

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:)	
)	
ELECTRONIC APPLICATION OF KENERGY)	
CORP. FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY FOR THE)	
CONSTRUCTION OF A HIGH-SPEED FIBER)	CASE NO.
NETWORK AND FOR APPROVAL OF THE)	2021-00365
LEASING OF THE NETWORK'S EXCESS)	
CAPACITY TO AN AFFILIATE TO BE)	
ENGAGED IN THE PROVISION OF)	
BROADBAND SERVICE TO UNSERVED AND)	
UNDERSERVED HOUSEHOLDS AND)	
<u>BUSINESSES OF THE COMMONWEALTH</u>)	

KBCA’S PETITION FOR RECONSIDERATION

Kentucky Broadband and Cable Association (“KBCA”), by counsel and pursuant to KRS 278.400, respectfully requests the Public Service Commission to reconsider its Order dated April 29, 2022, denying confidential treatment to Exhibit 2 of KBCA’s responses to the Commission Staff’s Initial Request for Information. In support of this motion, KBCA states as follows:

On March 4, 2022, KBCA filed its responses to Commission Staff’s Initial Request for Information along with a Petition for Confidential Treatment, in which KBCA sought confidential treatment for the residential addresses listed in Exhibit 2 of KBCA’s responses. KBCA based its argument on KRS 61.878 which exempts from disclosure “information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.” It also referenced Section 4(10) of 807 KAR 5:001, which specifically allows redactions of

addresses of non-parties. On April 29, 2022, the Commission denied KCBA's request related to that exhibit, on the grounds that the exhibit did not identify addresses.

Near the top right of each page, KBCA's Exhibit 2 to its responses to Commission Staff's Initial Request for Information identified the specific address at which broadband speeds were measured. The black-box redactions appear on the publicly filed document. The undersigned counsel, however, inadvertently submitted the confidential pages without highlighting the addresses, as required by Section 13 of 807 KAR 5:001. KBCA will refile these pages with the appropriate highlighting.

Because KBCA's Exhibit 2 to its responses to Commission Staff's Initial Request for Information identified specific address, which should be granted confidential treatment for the reasons identified in the Petition for Confidential Treatment,¹ KBCA respectfully requests the Commission reconsider its decision partially denying KBCA's petition.

RESPECTFULLY SUBMITTED,

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¹ For the purposes of this Petition for Reconsideration, KBCA adopts and incorporates its arguments from the Petition for Confidential Treatment.