

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Brandenburg Telephone Company; Duo County)
Telephone Cooperative Corporation, Inc.; Highland)
Telephone Cooperative, Inc., Mountain Rural)
Telephone Cooperative Corporation, Inc.; North)
Central Telephone Cooperative Corporation; South)
Central Rural Telephone Cooperative Corporation, Inc.)
And West Kentucky Rural Telephone Cooperative)
Corporation, Inc.)

Complainants

) Case No.
) 2007-00004

v.)

Windstream Kentucky East, Inc.; and)
Windstream Kentucky West, Inc.)

Defendants)

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PUBLIC SERVICE
COMMISSION

PETITION FOR CONFIDENTIAL TREATMENT

Windstream Kentucky East, LLC moves the Commission pursuant to 807 KAR 5:001, Section 7 and KRS 61.878 for an Order granting confidential treatment to certain information filed in response to data requests propounded in this proceeding. In support thereof, Windstream states:

The Information For Which Confidential Treatment Is Sought.

Windstream seeks confidential treatment for the following information that is being filed today in response to the data requests propounded at the hearing in this proceeding: certain customer proprietary information regarding a telecommunications company that is not a party to this proceeding and that is provided in Response to Hearing Data Request No. 1.

The Statutory Standard.

KRS 61.878(c)(1) excludes from the Open Records Act:

"[r]ecords confidentially disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would present an unfair commercial advantage to competitors of the entity that disclosed the records.

This exception applies to the information to be provided by the Windstream for which confidential treatment is sought.

The Records Are Being Confidentially Disclosed To The Commission.

The information for which confidential protection is sought is being disclosed to the Public Service Commission in connection with data requests propounded by a party to the this ongoing proceeding before the Commission. As such, it is both being disclosed to the Commission and is required by the Commission to be disclosed to it.

The Information Is Generally Recognized As Confidential and Proprietary.

The information for which confidential treatment is sought is "generally recognized as confidential or proprietary." Details regarding Windstream's business relationship with its customers, including what services they are taking, or under what tariffs, such as would be revealed by the publication of the identity of the Windstream customer taking under the transit traffic tariff is closely protected by Windstream. Its dissemination is restricted by the Windstream and Windstream takes all reasonable measures to prevent the disclosure of customer proprietary information to the public as well as persons within the company who do not have a need for the information. In fact, this type of information is provided only to those employees in the Company who have a particular need to know the information.

None of the information for which confidential protection is sought is readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use.

Disclosure Of The Information Will Result In An Unfair Commercial Advantage.

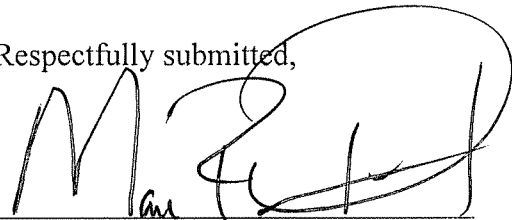
The wireline industry in Kentucky is highly competitive. In addition to Windstream, other wireline providers in Kentucky providing local exchange service in the areas served by Windstream include competitive local exchange carriers such as SouthEast Telephone, Inc. and Big Rivers Telephone, as well as Time-Warner Telephone and Insight Phone. Disclosure of the information described above may affect Windstream's relationship with its customer as well as the customer's business plans. As a result, disclosure of the confidential information will result in a significant, non-trivial unfair commercial advantage to competitors of Windstream.

Southeastern United Medigroup, Inc. v. Hughes, Ky. App., 952 S.W.2d 195, 199 (1997).

Wherefore, Windstream respectfully request the Public Service Commission of Kentucky to protect from public disclosure of items (a) through (d).

This 12th day of August, 2009.

Respectfully submitted,



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COUNSEL FOR WINDSTREAM
KENTUCKY EAST, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by United States First Class Mail, postage prepaid, on this 12th day of August, 2009 upon:

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A handwritten signature in black ink, appearing to read "Mark R. Overstreet". The signature is written in a cursive style with a large, looped "R" and "O".

Mark R. Overstreet

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Brandenburg Telephone Company; Duo
County Telephone Cooperative Corporation,
Inc.; Highland Telephone Cooperative, Inc.;
Mountain Rural Telephone Cooperative
Corporation, Inc.; North Central Telephone
Cooperative Corporation; South Central Rural
Telephone Cooperative Corporation, Inc. and
West Kentucky Rural Telephone Cooperative
Corporation, Inc.,

COMPLAINANT

v.

Windstream Kentucky East, LLC.

DEFENDANT.

CASE NO. 2007-00004

DEFENDANT'S RESPONSES TO HEARING DATA REQUESTS

Windstream Kentucky East, LLC for its responses to the data requests propounded at the
July 29, 2009 hearing in this matter states:

HEARING DATA REQUEST NO. 1:

Please identify the company referred to by Mr. Smith in his testimony that is paying the
transit tariff charges.

RESPONSE:

Leslie County Telephone Co.

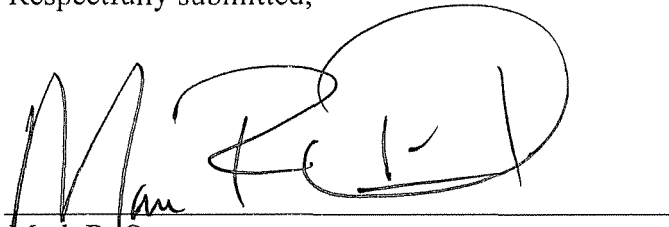
HEARING DATA REQUEST NO. 2:

Please state whether Windstream is providing records to any of the Complainants other than Brandenburg Telephone Company and Highland Telephone Cooperative, Inc. in connection with Windstream's provision of transit traffic service.

RESPONSE:

No.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark R. Overstreet", written over a horizontal line. The signature is stylized and somewhat cursive.

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WINDSTREAM KENTUCKY EAST, LLC

CERTIFICATE OF SERVICE

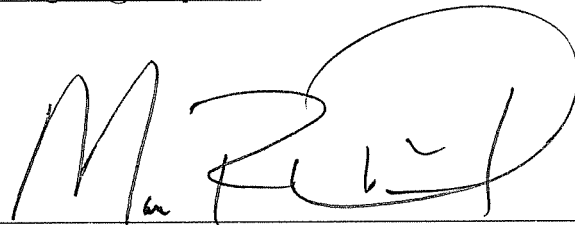
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