Matthew G. Bevin Governor

Charles G. Snavely 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 25, 2017

Michael J. Schmitt Chairman

> Robert Cicero Vice Chairman

Talina R. Mathews Commissioner

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 8/27/14 PSC Reference – Admin. Case # 381

Dear Mr. Overstreet:

Pursuant to 807 KAR 5:001, Section 13(3), AT&T Mobility by Petition received on August 27, 2014 requested confidential treatment of certain materials filed with the Commission outside of a formal proceeding. 807 KAR 5:001, Section 13(3)(c), of that regulation provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material falls within the exclusions from disclosure requirements established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of the determination by letter." This letter constitutes my determination of that request.

The information you seek to have treated as confidential is identified as being contained in Attachments A-1 and A-2 to its Certification and Report. The information is described as including network infrastructure, proposed service improvements, build out plans, and operating costs.

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(1)(c)(1) and 807 KAR 5:001, Section 13, it has been 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** 

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and will be maintained as a nonpublic part of the Commission's file in this case for a ten year period of time from the date of this letter, 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 is required by Section 13(10)(b) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Any questions regarding this letter should be directed to John E.B. Pinney, Deputy General Counsel at (502) 782-2587.

Sincerely, n S. Lyons Acting Execut Director

kg/

James Hamby Office Manager Highland Telephone Cooperative, Inc. 7840 Morgan County Highway P. O. Box 119 Sunbright, TN 37872

F. Thomas Rowland President and CEO North Central Telephone Cooperative, Inc. 872 Highway 52 By-Pass E P. O. Box 70 Lafayette, TN 37083-0070

W. A Gillum Mountain Rural Telephone Cooperative 425 Main Street, Suite 1 P. O. Box 399 West Liberty, KY 41472

Ron Boright CFO Bluegrass Cellular 2902 Ring Road, PO Box 5012 Elizabethtown, KENTUCKY 42701

Carla Reichelderfer President SouthEast Telephone, Inc. 106 Scott Avenue Pikeville, KY 41501

Marlene H Dortch Secretary Federal Communications Commission Office of 445 12th Street, SW Room TW-A306 Washington, DISTRICT OF COLUMBIA 20554

Karen Fehrman Manager-Federal Affairs TDS Telecom 525 Junction Road, Suite 700S Madison, WISCONSIN 53705 Paul R Gearheart Gearheart Communications Company, Inc. dba 20 Laynesville Road Harold, KY 41635

Bill Atkinson NPCR, Inc. dba Nextel Partners 3065 Akers Mill Road SE, 7th Floor Mailstop GAATLD0704 Atlanta, GA 30339

Kyle Jones South Central Telcom, LLC 1399 Happy Valley Road P. O. Box 159 Glasgow, KY 42141

Karen Majcher Universal Service Administrative Co. 2000 L Street, NW Suite 200 Washington, DISTRICT OF COLUMBIA 20036

\*Honorable Mary K Keyer General Counsel/Kentucky BellSouth Telecommunications, LLC dba AT&T Meidinger Tower 462 S 4th Street, Suite 2400 Louisville, KY 40202

\*Allison T Willoughby General Manager Brandenburg Telephone Company, Inc. 200 Telco Road P. O. Box 599 Brandenburg, KY 40108

\*William K Grigsby Vice President/General Manager Thacker-Grigsby Telephone Company, 60 Communications Lane P. O. Box 789 Hindman, KY 41822 \*New Talk, Inc. New Talk, Inc. 2330 Gravel Drive Richland Hills, TX 76118

\*T-Mobile Central, LLC dba T-Mobile T-Mobile Central, LLC dba T-Mobile 12920 SE 38th Street Bellevue, WA 98006

\*Powertel/Memphis, Inc. dba T-Mobile Powertel/Memphis, Inc. dba T-Mobile 12920 SE 38th Street Bellevue, WA 98006

\*Honorable Dennis G Howard II Assistant Attorney General Office of the Attorney General Office of Rate 700 Capitol Avenue Suite 20 Frankfort, KENTUCKY 40601-8204

\*Greg A Hale General Manager/Executive VP Logan Telephone Cooperative, Inc. P. O. Box 97 Auburn, KY 42206

\*Gerald Robinette General Manager East Kentucky Network, LLC dba Appalachian 101 Technology Trail Ivel, KY 41642

\*Honorable Holland N McTyeire, V Attorney at Law Greenebaum Doll & McDonald PLLC 3500 National City Tower 101 South Fifth Street Louisville, KENTUCKY 40202-3197 \*Honorable Holly C Wallace Attorney at Law Dinsmore & Shohl, LLP 101 South Fifth Street Suite 2500 Louisville, KENTUCKY 40202

\*TVD Broadband Services, LLC TVD Broadband Services, LLC 20 Laynesville Road P. O. Box 160 Harold, KY 41635

\*South Central Rural Telephone Cooperative South Central Rural Telephone Cooperative 1399 Happy Valley Road P. O. Box 159 Glasgow, KY 42142-0159

\*James A Bellina President & CEO Dialog Telecommunications, Inc. 5550 77 Center Drive, Suite 220 Charlotte, NC 28217

\*Honorable John N Hughes Attorney at Law 124 West Todd Street Frankfort, KENTUCKY 40601

\*Keith Gabbard Manager Peoples Rural Telephone Cooperative P. O. Box 159 McKee, KY 40447

\*Honorable Mark R Overstreet Attorney at Law Stites & Harbison 421 West Main Street P. O. Box 634 Frankfort, KENTUCKY 40602-0634 \*North Central Communications, Inc. North Central Communications, Inc. 872 Highway 52 By-Pass E P. O. Box 70 Lafayette, TN 37083

\*Patricia L Rupich Cincinnati Bell Telephone Company 221 E Fourth Street, Room 103-1080 Cincinnati, OH 45201-2301

\*Renee Hayden Manager e-Tel, LLC 607 Broadway Paducah, KY 42001

\*Foothills Rural Telephone Cooperativ Foothills Rural Telephone Cooperative 1621 Kentucky Route 40 W P. O. Box 240 Staffordsville, KY 41256

\*Steven Fenker President Nexus Communications, Inc. 3629 Cleveland Avenue, Suite C Columbus, OH 43224

\*Trevor R Bonnstetter General Manager West Kentucky Rural Telephone Cooperative 237 North Eighth Street P. O. Box 649 Mayfield, KY 42066-0649

\*Cumberland Cellular, Inc. dba Duo Co Cumberland Cellular, Inc. dba Duo County 2150 N Main Street P. O. Box 80 Jamestown, KY 41269 \*Duo County Telephone Cooperative Cor Duo County Telephone Cooperative Corporation, 2150 N Main Street P. O. Box 80 Jamestown, KY 42629

\*New Cingular Wireless PCS, LLC dba A New Cingular Wireless PCS, LLC dba AT&T 1010 N St Mary's Street, 9th Floor San Antonio, TX 78215

\*Windstream Norlight, LLC Windstream Norlight, LLC 4001 Rodney Parham Road Little Rock, AR 72212

\*Windstream Kentucky West, LLC Windstream Kentucky West, LLC 4001 N Rodney Parham Road Little Rock, AR 72212

\*Windstream Kentucky East, LLC Windstream Kentucky East, LLC 4001 N Rodney Parham Road Little Rock, AR 72212