COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE  ) CASE NO. 2016-00059
UNIVERSAL SERVICE FUND  )

ORDER

On September 15, 2016, BCN Telecom, Inc. ("BCN") filed a motion, pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, requesting that certain materials contained in its response to Commission Staff's Second Request for Information ("Staff's Second Request"), Item 1, Exhibit A, be afforded confidential treatment for an indefinite period of time. The designated materials are more particularly described as the total number of access lines BCN had in service in Kentucky, the amount of surcharge remitted to the Kentucky Universal Service Fund ("USF"), and the amount of reimbursement requested from Kentucky USF for providing Lifeline service, which is contained on Lines 1, 3, and 5, respectively, on the Commonwealth of Kentucky Universal Service Fund forms ("KUSF Form") submitted by BCN for January 2014 through June 2016.

In support of this motion, BCN argues that the designated materials on Lines 1, 3, and 5 of the KUSF Forms are commercially sensitive and proprietary information that provides potential competitive market opportunity information that competitors could use to target BCN's customers in the service area. BCN asserts that public disclosure of the designated materials would permit an unfair commercial advantage to BCN's
competitors, and thus the materials are generally recognized as confidential and are exempt from public disclosure pursuant to KRS 61.878(1)(c)(1).

Having carefully considered the petition and the materials at issue, the Commission finds that the designated materials on Lines 1, 3, and 5 of the KUSF Form are not materials that meet the criteria for confidential treatment under KRS 61.878(1)(c)(1). KRS 61.878(1)(c)(1) applies to material generally recognized as confidential or proprietary, which would permit an unfair commercial advantage to competitors if openly disclosed. The Commission finds that BCN has not established that disclosure of these materials could result in an unfair commercial advantage to its competitors, as the total number of BCN’s subscriber lines is publicly available from other sources.

Pursuant to KRS 278.140 utilities are required annually to file with the Commission a report of gross earnings from intrastate business. In these reports, telecommunications carriers are required to report the number of access lines as well as their annual revenue derived from intrastate business. BCN began filing these reports in 2004, has included the number of its access lines in the report, and has neither sought nor received confidential treatment for this information. These gross earnings reports are public records, available for public inspection. Therefore, because the information for which BCN seeks confidential protection is publicly available elsewhere, BCN has failed to demonstrate that designated materials meet the criteria for confidential treatment pursuant to KRS 61.878(1)(c)(1), and its request for confidential treatment of the designated materials should be denied.
IT IS THEREFORE ORDERED that:

1. BCN's motion for confidential protection for its response to Staff's Second Request, Item 1, Exhibit A, is hereby denied.

2. Within seven days of the date of this Order, BCN shall file a revised version of its response to Staff's Second Request, Item 1, Exhibit A, for which confidential protection was denied, reflecting as unredacted the information that has been denied confidential treatment.

3. The materials for which BCN's request for confidential treatment has been denied shall neither be placed in the public record nor made available for inspection for 20 days from the date of this Order in order to allow BCN to seek a remedy afforded by law.

By the Commission

ENTERED
FEB 02 2017
KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

[Signature]
Executive Director

Case No. 2016-00059
DENOTES SERVED BY EMAIL

Service List for Case 2016-00059

*NET TALK.COM, INC.
NET TALK.COM, INC.
1100 NW 163rd Drive, Suite 3
North Miami Beach, FL 33169

*MCC Telephony of the South, LLC d/b/a
MCC Telephony of the South, LLC d/b/a
One Mediacom Way
Mediacom Park, NY 10918

*Communications Venture Corporation d/b/a
Communications Venture Corporation d/b/a
1616 Directors Row
Fort Wayne, IN 46808

*Wireless Telecom Cooperative, Inc. dba
Wireless Telecom Cooperative, Inc. dba
2317 West Chestnut Street
Louisville, KY 40211

*UnityComm, LLC
UnityComm, LLC
101 E Main Street
P. O. Box 250
Syracuse, IN 46567

*T.V. Service, Incorporated
T.V. Service, Incorporated
2742 Hwy 550 E
Hindman, KY 41822

*Flatel Wireless, Inc dba Zing PCS
Flatel Wireless, Inc dba Zing PCS
9601 Worwick Court
Wellington, FL 33414

*CityNet Kentucky, LLC
CityNet Kentucky, LLC
100 Citynet Drive
Bridgeport, WV 26330

*Tempo Telecom, LLC
Tempo Telecom, LLC
2323 Grand Blvd, Suite 925
Kansas City, MO 64108

