

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL BELL TELEPHONE	)	
COMPANY'S PROPOSED 0- OPERATOR	)	CASE NO. 91-187
TRANSFER SERVICE TARIFF FILING	)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed April 29, 1991 pursuant to 807 KAR 5:001, Section 7, and KRS 61.878 for confidential protection of the cost support information for 0-Operator Transfer Service ("OTS") 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 has submitted to the Commission its proposed tariff for a new service referred to as OTS. OTS will allow Kentucky toll operators to transfer intraLATA/intrastate requests, which are dialed 0-, to a carrier of the end-user's choice, provided the carrier subscribes to South Central Bell's service. 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 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 cost support information, which South Central Bell seeks to protect, shows both the incremental and embedded costs for the provision of operator services. Over 25 companies now provide, or have requested to provide, operator services in Kentucky. As a result of this Commission's decision in Administrative Case No. 323,<sup>1</sup> these companies may potentially compete for intraLATA operator services with South Central Bell. In that event, knowledge of South Central Bell's underlying operator services cost structure would be of substantial benefit to other providers of operator services and would likely cause competitive injury to South Central Bell. Therefore, the information should be protected as confidential.

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<sup>1</sup> Administrative Case No. 323, An Inquiry into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the cost information filed in support of South Central Bell's proposed tariff OTS, 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.

Done at Frankfort, Kentucky, this 17th day of June, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director