

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)	

**SPRINT NEXTEL’S PETITION FOR
CONFIDENTIAL TREATMENT**

Sprint Communications Company L.P., Sprint Spectrum L.P., Nextel West Corp., and NPCR, Inc. d/b/a Nextel Partners (collectively, “Sprint Nextel”), by counsel, and pursuant to 807 KAR 5:001, Section 7, petition the Public Service Commission (“PSC” or “Commission”) for an Order granting confidential treatment to portions of the July 8, 2011 pre-filed Direct Testimony of James Appleby. In support of this petition, Sprint Nextel states as follows:

1. Sprint Nextel is requesting confidential treatment for portions of the Direct Testimony of its witness, James Appleby. The testimony contains references to responses to data requests of the parties, including Windstream and the other rural incumbent local exchange carriers (“RLECs”). Each of those parties has filed a petition for confidentiality for its proprietary responses. To avoid disclosure of information that parties have sought confidential treatment, Sprint seeks an Order determining that such information remains confidential as part of its testimony.

2. Portions of Sprint Nextel’s testimony contain proprietary information that would violate the Non-Disclosure Agreement (“NDA”) recently executed among the parties, which limits the disclosure of the protected information. Because of the sensitive nature of significant

details of the operations of the parties, each has entered into the NDA to facilitate the exchange of information and to assure its non-disclosure. Without an Order declaring the testimony confidential, Sprint Nextel would be forced to violate the terms of the NDA.

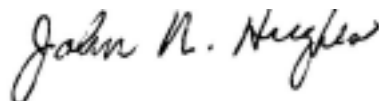
3. The portions of Sprint Nextel's testimony for which confidential treatment is sought refer to specific data provided by various parties. Based on representations by those parties in their respective petitions for confidentiality and the NDA, the disclosure of the information could cause substantial competitive harm to those parties.

4. The disclosure of this proprietary information would result in significant or irreparable competitive harm to the affected parties. No public purpose is served by the disclosure of such information, and the Regulations of the PSC contemplate the filing of such information under Confidentiality Order.

5. The portions of the testimony for which confidential treatment is sought are highlighted in the sealed copy of the testimony that is provided with this Petition.

For these reasons, Sprint Nextel seeks an Order granting confidential protection for portions of the testimony of James Appleby.

Submitted by:



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