*ATC Outdoor DAS, LLC
ATC Outdoor DAS, LLC
10 Presidential Way
Woburn, MA 01801

*R. Brooks Herrick
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*Tempo Telecom, LLC
Tempo Telecom, LLC
2323 Grand Blvd, Suite 925
Kansas City, MO 64108

*Thacker-Grigsby Telephone Company, Inc
Thacker-Grigsby Telephone Company, Inc.
60 Communications Lane
P. O. Box 789
Hindman, KY 41822

*Leslie County Telephone Company, Inc
Leslie County Telephone Company, Inc.
22076 Main Street
P. O. Box 969
Hyden, KY 41749-0969

*Tempo Telecom, LLC
Tempo Telecom, LLC
2323 Grand Blvd, Suite 925
Kansas City, MO 64108

*Thacker-Grigsby Telephone Company, Inc
Thacker-Grigsby Telephone Company, Inc.
60 Communications Lane
P. O. Box 789
Hindman, KY 41822

*Lewisport Telephone Company, Inc.
Lewisport Telephone Company, Inc.
30 Pell Street
Lewisport, KY 42351

*L Allyson Honaker
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*IBFA Acquisition Company, LLC
IBFA Acquisition Company, LLC
353 Sacramento Street
Suite 1500
San Francisco, CA 94111

*Salem Telephone Company
Salem Telephone Company
221 East Main Street
P. O. Box 25
Salem, KY 42078-0025

*Denotes Served by Email
*Blue Jay Wireless, LLC
Blue Jay Wireless, LLC
5010 Addison Circle
Addison, TX 75001

*Velocity The Greatest Phone Company
Velocity The Greatest Phone Company Ever, Inc.
7130 Spring Meadows Drive West
Holland, OH 43528

*Honorable Douglas F Brent
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

*Brandenburg Telecom, LLC
Brandenburg Telecom, LLC
200 Telco Drive
Brandenburg, KY 40108

*KDDI America, Inc.
KDDI America, Inc.
825 Third Avenue, 3rd Floor
New York, NY 10022

*Kentucky RSA #3 Cellular General Partnership,
Kentucky RSA #3 Cellular General Partnership,
2902 Ring Road
P. O. Box 5012
Elizabethtown, KY 42701

*Cheryl Winn
Waters Law Group, PLLC
12802 Townpark Way, Suite 200
Louisville, KENTUCKY 40243

*Kentucky RSA #4 Cellular General Partnership,
Kentucky RSA #4 Cellular General Partnership,
2902 Ring Road
P. O. Box 5012
Elizabethtown, KY 42701

*Cincinnati Bell Telephone Company
Cincinnati Bell Telephone Company
221 East Fourth Street
Room 103-1280
Cincinnati, OH 45202

*Highland Telephone Cooperative, Inc.
Highland Telephone Cooperative, Inc.
7840 Morgan County Highway
P. O. Box 119
Sunbright, TN 37872

*NetDiverse, LLC
NetDiverse, LLC
885 Sandhurst Drive
Salt Lake City, UT 84103

*Globalstar USA, LLC
Globalstar USA, LLC
300 Holiday Square Blvd
Covington, LA 70433

*David S Samford
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*Simple Signal, Inc.
Simple Signal, Inc.
34232 Pacific Coast Highway
Suite E
Dana Point, CA 92629

*Cindy D McCarty
Staff Attorney
East Kentucky Network, LLC dba Appalachian
101 Technology Trail
Ivel, KY 41642

*Douglas E Hart
441 Vine Street, Suite 4192
Cincinnati, OHIO 45202

*iCore Networks, Inc.
iCore Networks, Inc.
7900 Westpark Drive, Suite A-315
McLean, VA 22102

*ExteNet Systems, Inc.
ExteNet Systems, Inc.
3030 Warrenville Road, Suite 340
Lisle, IL 60532

*AmeriMex Communications Corp. dba SafetyNet
AmeriMex Communications Corp. dba SafetyNet
2323 Curlew Road, Suite 7B
Dunedin, FL 34698

*Logan Telephone Cooperative, Inc.
Logan Telephone Cooperative, Inc.
10725 Bowling Green Road
P. O. Box 97
Auburn, KY 42206

