Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



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December 20, 2011

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Douglas E. Hart 441 Vine Street, Suite 4192 Cincinnati, Ohio 45202

Re: Cincinnati Bell Telephone Company LLC ("CBT")

Petition for Confidential Treatment received 10/14/11

PSC Reference - Case No. 2010-00398

Dear Mr. Hart:

The Public Service Commission has received the Petition for Confidential Treatment you filed on October 14, 2011 on behalf of the Cincinnati Bell Telephone Company LLC ("CBT") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as being contained in CBT's Responses to 2<sup>nd</sup> Data Requests in this proceeding. The information is described as financial information, including access usage and revenue data and calculation of the expected amount of revenue shift; and the amount of traffic and access revenue for switched access rate element.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise CBT's competitive position in the industry, which would result in an unfair commercial advantage to CBT's competitors.

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 requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to CBT's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.



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If the information becomes publicly available or no longer warrants confidential treatment, Cincinnati Bell Telephone Company LLC ("CBT") is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

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cc: Parties of Record