

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AIRPORT CENTREX 2000 SERVICE)	
AGREEMENTS BETWEEN CINCINNATI BELL)	
TELEPHONE COMPANY AND EACH OF THE)	CASE NO. 93-284
KENTON COUNTY AIRPORT BOARD AND)	
DELTA AIR LINES INC.)	

O R D E R

This matter arising upon petition of Cincinnati Bell Telephone Company ("Cincinnati Bell") filed August 13, 1993 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data and market analyses developed in connection with its proposed contracts with the Kenton County Airport Board and Delta Air Lines Inc. on the grounds that disclosure of the information is likely to cause Cincinnati Bell competitive injury, and it appearing to this Commission as follows:

Cincinnati Bell has entered into agreements with the Kenton County Airport Board and Delta Air Lines Inc. to provide what it refers to as "Airport Centrex 2000 Service." In support of its application for approval of the contracts, Cincinnati Bell has provided cost data and market analyses which it seeks to protect as confidential.

The information sought to be protected is not known outside of Cincinnati Bell and is not disseminated within Cincinnati Bell except to those employees who have a legitimate business need to know and act upon the information. Cincinnati Bell seeks to

preserve 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.

Cincinnati Bell's competitors for the proposed service are providers of PBX equipment. PBX equipment provides the same features as those offered by Cincinnati Bell Centrex Service. Disclosure of the cost information and market analyses would allow providers of PBX equipment to determine Cincinnati Bell's costs and contributions from the service which competitors could use to market their competing services to the detriment of Cincinnati Bell. Therefore, disclosure of the information is likely to cause

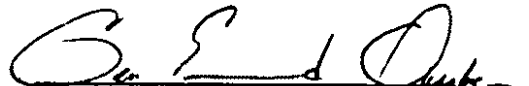
Cincinnati Bell competitive injury and the information should be protected as confidential.


This Commission being otherwise sufficiently advised,

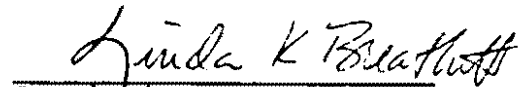
IT IS ORDERED that the cost support data and market analyses filed in support of the proposed agreements with the Kenton County Airport Board and Delta Air Lines Inc., which Cincinnati Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 17th day of September, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director