

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE TARIFF FILING OF AT&T COMMUNICATIONS)	
OF THE SOUTH CENTRAL STATES, INC. TO)	CASE NO.
INTRODUCE THE SCHEDULE E/SOFTWARE)	91-096
DEFINED DATA NETWORK)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed March 1, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue and unit volume data filed in support of AT&T's Schedule E/Software Defined Data Network Feature contained in its Custom Network Services tariff on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

In this proceeding, AT&T is introducing a new Software Defined Network ("SDN") optional feature called Schedule E/Software Defined Data Network ("SDDN"). SDDN is a switched optional feature intended for data, video or facsimile applications between two SDN on-network stations which utilize special access lines. The filing also makes minor text changes to the SDN section of the Custom Network Services tariff. As part of its filing, AT&T has provided an Estimated Revenue Impact of the SDDN feature which it seeks to protect as confidential.

The information sought to be protected is not known outside of AT&T and is not disseminated within AT&T except to those employees who have a business need to know and act upon the information. AT&T seeks to preserve the confidentiality of the information through all appropriate means.

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 disclosure of revenue and unit volume information for AT&T's SDDN feature would make public valuable pricing and marketing information which is not otherwise available regarding AT&T's SDDN feature and SDN service. Competitors of AT&T could use this information in the pricing and marketing focus of their services to the detriment of AT&T. Thus, disclosure of the information is likely to cause AT&T competitive injury, and it should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the revenue and unit volume information filed in support of AT&T's SDDN feature, which AT&T 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.

Done at Frankfort, Kentucky, this 1st day of April, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director