

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF SOUTH CENTRAL BELL)	
TELEPHONE COMPANY FOR CONFIDENTIAL)	
TREATMENT OF INFORMATION FILED IN)	CASE NO. 90-229
SUPPORT OF ITS AREA COMMUNICATION)	
SERVICE TARIFF)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell"), filed July 23, 1990 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support material and sales forecast information filed in support of the proposed tariff revisions on the grounds that public disclosure is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

In this proceeding South Central Bell is seeking approval of its revised tariff which introduces a new service called Area Communication Service ("ACS"). The information sought to be protected consists of cost support data, including calculations using both directly assigned and fully assigned cost factors contained in Attachment B to the filing, and a three-year contribution analysis assuming directly assigned costs contained in Attachment C to the filing.

ACS is an arrangement that provides calling, with abbreviated dialing, for ESSX service or digital ESSX service systems. ACS allows users in one ESSX system to dial four or five digits to

reach other destinations included in the ACS arrangement. The destinations may be served by a PBX or by an ESSX system and the calls to these destinations can be local or toll. ACS is an enhancement to ESSX service and digital ESSX service and is a competitive response to the capabilities of digital PBXs.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a business need to know and act upon the information. South Central Bell seeks to preserve 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.

In offering ACS South Central Bell faces competition from companies offering PBX systems. Competitors offering PBX systems could use the cost support information contained in Attachment B to the proposed tariff and the cost support and sales forecast of ACS contained in Attachment C to compare competitive responses to the new service. Therefore the information is likely to have

competitive value to such competitors and should be protected from disclosure as confidential.

This Commission being otherwise sufficiently advised,

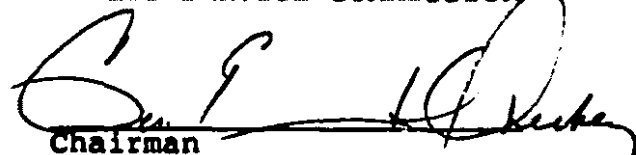
IT IS HEREBY ORDERED that:

1. The cost support material and sales forecast information contained in Attachments B and C to the proposed tariff, 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.


2. To the extent that it has not already done so, South Central Bell shall, within 10 days of the date of this Order, file an edited copy of Attachments B and C with the confidential material obscured for inclusion in the public record, with copies to all parties of record.

Done at Frankfort, Kentucky, this 17th day of August, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director