

**BEFORE THE COMMONWEALTH OF KENTUCKY**  
**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	)	

**WINDSTREAM KENTUCKY EAST, LLC AND  
WINDSTREAM KENTUCKY WEST, LLC’S PETITION FOR THE CONFIDENTIAL  
TREATMENT OF CERTAIN RESPONSES TO THE FIRST DATA REQUESTS FROM  
AT&T AND VERIZON**

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Windstream Kentucky East, LLC (“Windstream East”) and Windstream Kentucky West, LLC (“Windstream West”), pursuant to 807 KAR 5:001, Section 7, hereby petition the Kentucky Public Service Commission (“Commission”) for an order granting confidential treatment to certain of their responses to the first set of data requests served by BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky and AT&T Communications of the South Central States, LLC (collectively, “AT&T”) and MCImetro Transmission Access Transmission Services LLC d/b/a Verizon Access Transmission Services, MCI Communications Services, Inc. d/b/a Verizon Business Services, Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance, NYNEX Long Distance Company d/b/a Verizon Enterprise Solutions, TTI National, Inc., Teleconnect Long Distance Service & Systems d/b/a Telecom\*USA and Verizon Select Services, Inc. In support of their Petition, Windstream East and Windstream West state as follows:

1. Windstream East and Windstream West are requesting confidential treatment for all information and exhibits labeled as confidential in their responses to the various data requests served on them in this proceeding by AT&T and Verizon (“Confidential Responses”). The Confidential Responses contain proprietary, confidential information that would aid competitors of

Windstream East and Windstream West, if released, and otherwise is proprietary and trade secret information not released outside the companies. Such confidential and proprietary trade secret information is subject to protection from disclosure pursuant to Kentucky law. See KRS 61.870 et seq.

2. Windstream East and Windstream West's Confidential Responses in material part contain specific dollar figures or minutes of use information relating to their costs and operations in Kentucky. This information constitutes a trade secret because it is commercial information, that if disclosed, could cause substantial competitive harm to Windstream East and Windstream West. This information is not publicly available. The financial information contained in the Confidential Responses is based on highly confidential and proprietary network and traffic information, and represents highly confidential costs of providing service. It would be difficult, if not impossible, for someone to discover this information from other sources. If this information were available to competitors in this form, they could use it to the competitive disadvantage to Windstream East and Windstream West

3. Windstream West and Windstream East operate in a highly competitive marketplace, including areas served by Verizon and Sprint, where such confidential information is closely guarded to insure it is not disclosed to competitors.

4. This information is not generally disclosed to non-management employees of Windstream West or Windstream East and is protected internally as confidential and proprietary information.

5. The disclosure of the Confidential Responses would result in significant or irreparable harm to Windstream East and Windstream West by providing their competitors with non-reciprocal competitive advantage. No public purpose is served by the disclosure of such

information, and the regulations of the Commission contemplate the filing of such information under a confidentiality order.

6. Windstream East and Windstream West seek confidential treatment for the entirety of their Confidential Responses because all of the information contained in the same is highly confidential and proprietary financial information.

Pursuant to the above referenced statements, Windstream East and Windstream West request that this information be deemed and treated as confidential by the Commission.

WHEREFORE, Windstream East and Windstream West respectfully request that the **Commission enter all necessary orders granting confidential treatment as requested herein.**

Respectfully submitted,

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