

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AT&T COMMUNICATIONS OF THE SOUTH)
CENTRAL STATES, INC.'S CUSTOM) CASE NO. 90-083
NETWORK SERVICES TARIFF REVISION)

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed February 5, 1990, pursuant to 807 KAR 5:001, Section 7, for confidential protection of revenue and unit volume data filed in support of AT&T's tariff filing to reduce rates for all Pro WATS and 800 Readyline Service on the grounds that public disclosure is likely to result in competitive injury, and it appearing to this Commission as follows:

AT&T seeks to protect as confidential the revenue and unit volume data filed in support of its tariff filing on the grounds that it would provide AT&T's competitors with sensitive, proprietary, and confidential revenue and unit volume information regarding AT&T's specific services in Kentucky, which competitors could use to obtain an unfair marketing advantage. The information sought to be protected is not known outside of AT&T, is not disseminated within AT&T except to those employees who have legitimate business need to know and act upon the information, and AT&T seeks to preserve the confidentiality of this information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

The information sought to be protected would allow AT&T's competitors to learn valuable pricing and marketing information which is not otherwise available. Competitors could use this information in pricing and marketing competing services to the detriment of AT&T. The information, therefore, should be protected from disclosure.

This Commission being otherwise sufficiently advised,

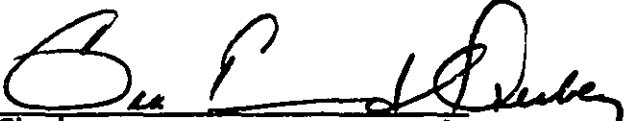
IT IS ORDERED that:

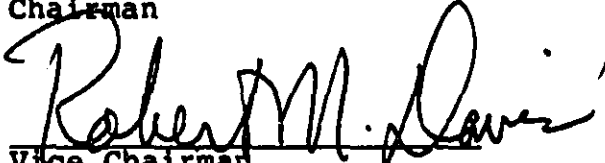
1. The revenue and unit volume data filed in support of AT&T's application to reduce rates for All Pro WATS and 800 Readyline Services, which AT&T has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be opened for public inspection.

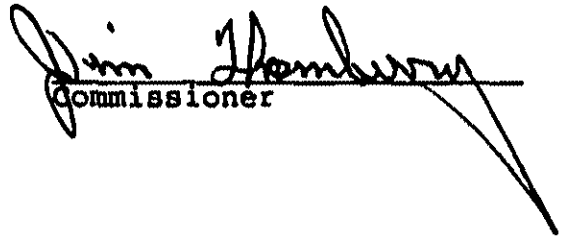
2. AT&T shall, within 10 days of the date of this Order, file an edited copy of the information with the confidential material obscured for inclusion in the public record, with copies to all parties of record.

Done at Frankfort, Kentucky, this 23rd day of April, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director