*Denotes Served by Email
Service List for Case 2016-00059
<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Address Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patriot Mobile LLC</td>
<td>2271 E Continental, Suite 120, Southlake, TX 76092</td>
</tr>
<tr>
<td>Inter-Mountain Cable, Inc. dba MTS C</td>
<td>20 Laynesville Road, Harold, KY 41635</td>
</tr>
<tr>
<td>France Telecom Corporate Solutions L dba vCom</td>
<td>Mail Stop 1100, Oak Hill, VA 20171-3212</td>
</tr>
<tr>
<td>Image Access, Inc. dba NewPhone</td>
<td>7324 Southwest Freeway, Suite 475, Houston, TX 77074</td>
</tr>
<tr>
<td>Gearheart Communications Company, Inc. dba MTS C</td>
<td>20 Laynesville Road, Harold, KY 41635</td>
</tr>
<tr>
<td>Bluegrass Telephone Company, Inc. dba MTS C</td>
<td>101 Mill Street, Leitchfield, KY 42754</td>
</tr>
<tr>
<td>Jack W. Pruitte dba First Phone</td>
<td>3281-B Fort Campbell Blvd, P. O. Box 504, Clarksville, TN 37042</td>
</tr>
<tr>
<td>South Central Telcom, LLC</td>
<td>1399 Happy Valley Road, P. O. Box 159, Glasgow, KY 42142-0159</td>
</tr>
<tr>
<td>Stream Communications, LLC</td>
<td>1950 Stemmons Fwy, Suite 3000, Dallas, TX 75207</td>
</tr>
<tr>
<td>MCImetro Access Transmission Services Corp. dba MTS C</td>
<td>600 Hidden Ridge, Irving, TX 75038</td>
</tr>
<tr>
<td>South Central Rural Telephone Cooperative</td>
<td>1399 Happy Valley Road, P. O. Box 159, Glasgow, KY 42142-0159</td>
</tr>
<tr>
<td>John E Selent</td>
<td>101 South Fifth Street, Suite 2500, Louisville, KENTUCKY 40202</td>
</tr>
<tr>
<td>The People's Operator USA, LLC</td>
<td>915 Broadway, Suite 1306, New York, NY 10010</td>
</tr>
<tr>
<td>Stream Communications, LLC</td>
<td>1950 Stemmons Fwy, Suite 3000, Dallas, TX 75207</td>
</tr>
<tr>
<td>John E Selent</td>
<td>101 South Fifth Street, Suite 2500, Louisville, KENTUCKY 40202</td>
</tr>
<tr>
<td>Consumer Cellular, Incorporated</td>
<td>7204 SW Durham Road, Suite 300, Portland, OR 97224</td>
</tr>
<tr>
<td>SpeedBeam Lexington, LLC</td>
<td>3070 Lakecrest Circle, Lexington, KY 40513</td>
</tr>
<tr>
<td>Air Voice Wireless, LLC</td>
<td>2425 Franklin Road, Bloomfield Hill, MI 48302</td>
</tr>
<tr>
<td>Crexendo Business Solutions, Inc.</td>
<td>1615 S 52nd Street, Tempe, AZ 85281</td>
</tr>
<tr>
<td>American Broadband and Telecommunications</td>
<td>1 Seagate, Suite 600, Toledo, OH 43699</td>
</tr>
<tr>
<td>QuantumShift Communications, Inc. dba vCom</td>
<td>12657 Alcosta Blvd, Suite 418, San Ramon, CA 94583</td>
</tr>
<tr>
<td>France Telecom Corporate Solutions L dba vCom</td>
<td>13775 McLearen Road, Mail Stop 1100, Oak Hill, VA 20171-3212</td>
</tr>
<tr>
<td>American Broadband and Telecommunications</td>
<td>1 Seagate, Suite 600, Toledo, OH 43699</td>
</tr>
</tbody>
</table>

