport Facility) | DENIED as to the table headings and the column and row headings; DENIED as to Line 29 in the entirety; GRANTED as to the remainder of the table |
| IX Transport Termination Page (Host/Remote Transport) | DENIED as to the table headings and the column and row headings; DENIED as to Line 29 in the entirety; GRANTED as to the remainder of the table |
| As to all remaining pages of the Updated Cost Study | DENIED as to the table headings and the column and row headings and as to category and account names; GRANTED as to the remainder of the information |



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