

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SOUTH CENTRAL BELL	)	
TELEPHONE COMPANY TO INTRODUCE A	)	CASE NO.
SPECIAL PROMOTION OF SYNCHRONET	)	92-002
SERVICE/DIGITAL DATA ACCESS SERVICE	)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed November 25, 1991 pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, for confidential protection of the cost support information filed in support of South Central Bell's tariff relating to a Special Promotion of Synchronet service/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:

South Central Bell has filed a tariff introducing a special promotion in the Private Line Services Tariff and the Access Services Tariff. This promotion proposes to waive nonrecurring charges for customers who order Synchronet service or Digital Data Access Service within a specified period. The information sought to be protected consists of the cost support data for the tariff.

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.

Under 807 KAR 5:001, Section 7, information is protected 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.

In providing the services covered by the tariff, South Central Bell competes with alternate service providers of fiber, microwave, and small satellites. Public disclosure of the demand and resulting costs shown in the study sought to be protected would indicate to South Central Bell's competitors which markets within BellSouth territory are the most lucrative and which are not profitable. Thus, 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 the cost support data developed by South Central in connection with its proposed Private Line Services Tariff and Access Services Tariff, which South Central Bell has petitioned be withheld from public disclosure, shall be held and

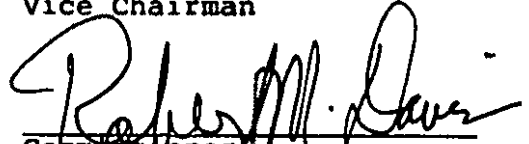
retained by this Commission as confidential and shall not be open for public inspection.

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

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director