

421 West Main Street
Post Office Box 634
Frankfort, KY 40602-0634
[502] 223-3477
[502] 223-4124 Fax

July 11, 2018

HAND DELIVERED

Gwen R. Pinson
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

RECEIVED

JUL 11 2018

PUBLIC SERVICE
COMMISSION

Mark R. Overstreet
(502) 209-1219
(502) 223-4387 FAX
moverstreet@stites.com

RE: Certification Per 47 C.F.R. § 54.314

Dear Ms. Pinson:

In accordance with the Commission's September 27, 2002, Order in Administrative Case No. 381, AT&T Mobility¹ (SAC 269905) respectfully submits for filing its Eligible Telecommunications Carrier Certification and Report.

Attachments A-1 and A-2 to the Certification contain confidential material. Accordingly, AT&T Mobility also submits for filing its Petition seeking confidential treatment of that material (which is supported by the Affidavit of Kristi Turner). One proprietary copy and 10 redacted copies of Attachment A-1 and A-2 are being filed with the Commission.

Please address any questions or concerns regarding this filing to:


Hood Harris
President – Kentucky – External Affairs
462 S 4th St., Suite 2400
Louisville, Kentucky 40202
hood.harris@att.com

We respectfully request that the Commission certify to the FCC pursuant to the state certification process set out in 47 C.F.R § 54.314 that such funds are used appropriately.

¹ New Cingular Wireless PCS, LLC d/b/a AT&T Mobility

Ms. Pinson
July 11, 2018
Page 2

Very truly yours,


Mark R. Overstreet

MRO

RECEIVED

JUL 11 2018

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

A CERTIFICATION OF THE CARRIERS)
RECEIVING FEDERAL UNIVERSAL SERVICE) Administrative Case No. 381
HIGH-COST SUPPORT)

**PETITION OF AT&T MOBILITY
(SAC 269905) FOR CONFIDENTIAL TREATMENT**

AT&T Mobility¹ respectfully submits this Petition for Confidential Treatment of Attachments A-1 and A-2 to the Certification and Report (“Certification”) it filed in this docket on or about September 1, 2018.² This Petition is filed pursuant to KRS §61.878(1)(c)(1) and 807 KAR 5:001 Section 13, and is supported by the attached Affidavit of Kristi Turner (“Turner Affidavit”).

While public records generally are open for inspection, *see* KRS §61.872(1), several exceptions exist. *See Id.* One such exception is that information “generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records,” is subject to inspection “only upon order of a court of competition jurisdiction” *See* KRS §61.878(1)(c). As explained below, Attachments A-1 and A-2 to AT&T Mobility’s Certification are comprised entirely of

¹ New Cingular Wireless PCS, LLC d/b/a AT&T Mobility.

² As it has done in past years, AT&T Mobility is providing the original of its Kentucky Service Improvement Plan (2019 Projection) (“**Confidential Attachment A-1**”) and its Kentucky Service Improvement Plan (2017 Actuals) (“**Confidential Attachment A-2**”) as attachments to this original Petition for Confidential Treatment on paper that is labeled “Proprietary Information” and “Confidential” on each page. As all of the information in each of these Attachments is confidential and proprietary, the public versions of these attachments provide “The entire document is proprietary. There is no edited version.”

confidential and proprietary information, including the Company's network infrastructure, proposed service improvements, build out plans, and operating costs, that is exempt from inspection. AT&T Mobility, therefore, requests that the Commission afford Confidential Treatment to Attachments A-1 and A-2³ for ten years. After the expiration of the requested confidential period the confidential information would be sufficiently dated so that its public disclosure would no longer afford a competitive advantage to competing wireless providers.

Wireless providers such as AT&T Mobility operate in a highly competitive market. The Company's competitors include Sprint, T-Mobile, and Verizon. The information in Attachments A-1 and A-2 would provide competitors and potential competitors with important proprietary information about AT&T Mobility and its operations, which competitors would be unable to obtain otherwise. Turner Affidavit, ¶ 4.⁴ Armed with this information, a competitor could develop entry, marketing, or other strategies, which would give it an unfair advantage in competing with AT&T Mobility. Further, in a competitive market, any information gained about a competitor can be used to that competitor's detriment. *Id.* at ¶ 5. Such an unfair competitive advantage would skew the marketplace and prevent the development of true competition to the ultimate detriment of the consumer. Granting this Petition, therefore, will serve the public interest because competition will be enhanced.

