

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT	)	
OF THE COST INFORMATION FILED WITH	)	
THE PROPOSED CONTRACT OF SOUTH	)	CASE NO.
CENTRAL BELL TELEPHONE COMPANY FOR	)	93-280
CALL TRACKING - BULK CALLING LINE	)	
IDENTIFICATION (BCLID)	)	

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 July 20, 1993 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost information filed in support of its proposed contract with King's Daughters Hospital of Frankfort for TouchStar Service, Call Tracking - Bulk Calling Line Identification 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 contracted with King's Daughters Hospital of Frankfort to provide its service referred to as TouchStar Service, Call Tracking - Bulk Calling Line Identification. In support of its application, South Central Bell has provided 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.

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 the contracted service are enhanced service providers. These providers have asked for the Bulk Calling Line Identification service and, once attained, they will be able to offer customers all other services now offered by South Central Bell under its TouchStar program. Knowledge of the cost data sought to be protected would give competitors information that would allow them to compete more readily with South Central Bell's services by knowing South Central Bell's capital and operating costs, as well as contribution for the service.

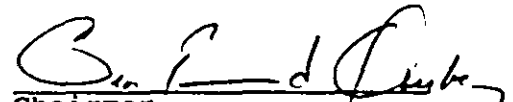
Therefore, the information has competitive value and should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the cost information filed in support of the proposed contract with King's Daughters Hospital of Frankfort, 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 30th day of August, 1993.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director