

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)	CASE NO.
SUPPORT OF ITS SPECIAL SERVICE)	91-214
ARRANGEMENT CONTRACT FOR KENTUCKY)	
STATE GOVERNMENT)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed May 31, 1991 pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, for confidential protection of the cost support data filed in support of its Special Service Arrangement Contract for Kentucky State Government to provide SynchroNet Service and Digital Data Access Service 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:

The information sought to be protected consists of cost support data developed in connection with a Special Service Arrangement Contract for Kentucky State Government for 19.2 Kbps SynchroNet Service and 19.2 Kbps Digital Data Access Service (Intrastate). This information is not known outside of South Central Bell and is not disseminated within South Central 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.

South Central Bell's competitors for private line dedicated services are alternate service providers of microwave equipment, fiber rings, and small satellites. Disclosure of the cost support data would provide such competitors information from which they could determine South Central Bell's costs and contribution from the service. Competitors could use this information to market their competitive service to the detriment of South Central Bell. Therefore, the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the cost support data developed in connection with South Central Bell's Special Service Arrangement Contract for Kentucky State Government for 19.2 Kbps SynchroNet Service and 19.2 Kbps Digital Data Access Service (Intrastate), 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 2nd day of July, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director