



Mary K. Keyer
General Counsel
Kentucky Legal Department

AT&T Kentucky
601 W. Chestnut Street
Room 407
Louisville, KY 40203

T 502-582-8219
F 502-582-1573
mary.keyer@att.com

August 24, 2009

VIA COURIER

Mr. Jeff Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602

Re: BellSouth Telecommunications, Inc., Complainant v. Brandenburg
Telephone Company, Defendant
PSC 2006-00546

Dear Mr. Derouen:

Enclosed for filing are the original and four (4) copies of AT&T Kentucky's Supplemental Response to Item 6 of Brandenburg's Data Requests filed February 8, 2007.

The attachments to Supplemental Response to Item 6 are confidential and, pursuant to 807 KAR 5:001, § 7, AT&T Kentucky files herewith its Petition for Confidentiality requesting that the Commission afford confidentiality to that material.

Sincerely,


Mary K. Keyer

Enclosures

cc: Parties of Record

741713

EDITED

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:)	
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
D/B/A AT&T KENTUCKY)	
Complainant)	
)	
v.)	CASE NO.: 2006-00546
)	
BRANDENBURG TELEPHONE COMPANY)	
)	
Defendant)	

MOTION FOR CONFIDENTIALITY OF
BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T KENTUCKY

Petitioner, BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky ("AT&T Kentucky"), by counsel, hereby moves 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 filed on August 24, 2009, in AT&T Kentucky's Supplemental Response to Item No. 6 of Brandenburg Telephone Company's ("Brandenburg") Data Requests dated February 8, 2007. The three documents filed on yellow paper contain information specific to AT&T Kentucky's internal operations and information specific to Brandenburg in the conduct of its business with AT&T Kentucky.

The Kentucky Open Records Act exempts certain information from the public disclosure requirements of the Act, including certain commercial information and also information the disclosure of which is prohibited by federal law or regulation. KRS 61.878(1)(c)(1) and 61.878(1)(k). 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 material for which AT&T Kentucky seeks confidentiality contains information specific to AT&T Kentucky's internal operations. The documents also contain customer-specific information. The information provided contains a list of Brandenburg Telephone Company's NPA-NXXs, a summary of trunk groups between Brandenburg Telephone Company and AT&T Kentucky, and an internal AT&T Kentucky translations document identifying the addition of a new Brandenburg NPA-NXX in 2000. This information is specific to Brandenburg in the conduct of its business with AT&T Kentucky. Information provided to the Commission concerning specific customers is customer proprietary network information ("CPNI") and should not be publicly disclosed without the approval of the individual customers. Disclosure of customer-specific information is subject to obligations under Section 222 of the Communications Act of 1937 as amended by the Telecommunications Act of 1996. Federal law imposes the obligation to maintain the confidentiality of such information from public disclosure when the disclosure of such information records is prohibited by federal law or regulation. Therefore, because CPNI is protected from disclosure by federal law, this information should be afforded proprietary treatment.


Public disclosure of the identified information would provide competitors, namely CLECs and other CMRS Providers, with an unfair competitive advantage. The

Commission should also grant confidential treatment of the information for the following reasons:

- (1) The information for which AT&T Kentucky 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 AT&T employees who have a legitimate business need to know and act upon the information;
- (3) AT&T Kentucky 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 Kentucky's petition, there would be no damage to any public interest.

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

Respectfully submitted,



MARY K. KEYER
601 W. Chestnut Street, Room 407
Louisville, KY 40203
(502) 582-8219
mary.keyer@att.com

COUNSEL FOR BELL SOUTH
TELECOMMUNICATIONS, INC.
D/B/A AT&T KENTUCKY

SUPPLEMENTAL RESPONSE
AT&T Kentucky
KY PSC Docket No. 2006-00546
Brandenburg's 1st Data Request
February 8, 2007
Item No. 6
Page 1 of 1

REQUEST: Please provide any and all documentation in the possession of BellSouth or its agents demonstrating or refuting that BellSouth does not currently deliver, and/or has never delivered, ACS Traffic for termination to Brandenburg over any other trunk group than the Common Transport Trunk Group.

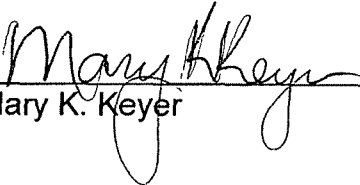
RESPONSE: AT&T Kentucky hereby supplements its previous response to this request with the attached documents which contain a list of Brandenburg Telephone Company's NPA-NXXs; a summary of trunk groups between Brandenburg Telephone Company and AT&T Kentucky; and finally the addition of a new NPA-NXX in 2000, which is the only documented activity that AT&T Kentucky has performed concerning Brandenburg Telephone Company since the implementation of the Advanced Routing and Trunking System ("ARTS") in 1999.

**All exhibits are proprietary.
There are no edited versions.**

CERTIFICATE OF SERVICE -- KPSC 2006-00546

It is hereby certified that a true and correct copy of the foregoing was served on the following individuals by e-mail and U.S. Mail, this 24th day of August, 2009.

John E. Selent
Holly C. Wallace
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202
John.Selent@dinslaw.com
Holly.Wallace@dinslaw.com



Mary K. Keyer