

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ESTABLISHMENT OF DUAL PARTY RELAY	)	
TELECOMMUNICATIONS SERVICES FOR	)	ADMINISTRATIVE
HEARING-IMPAIRED OR SPEECH-IMPAIRED	)	CASE NO. 333
PERSONS IN KENTUCKY	)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed January 21, 1992 pursuant to 807 KAR 5:001, Section 7, for confidential protection of certain cost and price information related to the impact of interstate calling on the provisioning of Dual Party Relay Service ("DPRS"), and it appearing to this Commission as follows:

AT&T seeks to protect as confidential cost and price information submitted to Commission on the grounds that disclosure of the information is likely to cause AT&T competitive injury.

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 legitimate 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.

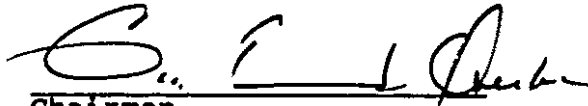
The cost and price information sought to be protected in this petition is so detailed and specific that, if made public, would provide AT&T's competitors with valuable cost/price information that they could use in those other jurisdictions in formulating competing bids. Therefore, disclosure of the information is likely to cause AT&T competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

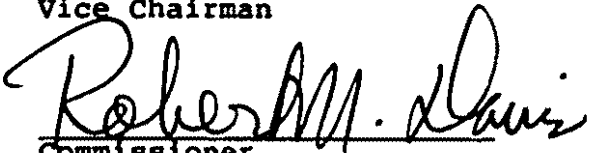
IT IS ORDERED that the cost and price information contained in AT&T's response, which AT&T has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 9th day of March, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director