



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Charles R. Borders
Commissioner

January 27, 2010

Hon. John Hughes
124 West Todd Street
Frankfort, KY 40601

Re: **Case No. 2010-00012**
January 6, 2010 Petition
Sprint Communications Company, L.P.

Dear Mr. Hughes:

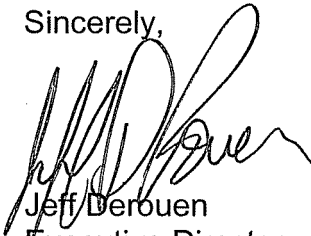
On January 6, 2010, the Public Service Commission received Sprint Communications Company, L.P.'s ("Sprint") request for confidential treatment of Exhibit D to its complaint in this proceeding, pursuant to 807 KAR 5:001, Section 7. Sprint states that Exhibit D contains information from websites, created by the defendant in this proceeding, revealing harassing information and contact information of a Sprint employee. Sprint states that it is entitled to have Exhibit D protected as confidential as public disclosure of the websites and the information contained therein could have adverse consequences to Sprint's competitive standing and disclose harassing, inaccurate information about Sprint.

Having reviewed the information contained within the Petition and applicable law, the Commission has determined that the information contained therein is not entitled to protection and, therefore, is **DENIED**.

The Commission finds that no portion of information contained in Exhibit D qualifies for confidential protection, as enumerated under the Kentucky Open Records Act. Sprint has not provided evidence to support its argument that the information contained in Exhibit D is confidential or proprietary. Additionally, the Commission finds that the requested information does not qualify for protection because public knowledge of this information would not qualify as permitting an unfair commercial advantage to competitors, if disclosed. See KRS 61.878, *et al.*

As this information has been **DENIED** protection, it 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", is written over the typed name.

Jeff Derouen
Executive Director

JD/tjb