

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                     |   |          |
|-------------------------------------|---|----------|
| THE PETITION OF METROMEDIA          | ) |          |
| COMMUNICATIONS CORPORATION FOR      | ) |          |
| CONFIDENTIAL TREATMENT OF           | ) | CASE NO. |
| INFORMATION FILED IN SUPPORT OF ITS | ) | 92-126   |
| ANNUAL REPORT FOR YEAR ENDING       | ) |          |
| DECEMBER 31, 1991                   | ) |          |

O R D E R

This matter arising upon petition of Metromedia Communications Corporation ("Metromedia") filed March 26, 1992 for confidential protection of the financial information contained in its 1991 Annual Report, and it appearing to this Commission as follows:

Metromedia has petitioned the Commission for confidential protection of the financial statements which it has filed as part of its 1991 Annual Report. The information consists of a condensed balance sheet and income statement for the year ending December 31, 1991.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That section of the statute exempts 10 categories of information. One category exempted in subparagraph (b) of that section is commercial information confidentially disclosed to the Commission. To qualify for that exemption, it must be established

that disclosure of the information is likely to cause substantial competitive harm to the party from whom the information was obtained. 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 information sought to be protected is presented by Metromedia in summary form and does not contain sufficient detail to have significant competitive value. Therefore, no competitive harm has been established and the petition for confidential protection should be denied.

This Commission being otherwise sufficiently advised,

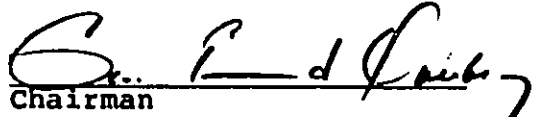
IT IS ORDERED that:

1. The petition for confidential protection of the balance sheet and income statement filed by Metromedia as part of its 1991 Annual Report, which Metromedia has petitioned be withheld from public inspection, be and is hereby denied.

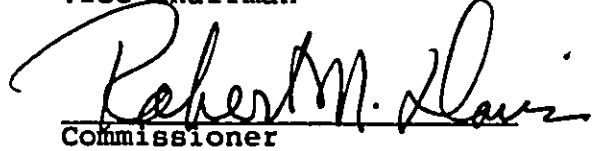
2. The information sought to be protected from disclosure shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of this Order, at the expiration of which it shall be placed in the public record.

Done at Frankfort, Kentucky, this 10th day of April, 1992.

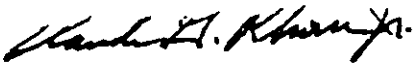
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:



Executive Director