

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 PROPOSED SPECIAL	)	93-169
PROMOTION RELATING TO SYNCHRONET	)	
SERVICE/DIGITAL DATA ACCESS SERVICE	)	

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. d/b/a South Central Bell Telephone Company ("South Central Bell") filed May 5, 1993 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data contained in Attachment B to the request 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 proposed a special promotion of SynchroNet service and Digital Data Access Service. The purpose of the promotion is to waive non-recurring charges for customers who install these services under contract periods of 36 months or greater. In support of its proposal, South Central Bell has provided an Attachment B to its request cost data which it seeks to protect as confidential.

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 and protect the confidentiality of the information through all appropriate means, including the maintenance of appropriate security at its offices.

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 11 categories of information. One category exempted in subparagraph (c) 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.

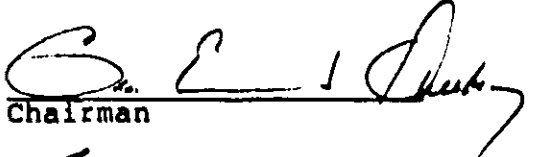
South Central Bell's competitors for SynchroNet service and Digital Data Access Service are alternate service providers of fiber, microwave, and small satellites. These competitors could use the demand and resulting costs shown in the cost study to determine which markets within the BellSouth territory are the most lucrative and which are not profitable. Competitors could use this information in developing market strategies to the detriment of South Central Bell. Therefore, the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

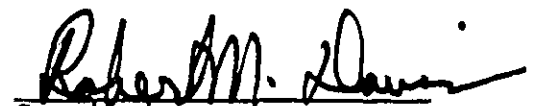
IT IS ORDERED that the cost support data contained in Attachment B to its request, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 1st day of June, 1993.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director