*Denotes Served by Email

Service List for Case 2016-00059
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timberline Specialized Management, LLC</td>
<td>5271 Memorial Drive, Suite 200, Houston, TX 77007</td>
</tr>
<tr>
<td>Peoples Rural Telephone Cooperative</td>
<td>Highway 421 South, P.O. Box 159, McKee, KY 40447</td>
</tr>
<tr>
<td>Peoples Telecom, LLC</td>
<td>259 Main Street, P.O. Box 159, McKee, KY 40447</td>
</tr>
<tr>
<td>BCN Telecom, Inc.</td>
<td>1200 Mt. Kemble Ave, 3rd Floor, Morristown, NJ 07960</td>
</tr>
<tr>
<td>TAG Mobile, LLC</td>
<td>1300 Capital Parkway, Carrollton, TX 75006</td>
</tr>
<tr>
<td>Telrite Corporation</td>
<td>4113 Monticello Street, Covington, GA 30014</td>
</tr>
<tr>
<td>Telrite Corporation dba Life Wireless</td>
<td>4113 Monticello Street, Covington, GA 30014</td>
</tr>
<tr>
<td>Peoples Rural Telephone Cooperative dba Appalachian</td>
<td>101 Technology Trail, Ivel, KY 41642</td>
</tr>
<tr>
<td>Peoples Telecom, LLC dba Appalachian</td>
<td>101 Technology Trail, Ivel, KY 41642</td>
</tr>
<tr>
<td>BCN Telecom, Inc. dba Life Wireless</td>
<td>101 Technology Trail, Ivel, KY 41642</td>
</tr>
<tr>
<td>Bluegrass Wireless, LLC</td>
<td>2902 Ring Road, P.O. Box 5012, Elizabethtown, KY 42701</td>
</tr>
<tr>
<td>Bluegrass Wireless, LLC dba Bluegrass</td>
<td>2902 Ring Road, P.O. Box 5012, Elizabethtown, KY 42701</td>
</tr>
<tr>
<td>Ready Wireless, LLC</td>
<td>955 Kacena Road, Suite A, Hiawatha, IA 52233</td>
</tr>
<tr>
<td>Cumberland Cellular Partnership dba Bluegrass</td>
<td>2902 Ring Road, P.O. Box 5012, Elizabethtown, KY 42701</td>
</tr>
<tr>
<td>Kentucky Hearing and Telephone Corporation dba Bluegrass</td>
<td>5070 Mark IV Parkway, Fort Worth, TX 76106</td>
</tr>
<tr>
<td>North Central Telephone Cooperative, Inc.</td>
<td>872 Highway 52 By-Pass E, P.O. Box 70, Lafayette, TN 37083-0070</td>
</tr>
<tr>
<td>North Central Communications, Inc.</td>
<td>872 Highway 52 By-Pass E, P.O. Box 70, Lafayette, TN 37083</td>
</tr>
</tbody>
</table>

* Denotes Served by Email
*SelectTel, Inc. d/b/a SelectTel Wirele
SelectTel, Inc. d/b/a SelectTel Wireless
1825 N Bell Street
Freemont, NE  40504

*Boomerang Wireless, LLC
Boomerang Wireless, LLC
955 Kacena Road, Suite A
Hiawatha, IA  52233

*Cellular Services, LLC
Cellular Services, LLC
1621 KY Route 40W
P. O. Box 240
Staffordsville, KY  41256

*Windward Wireless LLC
Windward Wireless LLC
3245 Peachtree Pkwy, Suite D
Suwanee, GA  30024

*Total Call Mobile, Inc.
Total Call Mobile, Inc.
1411 W 190th Street, Suite 650
Gardena, CA  90248

*TracFone Wireless, Inc.
TracFone Wireless, Inc.
9700 NW 112th Avenue
Miami, FL  33178

*Phone Club Corporation
Phone Club Corporation
4262 Old A1A
Palm Coast, FL  32137

*e-Tel, LLC dba e-Tel Murray, LLC
e-Tel, LLC dba e-Tel Murray, LLC
607 Broadway
Paducah, KY  42001

*Touchtone Communications, Inc.
Touchtone Communications, Inc.
16 South Jefferson Road
Whippany, NJ  07981

*Q Link Wireless, LLC
Q Link Wireless, LLC
499 East Sheridan Street, Suite 400
Dania, FL  33004

*B Ballard Rural Telephone Cooperative
Ballard Rural Telephone Cooperative Corporation,
159 W 2nd Street
P. O. Box 209
La Center, KY  42056-0209

*Touchtone Communications, Inc.
Touchtone Communications, Inc.
16 South Jefferson Road
Whippany, NJ  07981

*BetterWorld Telecom, LLC
BetterWorld Telecom, LLC
11951 Freedom Drive, 13th Floor
Reston, VA  20190

*Lycamobile USA, Inc.
Lycamobile USA, Inc.
24 Commerce Street, Suite 100
Newark, NJ  07102

*Si Wireless, LLC d/b/a MobileNation d/b/a Twigby
Si Wireless, LLC d/b/a MobileNation d/b/a Twigby
1275 North Reed Station Road
Carbondale, IL  62902

*ComTech 21, LLC
ComTech 21, LLC
One Barnes Park South
Wallingford, CT  06492

*Foothills Rural Telephone Cooperative
Foothills Rural Telephone Cooperative
1621 Kentucky Route 40 W
P. O. Box 240
Staffordsville, KY  41256

*Mountain Rural Telephone Cooperative
Mountain Rural Telephone Cooperative
425 Main Street, Suite 1
P. O. Box 399
West Liberty, KY  41472

*Denotes Served by Email

Service List for Case 2016-00059
*OneTone Telecom, Inc.
OneTone Telecom, Inc.
100 Century Plaza
Suite 9-1
Seneca, SC 29672

