

COMMONWEALTH OF KENTUCKY

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BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

IN THE MATTER OF COMPLAINT OF SPRINT
COMMUNICATIONS COMPANY L.P. AGAINST
BLUEGRASS TELEPHONE COMPANY, INC. d/b/a
KENTUCKY TELEPHONE COMPANY FOR THE
UNLAWFUL IMPOSITION OF ACCESS
CHARGES

Case No. 2010- 00012

PETITION FOR CONFIDENTIALITY

Sprint Communications Company L.P. ("Sprint") petitions the Public Service Commission ("Commission"), pursuant to 807 KAR 5:001, Section 7 and all other applicable law, for confidential treatment of Sprint's Exhibit D to the Complaint in this matter. In support of its Petition, Sprint states:

1.

In accordance with its rules and Kentucky law, Sprint has filed a formal Complaint against Bluegrass Telephone Company, Inc. Included with the Complaint is an exhibit which relates to an element of proof of one of the allegations contained in the Complaint. Based on the reasons set forth below, the information in question is entitled to confidential treatment under 807 KAR 5:001, Section 7, and all other applicable law.

2.

The information in Exhibit D reveals web sites that while public are not likely to be seen by customers unless attention is drawn to them. These sites contain harassing information,

including contact information of a Sprint employee. The websites that have been activated by the respondent in this matter and if publicly disclosed could have adverse consequences to Sprint's competitive standing and disclose harassing, inaccurate information about Sprint. As the Court said in Cape Publications v. City of Louisville, Ky. App., 147 S.W.3d 731 (2003), the proper application of the Open Record Act requires a comparative weighting of the antagonistic interests: the privacy interest versus the policy of openness for the public good. Here the protection of Sprint from potential competitive harm from misinformation about its operations outweighs any benefit from public disclosure. The only relevant public interest in disclosure to be considered is the extent to which disclosure would serve the principal purpose of the Act. Zink v. Com. Dept. of Workers' Claims, Ky. App., 902 S.W.2d 825 (1994). In this case, there can only be harm to Sprint without any benefit to the public.

3.

Sprint would not as a matter of company policy publicly disclose information like that attached to this Complaint, except as required by law or pursuant to a court order or subpoena. The information provided to the Commission is not information customarily disclosed to the public and is generally recognized as confidential and proprietary.

4.

There is no significant interest in public disclosure of the attached information. Any public interest in favor of disclosure of the information is outweighed by the competitive interest in keeping the information confidential, thereby enabling Sprint to successfully compete for business in Kentucky and other states. Disclosure of the information in question would put Sprint at a competitive disadvantage and potentially harm its customers. Moreover, the public interest would be best served by the nondisclosure of the materials in question. Disclosure will

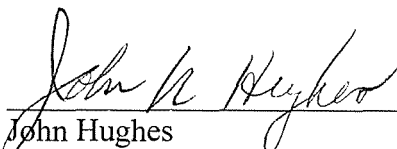
only subject Sprint to inaccurate, unfair allegations, some of which are the subject of this proceeding.

5.

Pursuant to 807 KAR 5:001, Section 7(3), temporary confidentiality for the enclosed information should be maintained until the Commission enters an Order as to this Petition. Once the Order regarding confidentiality has been issued, Sprint would have twenty (20) days to seek alternative remedies pursuant to 807 KAR 5:001, Section 7(4), if necessary.

For these reasons, Sprint petitions the Commission to treat as confidential all of the information identified in this Petition.

Submitted this 6th day of January, 2010.



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Exhibit D

CONFIDENTIAL