Steven L. Beshear Governor

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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

August 10, 2010

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

Hon. Mary Keyer AT&T Kentucky 601 West Chestnut Street Room 407 Louisville, KY 40203

Re: Confidentiality Request dated June 22, 2010 – Case No. 2010-00026

Ms. Keyer:

The Public Service Commission has received the Petition you filed on June 22, 2010 on behalf of BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky ("AT&T Kentucky") to protect certain information filed with the Commission as confidential under Section 7 of 807 KAR 5:001 and KRS 61.878. AT&T Kentucky seeks to classify as confidential information contained in Exhibit 1 and the attachments to AT&T Kentucky's Notice of Commencement of Treatment Pursuant to Current Interconnection Agreement.

In support of the petition, AT&T Kentucky contends that account information that is specific to LifeConnex Telecom, LLC f/k/a Swiftel, LLC ("LifeConnex"), an AT&T Kentucky customer, is contained within the filings. AT&T Kentucky states that Exhibit 1 and the referenced attachments outline the amounts owed by LifeConnex and the types of services the company receives. AT&T Kentucky argues that if this information is made public, it would permit an unfair commercial advantage to competitors, as the information in question is not known outside of AT&T Kentucky and LifeConnex and act upon the information. Also, in support of the petition, AT&T Kentucky notes that the Commission has previously given confidential treatment to similar account information on the basis of preventing the release of information which would give an unfair advantage to competitors in the market.¹

¹ <u>See</u> PSC Case Nos. 2005-00519 and 2005-00533, decision letters dated March 31, 2006 and April 30, 2008.

The Commission has carefully analyzed the information contained within the Exhibit and attachments has determined that the information contained therein, if disclosed, would permit an unfair commercial advantage to AT&T Kentucky and LifeConnex's competitors and cause competitive injury. For this reason, the Commission finds that this information satisfies the standard for protection under KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 7, and, therefore, those portions of the request for confidentiality are **GRANTED.**

As this information that has been **GRANTED** protection, the Commission will withhold the protected information contained in the current Petition from public inspection. If the information that has been granted protection becomes publicly available or no longer warrants confidential treatment, you are required by 807 KAR 5:001, Section 7(9)(a), to inform the Commission so that the information may be placed in the public record.

ve Director

JD/tjb

cc: Parties of Record for Case No. 2010-00026