

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TARIFF FILING OF ALLNET	)	
COMMUNICATION SERVICES, INC. TO	)	CASE NO. 89-375
INTRODUCE MARKETLINE 800 SERVICE	)	

O R D E R

This matter arising upon petition of Allnet Communication Services, Inc. ("Allnet") filed September 4, 1990 pursuant to 807 KAR 5:001, Section 7, for confidential protection of Allnet's report of minutes of use for its Marketline 800 Service on the grounds that disclosure of the information is likely to cause Allnet competitive injury, and it appearing to this Commission as follows:

Allnet is required, by an Order of this Commission entered January 5, 1990, to report its minutes of use for its Marketline 800 Service on a jurisdictional basis. Allnet contends that public disclosure of this information would permit competitors to assess its penetration in the market, determine its marketing strategy, provide insight into its underlying cost structure, and determine the level of success or failure in marketing the service offering.

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.

The petition by Allnet does not identify any competitor who could use the information to gain an unfair business advantage over Allnet. Furthermore, the information sought to be protected is presented by Allnet 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:

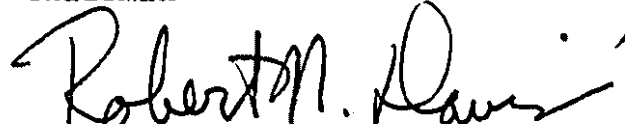
1. The petition for confidential protection of Allnet's report of minutes of use for its Marketline 800 Service filed pursuant to the Commission's Order of January 5, 1990 be and it is hereby denied.


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 11th day of February, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director