

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ESTABLISHMENT OF DUAL PARTY RELAY	)	
TELECOMMUNICATIONS SERVICES FOR	)	ADMINISTRATIVE
HEARING-IMPAIRED OR SPEECH-IMPAIRED	)	CASE NO. 333
PERSONS IN KENTUCKY	)	

O R D E R

This matter arising upon a petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed April 23, 1991 and supplemented April 25, 1991 for reconsideration of the April 16, 1991 Order denying confidential treatment of certain data submitted by AT&T in its bid proposal for the provision of dual party relay service, and it appearing to this Commission as follows:

AT&T has reviewed the information for which it originally sought protection and now seeks reconsideration only for portions of the information. AT&T claims that it will be competing with other carriers to provide dual party relay service in approximately 21 jurisdictions in the near future. Thus, AT&T contends that disclosure of the information would result in an unfair and unreasonable competitive advantage for its competitors by providing information not otherwise available about costs and pricing, personnel levels and management, and advertising and publicity.

The Commission after carefully reviewing the material for which AT&T petitions reconsideration of the denial of confidential protection, finds that, except for those items specifically delineated below, the material is not in sufficient detail such that its disclosure would cause competitive injury and is not of such a nature as to be likely to cause competitive injury. The Commission further finds that public disclosure of the following information would likely result in competitive injury to AT&T and should be protected as confidential:

(a) The number of Communications Assistants comprising the work group size in Section 2.5, Network Configuration, page 14.

(b) The reduction in call holding time due to the incremental value added by ISDN screen look-up in Section 2.5, Network Configuration, page 15.

(c) The disaggregated amounts under the headings of "Investment in Equipment/Plant", "Office Facilities", "Employee Hiring/Training", and "Other" from the Schedule of Start-Up Costs.

(d) The amounts for each category, including the "Total Operating Expense" and "Return on Investment" from the Schedule of On-Going Annual Costs.

(e) The entire column entitled "Alternative" contained within the sheets headed "Description of Promotional Materials and Activities."

(f) The dollar amounts of the estimated costs for particular "vehicles" to be used as promotional materials and activities

located on the second, third, fourth, fifth, and seventh sheets of the "Description of Promotional Materials and Activities."

(g) The cost information concerning employees' salaries and benefits contained in Attachment A of the response to question 1 of material filed in response to the oral presentation of AT&T's bid.

(h) The dollar amounts for the investments for the relay center contained in the response to question 3 of material filed in response to the oral presentation of AT&T's bid.

(i) The return on investment and the return on operating expense contained in the response to question 4 of material filed in response to the oral presentation of AT&T's bid.

(j) The cost of capital contained in the response to question 5 of material filed in response to the oral presentation of AT&T's bid.

The Commission, being otherwise sufficiently advised, HEREBY ORDERS that:

(1) AT&T's petition for reconsideration of the denial of its petition for confidential treatment is hereby denied except as specifically set forth in paragraphs (a) - (j) herein.

(2) The information sought to be protected from disclosure by AT&T's petition and for which the Commission denies reconsideration shall be held as confidential and proprietary for five working days from the date of this Order, at the expiration of which time, it shall be placed in the public record.

(3) The information set forth in paragraphs (a) - (j) herein for which AT&T has petitioned for reconsideration of the

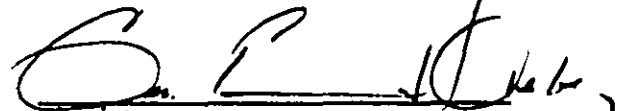
Commission's denial of confidential treatment shall be withheld from public disclosure and retained by this Commission as confidential and shall not be open for public inspection.

(4) AT&T shall, within five working days of the date of this Order, file an edited copy of the information with only those portions which the Commission has granted confidential treatment obscured for inclusion in the public record.

(5) This is a final and appealable Order.

Done at Frankfort, Kentucky, this 26th day of April, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director