

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	)	
SUPPORT OF ITS SPECIAL SERVICE	)	CASE NO. 90-416
ARRANGEMENT CONTRACT WITH VENCO,	)	
INCORPORATED FOR A DIGITAL ESSX	)	
SERVICE FEATURE, LAST NUMBER REDIAL	)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed November 27, 1990, pursuant to 807 KAR 5:001, Section 7, for confidential protection of certain cost support data developed in connection with a Special Service Arrangement Contract with Vencor, Incorporated for an ESSX feature on the grounds that disclosure is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

This ESSX feature provides last number redial. 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 legitimate 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.

Disclosure of the cost support data would provide South Central Bell's competitors with South Central Bell's capital and operating costs, as well as contributions for service. This information would enable competitors to more effectively compete against South Central Bell in providing competing services. Therefore, disclosure of the information is likely to cause South Central Bell competitive injury, and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,  
IT IS ORDERED that:


1. The cost support data developed by South Central Bell in connection with a Special Service Arrangement Contract with Vencor, Incorporated for an ESSX feature, 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. South Central Bell shall, within 10 days of the date of this Order, file an edited copy of the information with the


confidential obscured for inclusion in the public record, with copies to all parties of record.

Done at Frankfort, Kentucky, this 2nd day of January, 1991.

**PUBLIC SERVICE COMMISSION**

  
Chairman

  
Vice Chairman

  
Commissioner

**ATTEST:**

  
Executive Director