Steven L. Beshear Governor

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Commonwealth of Kentucky

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David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

January 26, 2010

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

Re:

Administrative Case No. 381

Confidentiality Request dated August 31, 2009

2009 Universal Service High Cost Support Certification Report

Dear Ms. Winn:

On August 31, 2009, the Public Service Commission received New Cingular Wireless, PCS, LLC d/b/a AT&T Mobility's (hereinafter, "AT&T Mobility") request for confidential treatment of certain information attached to its annual carrier certification and report. Specifically, AT&T Mobility requests confidential treatment of the following:

Summary of 2010 Potential Capital Projects Summary of 2008 ETC Expenditures Updates of 2009 Planned ETC Expenditures

In support of its motion, AT&T Kentucky states the above-listed information contains details on the locations of the company's cell sites, proposed service improvement projects and the estimated locations and costs associated with such improvements. AT&T Kentucky states that this information qualifies proprietary information related to network infrastructure and operating costs, which constitutes a trade secret and would also qualify as permitting an unfair commercial advantage to competitors, if disclosed.

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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 trade secret information and may cause competitive harm, if disclosed. <u>See</u> KRS 61.878, *et al.*

As AT&T Mobility'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

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Executive Director

JD/tjb