

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

US SPRINT COMMUNICATIONS COMPANY)	
LIMITED PARTNERSHIP'S PETITION FOR)	CASE NO.
CONFIDENTIAL TREATMENT OF INFORMATION)	90-117
CONTAINED IN ITS 1989 ANNUAL REPORT)	

O R D E R

This matter arising upon petition of US Sprint Communications Company Limited Partnership ("US Sprint") filed April 2, 1990 pursuant to 807 KAR 5:001, Section 7, for confidential protection of Schedules A, B, and C of its 1989 Annual Report on the grounds that disclosure of the information would cause US Sprint competitive injury, and it appearing to this Commission as follows:

US Sprint has petitioned the Commission for confidential protection of the information in Schedules A, B, and C of its 1989 Annual Report on the grounds that such information could be used by competitors to derive US Sprint's net operating revenues and assets in Kentucky. US Sprint maintains that competitors could use this information to develop competing marketing and other plans. The information sought to be protected is not known outside the business of US Sprint.

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. The petition filed by US Sprint satisfies neither requirement.

Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage. The petition by US Sprint does not identify any competitor who could use the information. Furthermore, the information sought to be protected is presented by US Sprint in summary form and does not contain sufficient detail to have significant competitive value. Therefore, no competitive harm has been established and the petition for confidential protection should be denied.


This Commission being otherwise sufficiently advised,

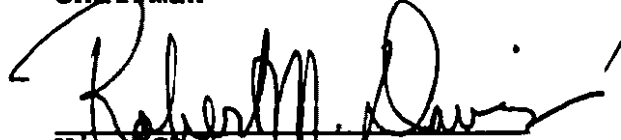
IT IS ORDERED that:


1. The petition for confidential protection of Schedules A, B, and C of US Sprint's Annual Report for 1989 be and it is hereby denied.
2. The information sought to be protected from disclosure shall be held as confidential and proprietary for a period of five working days from the date of this Order, at the expiration of which time it shall be placed in the public record.

Done at Frankfort, Kentucky, this 22nd day of May, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director