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

May 6, 2014

Stites & Harbison PLLC Attention: Mark R. Overstreet 421 West Main Street P.O. Box 634 Frankfort, Kentucky 40602-0634

## Re: AT&T Mobility Petition Requesting Confidential Treatment received 9/3/13 PSC Reference: Admin. Case # 381

Dear Mr. Overstreet:

Pursuant to 807 KAR 5:001, Section 13(3), AT&T Mobility by Petition received September 3, 2013, requested confidential treatment of certain information filed with the Commission outside of a formal proceeding. 807 KAR 5:001, Section 13(3)(c), provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material is within an exclusion established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of his or her determination by letter." This letter constitutes my determination of your request.

The information you request the Commission treat as confidential is identified as being contained in Attachments A-1 and A-2 to its Certification and Report. The information is described as being the entirety of Attachment A-1, titled as Summary of Potential Capital Projects for 2014; and the entirely of Attachment A-2, titled as the Summary of ETC Expenditures for 2012.

Your justification for having the Public Service Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, 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

KentuckyUnbridledSpirit.com



David L. Armstrong Chairman

James W. Gardner Vice Chairman

Linda K. Breathitt Commissioner

An Equal Opportunity Employer M/F/D

Mr. Overstreet May 6, 2014 Page 2

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 for a 10 year period of time from the date of this correspondence, or until further Orders of the Commission. The procedure for usage of confidential materials during formal proceedings may be found at Section 13(9) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, AT&T Mobility by Section 13(10)(b) of 807 KAR 5:001 is to inform the Commission so that the information may be placed in the public record.

Any questions regarding this letter should be directed to Jeb Pinney, Staff Attorney at (502) 782-2587.

Sincerel Derouen Executive Director

kg/