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Commissioner

August 28, 2009

Hon. Mark Overstreet  
Stites & Harbison PLLC  
421 West Main Street  
P.O. Box 634  
Frankfort, KY 40602-0634

Re: **Confidentiality Request dated August 12, 2009 -**  
Windstream's Responses to July 29, 2009 Formal  
Hearing Data Requests  
PSC Case No. 2007-00004

Dear Mr. Overstreet:

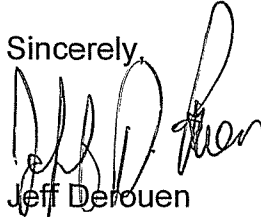
The Public Service Commission has received the Confidentiality Petition you filed on August 12, 2009 on behalf of Windstream Kentucky East, LLC ("Windstream") to protect certain information filed with the Commission as confidential under Section 7 of 807 KAR 5:001 and KRS 61.878. The information is identified as Windstream's response to the data requests propounded during the July 29, 2009 formal hearing in this proceeding. This information concerns certain proprietary information regarding a telecommunications company that is not a party to this proceeding.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information sought to be kept confidential for Windstream shall be **DENIED**. On December 4, 2007, Windstream submitted a filing in this proceeding titled "Response of Windstream Kentucky East, Inc. to Commission's Order dated November 13, 2007". In the Appendix B to that filing, Windstream provided public disclosure of the name of the specific telecommunications company in question. As the information which Windstream seeks to make confidential has already been placed into the public record through another filing made by Windstream in 2007, the Commission finds that there is no basis for granting the petition for confidentiality in this instance.

Hon. Mark Overstreet  
August 28, 2009  
Page 2

As for the information that has been **DENIED** protection, it does not meet the criteria for confidential protection as set out in the statutory authority listed above. The information denied confidential treatment will be withheld from public inspection for 20 days from the date of this letter in accordance with 807 KAR 5:001. If you disagree with the Commission's decision, you may seek a rehearing with the Commission within 20 days of the date of this letter under the provisions of KRS 278.400.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen", written over a printed name and title.

Jeff Derouen  
Executive Director

TB/ew

cc: Parties of Record for Case No. 2007-00004