

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)	91-322
ARRANGEMENT CONTRACT WITH THE)	
LOUISVILLE AREA CHAMBER OF COMMERCE)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed August 13, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost data filed in support of its proposed contract with the Louisville Area Chamber of Commerce 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 its cost support data developed in connection with a Special Service Arrangement Contract with the Louisville Area Chamber of Commerce for electronic set features associated with Digital ESSX 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.

South Central Bell's competitors for ESSX service are providers of PBX equipment. Disclosure of this information would give providers of such equipment information from which its competitors could determine South Central Bell's costs and contribution from the service. This information could be used by South Central Bell's competitors to market their competitive services to the detriment of South Central Bell. Therefore, disclosure of the information is likely to cause South Central Bell competitive injury and it should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the cost support data developed by South Central Bell in connection with its Special Service Arrangement Contract with the Louisville Area Chamber of Commerce, which South Central 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 18th day of September, 1991.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman

Commissioner

ATTEST:


Executive Director