

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE INTRASTATE )	ADMINISTRATIVE
SWITCHED ACCESS RATES OF ALL )	CASE NO.
KENTUCKY INCUMBENT AND COMPETITIVE)	2010-00398
LOCAL EXCHANGE CARRIERS )	

PETITION FOR CONFIDENTIALITY OF  
AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, LLC, AND TCG Ohio

Petitioners AT&T Communications of the South Central States, LLC and TCG Ohio (collectively, "AT&T"), by counsel, hereby move the Public Service Commission of the Commonwealth of Kentucky (the "Commission"), pursuant to KRS 61.878 and 807 KAR 5:001, § 7, to classify as confidential the information highlighted in the sheets containing the supporting data and filed in response to the Commission's Order dated May 30, 2012. The material that is highlighted contains company specific financial, access usage and revenue information of AT&T.

The Kentucky Open Records Act exempts certain information from the public disclosure requirements of the Act, including confidential and/or proprietary information, the disclosure of which would permit an unfair commercial advantage to competitors. KRS 61.878(1)(c)1. To qualify for the commercial information exemption and, therefore, keep the information confidential, a party must establish that disclosure of the commercial information would permit an unfair advantage to competitors and the parties seeking confidentiality if openly discussed. KRS 61.878(1)(c)1; 807 KAR 5:001 § 7. The Commission has taken the position that the statute and rules require the party to

demonstrate actual competition and the likelihood of competitive injury if the information is disclosed.

The information for which AT&T seeks confidentiality contains carrier-specific financial information related to the pricing of its intrastate access elements. Specifically, the information that is highlighted in AT&T's supporting data is information related to or derived from AT&T's company-specific data regarding local and switched access minutes of use and revenues. This data contains market sensitive information that could compromise AT&T in its competitive position in its respective markets.

Public disclosure of the identified information would provide competitors that provide services similar to AT&T with an unfair competitive advantage. The Commission should also grant confidential treatment to the information for the following reasons:

(1) The information for which AT&T is requesting confidential treatment is not known outside of AT&T;

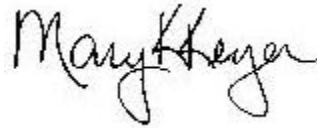
(2) The information is not disseminated within AT&T and is known only by those of AT&T's employees who have a legitimate business need to know and act upon the information;

(3) AT&T seeks to preserve the confidentiality of this information through appropriate means, including the maintenance of appropriate security at its offices; and

(4) By granting AT&T's petition, there would be no damage to any public interest.

For the reasons stated herein, the Commission should grant AT&T's request for confidential treatment of the identified information.

Respectfully submitted,



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Mary K. Keyer  
601 West Chestnut Street, Room 407  
Louisville, KY 40203  
(502) 582-8219  
mary.keyer@att.com

Demetrios G. (Jim) Metropoulos  
Mayer Brown LLP  
71 South Wacker Drive  
Chicago, IL 60606  
(312) 701-8479  
demetro@mayerbrown.com

COUNSEL FOR AT&T

1036457