

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO DIVERSIFIED)	
OPERATIONS OF LOCAL EXCHANGE)	ADMINISTRATIVE
TELEPHONE COMPANIES)	CASE NO. 340

O R D E R

This matter arising upon petition of Duo County Telephone Cooperative Corporation, Inc. ("Duo County Telephone") filed December 20, 1991 pursuant 807 KAR 5:001, Section 7, for confidential protection of Exhibits 1 and 3 of its responses to the Commission's Order of October 25, 1991 on the grounds that disclosure of the information would constitute an invasion of Duo County Telephone's corporate privacy and is likely to cause Duo County Telephone competitive injury, and it appearing to this Commission as follows:

Exhibits 1 and 3 were filed as part of Duo County Telephone's responses to the Commission's Order of October 25, 1991. Exhibit 1 contains journal entries which disclose Duo County Telephone's exact dollar investments in the capitalization of subsidiary corporations, reflects the exact investment of the subsidiary corporations involved in the purchase of a general partnership interest in the Cumberland Cellular Partnership for Cellular Rural Service Area No. 5, and reflects in exact dollars the projected additional capitalization and subsequent capitalization construction costs for the cellular partnership. Exhibit 3

provides excerpts from the minutes of Duo County Telephone's corporate board meetings, some of which provide the exact amounts invested by Duo County Telephone in its subsidiary corporations, the cost per POP on which the original purchase of the 50 percent interest in the general cellular partnership was acquired, the exact amount being paid for additional interest, and the projected capital investment cost to be incurred for construction and operation. The exhibits do not identify what information contained within them Duo County Telephone considers sensitive and entitled to protection from disclosure.

The information contained in the exhibits is not known outside of Duo County Telephone's business and is known only by its employees who have a business need to know the information. Duo County Telephone seeks to preserve and protect the confidentiality of the information by all appropriate means.

Information filed with the Commission is required by KRS 61.872(1) to be available for public inspection unless specifically exempted by statute. Exemptions from inspection are provided in KRS 61.878(1). That section lists 10 categories of information which may be protected as confidential. To obtain confidential protection of information filed with the Commission, the Commission has promulgated 807 KAR 5:001, Section 7. That regulation establishes procedures which must be followed in order to establish that information is entitled to protection from public disclosure. One requirement provided in subsection (2)(a)(2) is that the material sought to be protected must be clearly identified. The petition filed by Duo County Telephone

does not identify the material sought to be protected and therefore is insufficient.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

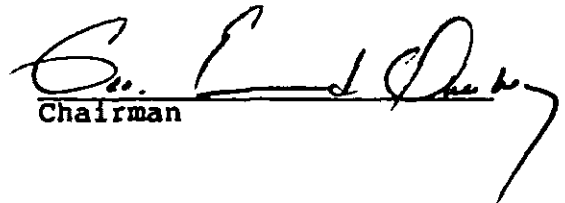
1. The petition to protect as confidential Exhibits 1 and 3 filed by Duo County Telephone in response to the Commission's Order of October 25, 1991 be and is hereby denied.

2. Exhibits 1 and 3 shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of this Order during which Duo County Telephone shall be allowed to file a petition in conformity with the requirements of 807 KAR 5:001, Section 7.

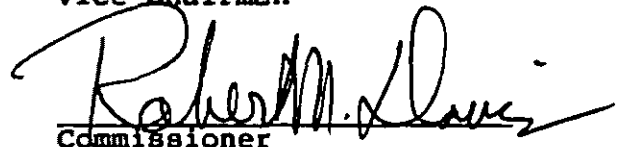
3. If at the expiration of the 20-day period a petition has not been filed, the exhibits shall, without further Orders herein, be placed in the public record.

Done at Frankfort, Kentucky, this 31st day of January, 1992.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner

ATTEST:


Executive Director