Steven L. Beshear Governor

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Commonwealth of Kentucky

Public Service Commission

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James W. Gardner Vice Chairman

Linda K. Breathitt Commissioner

October 9, 2012

TracFone Wireless, Inc. Attention: Stephen Athanson 9700 NW 112<sup>th</sup> Avenue Miami, Florida 33178

Re: TracFone Wireless, Inc.

Request for Confidential Treatment received 7/31/12

PSC Reference - Case No. 2009-00100

Dear Mr. Athanson:

The Public Service Commission has received the letter requesting for Confidential Treatment you filed on July 31, 2012 on behalf of TracFone Wireless, Inc. ("TracFone") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in its Quarterly Report for the 2<sup>nd</sup> quarter of 2012. The information is described as the number of customers subscribing to TracFone's service who have been de-enrolled. The Commission requests that for future filings you have an attorney file a Petition for Confidential Treatment containing the grounds on which you are basing your request to avoid any confusion in the case file.

Your justification for having the 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 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 TracFone'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



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usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, TracFone Wireless, Inc. 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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Executive Director

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cc: Parties of Record