

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PROVISION OF OPERATOR SERVICES )  
BY AMERICALL SYSTEMS OF LOUISVILLE ) CASE NO. 89-132

O R D E R

This matter arising upon petition for AmeriCall Systems of Louisville ("AmeriCall") for confidential protection of certain information filed June 5, 1989 and June 12, 1989 pursuant to the Commission's Order of May 25, 1989, and it appearing to the Commission as follows:

This Commission entered an Order directing AmeriCall to furnish certain information relating to its operations. Included among the information it would be furnished was AmeriCall customer accounts, service arrangements, and service centers. AmeriCall has petitioned this Commission to protect such information as confidential on the grounds that the information was not known outside the business of AmeriCall and known within AmeriCall only to those employees who needed to know; that the information would be of substantial value to competitors and could not easily be acquired or duplicated by others; and that disclosure would result in the likelihood of substantial competitive injury. AmeriCall asserts that one or more of the stated reasons is applicable to each item of information for which confidentiality has been requested.

The Commission finds that with the possible exception of the contract contained in Exhibit B to the confidentiality petition filed on June 12, 1989 none of the material sought to be protected is entitled to confidentiality. The contract contained in Exhibit B to the June 12, 1989 confidentiality petition would be entitled to confidentiality if it is shown that its public disclosure would result in injury to AmeriCall.

This Commission being otherwise sufficiently advised,

IT IS ORDERED:

1. The petition by AmeriCall filed June 5, 1989 to protect the information contained therein from public disclosure as confidential material be and is hereby denied.

2. Except for the contract contained in Exhibit B, the petition by AmeriCall filed June 12, 1989 to protect the information contained therein as confidential material be and is hereby denied.

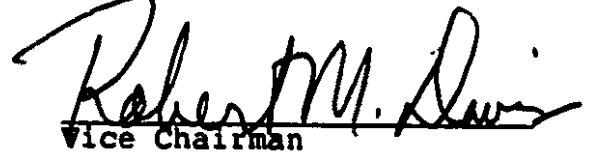
3. That portion of the petition for confidentiality filed June 12, 1989 relating to the contract contained in Exhibit B to the petition shall be held in abeyance to allow AmeriCall to supplement its petition with a statement setting forth with specificity its reasons for believing that disclosure of the contract will cause it substantial competitive injury. The contract should be marked in accordance with 807 KAR 5:001, Section 7(2). In addition, the petition shall also state whether the entity with which the contract was entered maintains the contract on a confidential basis. If such supplemental petition is not filed within a 5-day period, the petition for

confidentiality with respect to the contract shall, without further orders herein, be denied.

Done at Frankfort, Kentucky, this 15th day of June, 1989.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

Executive Director