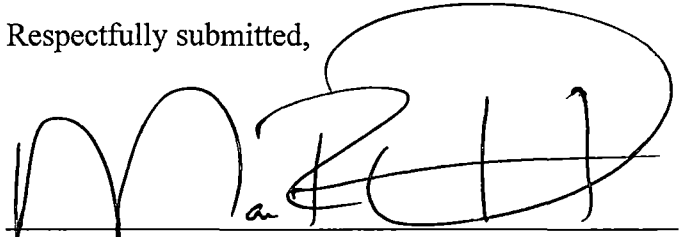
Accordingly, for the reasons explained above, the Company respectfully requests that the Commission issue an Order granting Confidential Treatment to Attachments A-1 and A-2 to AT&T Mobility's Certification.

³ The Commission has recognized that information of this type previously submitted by American Cellular (*see* January 24, 2000, Order in Case No. 99-184) and by AT&T Mobility (*see* letter dated January 26, 2011, in this docket) is entitled to Confidential Treatment.

⁴ *See also, Id.*, ¶6 (this information is not generally known outside AT&T Mobility, nor is it provided to the public).

This the 5th day of July, 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written over a horizontal line. The signature is stylized and somewhat cursive.

Mark R. Overstreet
STITES & HARBISON PLLC
421 West Main Street
P.O. Box 634
Frankfort, Kentucky 40602-0634
Telephone: (502) 223-3477
Facsimile: (502) 223-4387
moverstreet@stites.com

Counsel for AT&T Mobility

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

A CERTIFICATION OF THE CARRIERS)
RECEIVING FEDERAL UNIVERSAL SERVICE) Administrative Case No. 381
HIGH-COST SUPPORT)

**AFFIDAVIT OF KRISTI TURNER IN SUPPORT OF
PETITION OF AT&T MOBILITY (SAC 269905)
FOR CONFIDENTIAL TREATMENT**

Kristi Turner being first duly sworn on oath, states as follows:

1. I currently serve as a Vice President / General Manager for AT&T Mobility Corporation, the manager for New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (“AT&T Mobility” or “Company”). In this capacity, I have personal knowledge of the matters set forth in this affidavit and am authorized to make this affidavit on behalf of AT&T Mobility.

2. AT&T Mobility is requesting confidential treatment of spreadsheets describing the location of the Company’s cell sites, proposed service improvement projects and the estimated locations and costs associated with such improvements (**Confidential Attachments A-1 and A-2**).

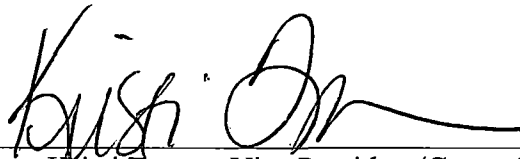
3. All information in **Confidential Attachments A-1 and A-2** is confidential, proprietary, and/or trade secret information that would aid competitors of AT&T Mobility.

4. All information in **Confidential Attachments A-1 and A-2** addresses the Company’s network infrastructure, build out plans and operating costs. This information,

if disclosed, could cause substantial competitive harm to AT&T Mobility. This information is either not publicly available or not generally available in this format. It would be difficult (or impossible) for someone to discover this information from other sources. If this information were available to competitors in this format, they could use it to the competitive detriment of AT&T Mobility.

5. Wireless providers, like AT&T Mobility, operate in a highly competitive marketplace where such proprietary information is closely guarded to ensure it is not disclosed to competitors.

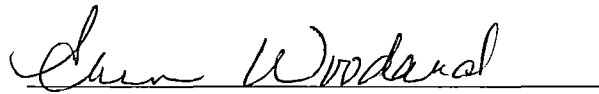
6. This information is protected internally by the Company as confidential, proprietary, and/or trade secret information.



Kristi Turner, Vice President/General Manager

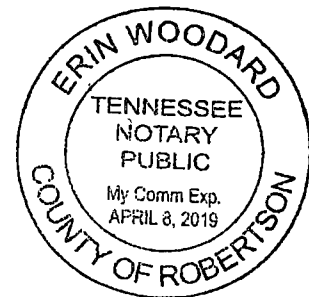
STATE OF Tennessee
COUNTY OF Williamson

Subscribed and sworn to before me by Kristi Turner as Vice President / General Manager of AT&T Mobility Corporation, the manager for New Cingular Wireless PCS, LLC this 27th day of July, 2018.



