



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Charles R. Borders
Commissioner

January 26, 2010

Hon. Cheryl Winn
AT&T Kentucky
601 West Chestnut Street
Room 407
Louisville, KY 40203

Re: **Case No. 2009-00460**
AT&T Kentucky's Confidentiality Request – December 28, 2009

Dear Ms. Winn:

On December 28, 2009, the Public Service Commission received BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky's (hereinafter, "AT&T Kentucky") request for confidential treatment of certain information. Specifically, AT&T Kentucky requests confidential treatment of the highlighted information within the Affidavit of Joan Duncan in Attachment A of AT&T Kentucky's Answer and Motion to Dismiss. Additionally, AT&T Kentucky requests confidential treatment of Exhibits 1, 2, 3, 4, 5 and 6 of the Duncan Affidavit.

In support of its motion, AT&T Kentucky states the Affidavit and related exhibits contain detailed information related to the telephone services, call record details, interactive voice recorder screenshots and customer service summaries for the complainant, Mr. Jeffrey Cox. AT&T Kentucky states that this information qualifies as customer proprietary network information, which is protected by federal law and cannot be publicly disclosed without the approval of the individual and affected customers or end users.

Hon. Cheryl Winn
January 26, 2010
Page 2

Having reviewed the information contained within the Petition and applicable law, the Commission has determined that the information contained therein is entitled to protection and, therefore, the request is **GRANTED**. The Commission finds that public knowledge of this information would qualify as the disclosure of personal and customer-specific information, which is protected under state and federal law. See KRS 61.878, *et al.* and 47 U.S.C. §222.

As AT&T Kentucky's petition has been granted confidential treatment, the Commission will withhold the protected information 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen", is written over the typed name.

Jeff Derouen
Executive Director

JD/tjb