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September 14, 2012

Wyatt, Tarrant & Combs, LLP
Attention: Klint W. Alexander
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203

Re: Navitas KY NG, LLC
Petition for Confidential Treatment received 6/22/12
PSC Reference – Case No. 2012-00089

Dear Mr. Alexander:

The Public Service Commission has received the Petition for Confidential Treatment you filed on June 22, 2012 on behalf of Navitas KY NG, LLC (“Navitas”) to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in Navitas’ Responses to Commission’s 1st Data Request. The information is described as Exhibit A, consisting of a contract entered into between Navita and Tri-Star to assist Navitas in preparing its “DIMP”. The contract contains the total amount paid by Navitas to Tri-Star under the agreement.

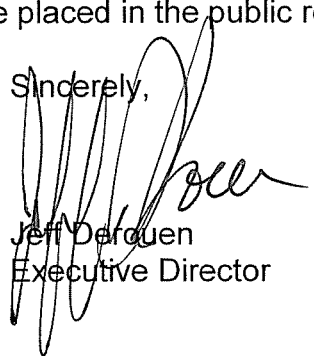
Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors.

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 Navitas’ 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, Navitas KY NG, LLC 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.

Sincerely,



Jeff Derouen
Executive Director

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cc: Parties of Record