Erin Woodard
Notary Public

My commission expires: April 8, 2019



COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JUL 11 2018

**PUBLIC SERVICE
COMMISSION**

In the Matter of:

A CERTIFICATION OF THE CARRIERS)
RECEIVING FEDERAL UNIVERSAL SERVICE) Administrative Case No. 381
HIGH-COST SUPPORT)

**ELIGIBLE TELECOMMUNICATIONS CARRIER CERTIFICATION AND
REPORT OF NEW CINGULAR WIRELESS PCS LLC D/B/A AT&T MOBILITY
(SAC 269905)**

4. Based on USAC's most recent projections, the Company currently estimates that it will receive approximately \$2.3 million in federal high-cost universal service support in 2019. The FCC released its *USF/ICC Transformation Order*¹ that made significant changes to its high-cost program, and among other changes adopted a final rule to phase out high-cost support payments to competitive ETCs, like AT&T Mobility.

5. Pursuant to the FCC's Orders, the Company hereby certifies that it used in the preceding year (2017) and will use in the upcoming year (2019) all of its federal high-cost universal service support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended in accordance with 47 U.S.C. §254(e).

A. Service Improvement Progress Report

6. Since its designation as an ETC, the Company has continued to identify facility projects intended to expand network coverage within its designated service area. Attached as **Confidential Attachment A-1** is a summary of the types of facilities, locations, estimated budget and deployment dates for each of these service improvements for calendar year 2019.

7. **Confidential Attachment A-2** explains how the Company spent the USF support that it received in 2017.

8. Pursuant to 47 U.S.C. § 254(e), the Company will continue to utilize the federal high-cost universal service support it receives to maintain, upgrade and operate these network facilities consistent with the universal service objective of providing quality telecommunications services.

B. Requests for Service

¹ *Connect America Fund, et al.*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) ("*USF/ICC Transformation Order*").

9. AT&T Mobility committed to annually report the number of requests for service from potential customers within its designated ETC service area that were unfulfilled. The Company has adopted the calendar year as the time period for purposes of this report. Accordingly, for the time period January 1, 2017 through December 31, 2017, the Company experienced 1 (one) requests for service that the Company was unable to satisfy.

C. Complaints Per 1,000 Customers

10. The Company is also required to annually report the number of complaints per 1,000 customers. The Company has adopted the calendar year as the time period for purposes of this report. For the time period January 1, 2017 through December 31, 2017, the Company received 0.227 complaints per 1,000 customers statewide from the Attorney General, Better Business Bureau, and the FCC.

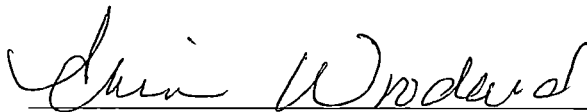
The matters addressed above are within my personal knowledge and are true and correct.

AT&T Mobility



Kristi Turner
Vice President/General Manager

Subscribed and sworn to before me
this 27th day of June, 2018.


Notary Public

My Commission expires: April 8, 2019



CONFIDENTIAL ATTACHMENT A-1

The entire document is confidential and redacted in its entirety

CONFIDENTIAL ATTACHMENT A-2

The entire document is confidential and redacted in its entirety

**Customer Complaints per 1,000 Handsets for
January 1, 2017 to December 31, 2017**

Subscribers	Complaints	Complaints Per 1,000
132,084	30	0.2271

ST	Clarify Case #	RF ENGINEER	SER STATUS (SOLVING=0)	DATE CLOSED	Notes	Latitude	Longitude	Zip Code
KY	CM20171211_129539061 KY	Ken Cookson	ETC SER UNFULFILLED	12/18/2017	KY - Closed as ETC SER Unfulfilled. RAN Feedback: There are no option for adjustment at existing sites that will improve this location. A repeater is not an option due to the terrain between the existing sites and the customer location. No line of site to the tower. There are 2 new sites planned for this area in 2018/2019 that will provide coverage to this location. Both sites will provide LTE service and Fixed Wireless (broadband).	37.9748	-85.10735	40342