

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

ORDER

On April 28, 2016, Q Link Wireless, LLC (Q Link) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment indefinitely for copies of Kentucky State Universal Service Fund (KUSF) and Federal Communications Commission reporting forms showing customer line counts and payment amounts. The information for which Q Link requests confidential treatment is more specifically described as the “Vendor Number” and information on line 1 and lines 3 through 5 of Exhibit 1 to its Response; lines 8(a) and 8(c), line 10, and line 19 of Exhibit 2, including the “Total Lifeline” ETC payment line item.

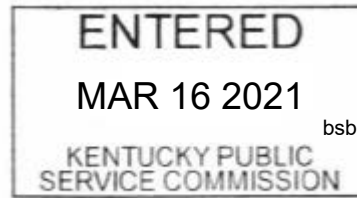
In support of its motion, Q Link states the materials are confidential and proprietary and disclosure of such information would permit an unfair commercial advantage to Q Link’s competitors. Q Link asserts the information is not generally known outside of Q Link and contains confidential line counts and potential market opportunity information, which could be used by competitors for their commercial advantage.

Having considered the motion and the material at issue, the Commission finds the designated materials are generally recognized as confidential or proprietary and therefore meet the criteria for confidential treatment and are exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Q Link's motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. Q Link shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Q Link shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Q Link is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Q Link to seek a remedy afforded by law.

By the Commission



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