

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL BELL TELEPHONE COMPANY'S)
PROPOSED VINTAGE ESSX AND DIGITAL ESSX)
TARIFF) CASE NO. 91-164

O R D E R

This matter arising upon the petition of South Central Bell Telephone Company ("South Central Bell") filed June 24, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, demand, and contribution projections in Volume II of its proposal, the cost support information contained in Volumes III and IV of its proposal, and the market studies contained in Volume II 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:

In this proceeding South Central Bell seeks approval of proposed modifications to its ESSX service and Digital ESSX service. In support of its proposal, South Central Bell has filed revenue, demand, and contribution projections; cost support information; market studies; and customer-specific information developed in connection with both services which South Central Bell seeks to protect as confidential.

The information sought to be protected is not known outside of South Central Bell and is disseminated in South Central Bell only to those employees who have 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.

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.

South Central Bell's competitors for ESSX service are providers of PBX equipment. Disclosure of the information sought to be protected would give such competitors an unfair business advantage over South Central Bell in that they could determine South Central Bell's revenues, costs, and contributions and projected demand for the service. Additionally, the market studies identify South Central Bell's assessment of the competitive market price which could be used by competitors to market their competitive 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:

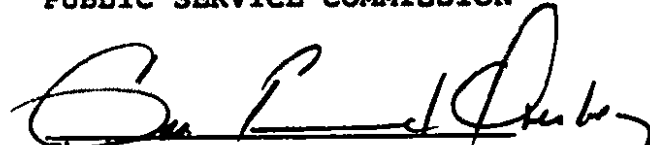
1. The revenue, demand, and contribution projections; the cost support; the market study; and the customer-specific


information developed by South Central Bell in connection with its ESSX and Digital ESSX service, 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 ten days of this Order, serve edited copies of its proposal with the confidential information obscured upon all parties of record.

Done at Frankfort, Kentucky, this 10th day of July, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director