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April 16, 2003

Kentucky Public Service Commission
Mr. Thomas M. Dorman
Executive Director
P.O. Box 615
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

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PUBLIC SERVICE
COMMISSION

Re: *Inquiry into the Use of Contract Service Arrangements by
Telecommunications Carriers in Kentucky*
Case No. 2002-00456

Dear Mr. Dorman:

Enclosed for filing is the Petition for Confidentiality on behalf of AT&T and TCG in the above-captioned case.

I have also enclosed a copy to be stamped "filed" and returned in the enclosed, self-addressed, postage prepaid envelope.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


Henry Walker 

HW/bb
Encl.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INQUIRY INTO THE USE OF CONTRACT SERVICE)
ARRANGEMENTS BY TELECOMMUNICATIONS) CASE NO. 2002-00456
CARRIERS IN KENTUCKY)

PETITION FOR CONFIDENTIALITY

Comes now AT&T Communications of the Southern States, LLC and TCG Ohio, Inc., referred to hereinafter as "AT&T" or "Company", by and through counsel, pursuant to KRS 61.870, et. seq., and Kentucky Public Service Commission ("Commission") Rule 807 KAR 5:001. §7, et. seq., and in support of its Petition herein states as follows:

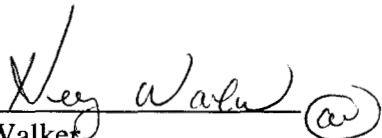
1. On December 19, 2002, the Kentucky Public Service Commission served data request to all telecommunications carriers operating in the State of Kentucky.
2. In its Petition herein, the Company is seeking confidential treatment of the customer's confidential information referenced in its responses to BellSouth's data request to all parties.
3. KRS 61.870, et seq., requires that public agencies within the Commonwealth make available for inspection all public records. Certain exceptions to that general requirement are contained in KRS 61.878. KRS 61.878 (1)(c), et seq., provides an exemption for providing personal information. In order to qualify for such an exemption under this section of the Act, a party must demonstrate that disclosure of such information would permit an unfair commercial advantage to its competitors unless the information is

afforded confidential protection. The procedure for requesting confidential treatment from the Commission is outlined at 807 KAR 5:001, §7, et. seq.

4. The information contained in the responses contains proprietary commercial information and, accordingly, AT&T requests the Commission to afford confidentiality to this information pursuant to the exemption provided in KRS 61.878 (1)(c). A competitor could use the information to obtain market information about the Company, which the competitor would be unable to obtain otherwise. Armed with this information, a competitor could develop entry and/or marketing strategies what would likely ensure it success in competing with the Company. Conversely, the Company is unable to receive such information about its competitors and their customers. Further in a competitive market, any information gained about a competitor can be used to that competitor's detriment. Such an unfair competitive advantage skews the marketplace and prevents the development of true competition to the ultimate detriment of the consumer.
5. Disclosure of confidential information of this nature will be detrimental to the Company because it contains data that is not otherwise available to the Company's competitors. Once supplied with this information, a competitor could use it to target their marketing efforts to the detriment of the Company. The information sought to be protected herein is not known outside the Company, nor is it provided to the public, its internal use is restricted to only those employees who have a legitimate business reason for reviewing such, and the Company attempts to control the dissemination of this material through all reasonable means. Indeed, by granting the Company's petition the public interest will be served because competition will be enhanced.

Wherefore, AT&T respectfully requests that the honorable Kentucky Public Service Commission issue an order herein granting confidential treatment to AT&T's response to the Commission's Data requests.

Respectfully submitted this 16th day of April, 2003.


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