

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MCI TELECOMMUNICATIONS CORPORATION'S	)	
PETITION FOR CONFIDENTIAL TREATMENT	)	CASE NO.
OF INFORMATION CONTAINED IN ITS	)	90-118
1989 GROSS OPERATING REVENUE REPORT	)	

O R D E R

This matter arising upon petition of MCI Telecommunications Corporation ("MCI") filed March 30, 1990 for confidential protection of portions of its 1989 Gross Operating Revenue Report on the grounds that public disclosure would cause MCI competitive harm, and it appearing to this Commission as follows:

MCI seeks to protect as confidential its gross revenues earned during the 1989 calendar year on the grounds that public disclosure is likely to cause MCI competitive injury.

Information is protected 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. MCI's petition for protection satisfies neither requirement.

Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage. The petition neither identifies MCI competitors nor does it establish how such

competitors could use the information to gain an unfair business advantage. Furthermore, the information is presented 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 protection from disclosure should be denied.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The petition for confidential protection of the gross revenues earned by MCI in 1989 be and it hereby is denied.

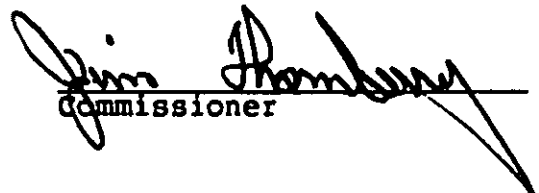
2. The information sought to be protected from disclosure shall be held as confidential and proprietary for a period of five working days from the date of this Order, at the expiration of which time it shall be placed in the public record.

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

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director