*Beaver Telecom, LLC
Beaver Telecom, LLC
1509 McDuffie Street
Houston, TX 77019

*Ted Heckman
Managing Director, Regulatory & Government
Cincinnati Bell Telephone Company
221 E Fourth Street, Room 103-1170
Cincinnati, OH 45202

*Cumberland Cellular, Inc. dba Duo Co
Cumberland Cellular, Inc. dba Duo County
2150 N Main Street
P. O. Box 80
Jamestown, KY 41269

*Alltel Communications, LLC
Alltel Communications, LLC
One Verizon Way
Mailcode VC53S475
Basking Ridge, NJ 07920

*NextGen Communications, Inc.
NextGen Communications, Inc.
275 West Street, Suite 400
Annapolis, MD 21401

*Edward T Depp
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*IM Telecom, LLC d/b/a Infiniti Mobile
IM Telecom, LLC d/b/a Infiniti Mobile
1705 South Baltimore Avenue
Tulsa, OK 74119

*Denotes Served by Email
Service List for Case 2016-00059
*BellSouth Telecommunications, LLC db
BellSouth Telecommunications, LLC dba AT&T
601 W Chestnut Street
4th Floor East
Louisville, KY  40203

*New Cingular Wireless PCS, LLC dba AT&T
1010 N St Mary's Street, 9th Floor
San Antonio, TX  78215

*Windstream Kentucky West, LLC
Windstream Kentucky West, LLC
4001 N Rodney Parham Road
Little Rock, AR  72212

*BellSouth Telecommunications, LLC db
BellSouth Telecommunications, LLC dba AT&T
601 W Chestnut Street
4th Floor East
Louisville, KY  40203

*Velocity Networks of Kentucky, Inc.
Velocity Networks of Kentucky, Inc.
120 East Third Street
Russellville, KY  42276

*Windstream NuVox, LLC
Windstream NuVox, LLC
4001 N Rodney Parham Road
Little Rock, AR  72212

*Teleport Communications America, LLC
Teleport Communications America, LLC
601 W Chestnut Street
4th Floor East
Louisville, KY  40203

*Telecommunication Properties, Inc.
Telecommunication Properties, Inc.
901 Main Street, Suite 2600
Dallas, TX  75202

*Talk America, LLC
Talk America, LLC
4001 N Rodney Parham Road
Little Rock, AR  72212

*BellSouth Long Distance, Inc. dba AT&T
BellSouth Long Distance, Inc. dba AT&T Long
601 W Chestnut Street, Suite 408
Louisville, KY  40203

*i-Wireless, LLC
i-Wireless, LLC
1 Levee Way, Suite 3104
Newport, KY  41071

*Network Telephone, LLC
Network Telephone, LLC
4001 N Rodney Parham Road
Little Rock, AR  72212

*Cricket Wireless, LLC
Cricket Wireless, LLC
12735 Morris Road, Building 200
Alpharetta, GA  30004

*Eastern Telephone & Technologies
Eastern Telephone & Technologies
106 Power Drive
Pikeville, KY  41501

*McLeodUSA Telecommunications Services
McLeodUSA Telecommunications Services, LLC
4001 N Rodney Parham Road
Little Rock, AR  72212

*Duo County Telephone Cooperative Corporation
Duo County Telephone Cooperative Corporation, P. O. Box 80
Jamestown, KY  42629

*Windstream Norlight, LLC
Windstream Norlight, LLC
4001 Rodney Parham Road
Little Rock, AR  72212

*The Other Phone Company, LLC dba Access One
The Other Phone Company, LLC dba Access One
4001 N Rodney Parham Road
Little Rock, AR  72212

*AT&T Corp.
AT&T Corp.
601 W Chestnut Street
4th Floor East
Louisville, KY  40203

*US LEC of Tennessee, LLC dba PAETEC
US LEC of Tennessee, LLC dba PAETEC
4001 N Rodney Parham Road
Little Rock, AR  72212

*Windstream Communications, LLC
Windstream Communications, LLC
4001 N Rodney Parham Road
Little Rock, AR  72212

*Denotes Served by Email
Service List for Case 2016-00059
*Windstream KDL, LLC
Windstream KDL, LLC
4001 N Rodney Parham Road
Little Rock, AR 72212

*PAETEC Communications, LLC
PAETEC Communications, LLC
4001 N Rodney Parham Road
Little Rock, AR 72212

*Windstream NTI, LLC
Windstream NTI, LLC
4001 N Rodney Parham Road
Little Rock, AR 72212

*Windstream Kentucky East, LLC
Windstream Kentucky East, LLC
4001 N Rodney Parham Road
Little Rock, AR 72212