

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL BELL TELEPHONE)	
COMPANY'S SPECIAL SERVICE CONTRACT)	CASE NO.
ARRANGEMENT WITH ALLIANT HEALTH)	90-135
SYSTEM)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed May 2, 1990 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data (Attachment 3) to its May 2, 1990 letter, on the ground that public disclosure is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell seeks approval of a Special Service Arrangement Contract under the terms of which it has agreed to furnish a fiber optic facility to Alliant Health System. South Central Bell seeks to protect as confidential the cost support data developed in connection with the contract. The information is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a legitimate business need to know and act upon the information. South Central Bell seeks to protect the confidentiality of this information through all appropriate means, including the maintenance of appropriate security at its offices.

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.

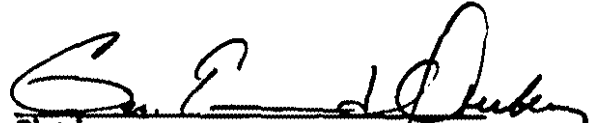
Since this contract provides information for a fiber optic facility, disclosure of the cost data would give competitors information which would allow them to more readily compete with South Central Bell's services by knowing South Central Bell's capital and operating costs, as well as contribution from the service. Therefore, disclosure could result in competitive injury to South Central Bell and the information should be protected as confidential.

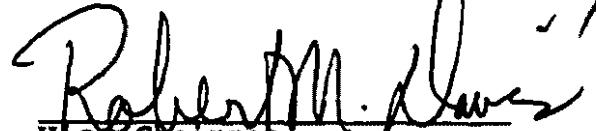
This Commission being otherwise sufficiently advised,

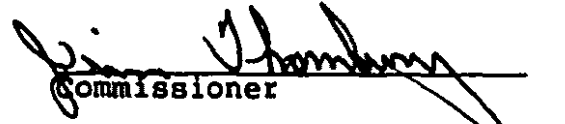
IT IS ORDERED that the petition for confidential protection of the cost support data developed in connection with the Special Arrangement Contract with Alliant Health System for a fiber optic facility, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 29th day of May, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director