

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. 91-041
ARRANGEMENT CONTRACT WITH THE	)	
UNIVERSITY OF LOUISVILLE FOR	)	
ESSX FEATURES	)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed January 7, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data contained in Attachments 1B-5B developed in connection with a Special Service Arrangement Contract with the University of Louisville for ESSX features on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell seeks to protect as confidential cost support data developed in connection with a Special Service Arrangement Contract with the University of Louisville for ESSX features. The ESSX features include Call Forward Reason Display, Camp-On, Originating/Terminating Line Select, MBS Message Center, Music on Hold, MBS Call Forward, Call Forward Busy Internal/External, Call Forward Don't Answer Internal/External, Calling Name Display, UCD on MBS, UCD Log-In, and UCD Status Lamp.

As grounds for its petition, South Central Bell contends that public disclosure of the information would cause it competitive injury.

The information sought to be protected is not known outside of South Central Bell and 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 the 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.

The information sought to be protected, if publicly disclosed, 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 for the service. 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,

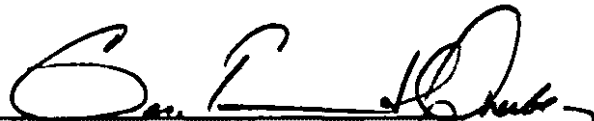
IT IS ORDERED that:


1. The cost support data developed by South Central Bell in connection with a Special Service Arrangement Contract with the University of Louisville for ESSX features, 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, to the extent that it has not previously done so, within 10 days of the date of this Order, file and edited copy of the cost support data with the confidential material obscured for inclusion in the public record, with copies to all parties of record.

Done at Frankfort, Kentucky, this 11th day of February, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director