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

## September 16, 2011

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

AT&T Kentucky Attention: Mary K. Keyer 601 West Chestnut Street, Room 407 Louisville, Kentucky 40203

Re: AT&T Mobility Petition for Confidential Treatment received 9/1/11 PSC Reference – Case No.: Admin. # 381

Dear Ms. Keyer:

The Public Service Commission has received the Petition for Confidential Treatment you filed on September 1, 2011 on behalf of New Cingular Wireless PCS, LLC ("AT&T Mobility") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as being contained in attachments to its Certification and Report per Commission Order dated September 24, 2001. The information is described as Attachment A-1 – Summary of Potential Capital Projects for 2012; and Attachment A-2 – Summary of ETC Expenditures for 2010.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise AT&T Mobility's competitive position in the industry, which would result in an unfair commercial advantage to AT&T Mobility's competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to AT&T Mobility's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

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If the information becomes publicly available or no longer warrants confidential treatment, New Cingular Wireless PCS, LLC ("AT&T Mobility") is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

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cc: Parties of Record