

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF	)	
INFORMATION FILED WITH SOUTH CENTRAL	)	
BELL TELEPHONE COMPANY'S PROPOSED	)	CASE NO. 95-223
TARIFF FOR INTRASTATE DIRECTORY	)	
ASSISTANCE CALL COMPLETION 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 12, 1995, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost data filed in support of its proposed tariff revisions on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury and the information is a trade secret which should be classified as proprietary confidential business information, and it appearing to this Commission as follows:

In this proceeding South Central Bell has proposed a revision in its general subscriber service tariff to offer Intrastate Directory Assistance Call Completion Service ("DACC"). DACC would provide customers who obtain a telephone number from directory assistance the option of being directly connected to that number. In support of its application, South Central Bell has filed cost information 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 subsection 1 of KRS 61.878. That subsection exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is publicly disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

DACC is an optional service provided to users of directory assistance service. Competitors for this service are certain interexchange carriers and alternate operator service companies. The cost information sought to be protected would enable such competitors to determine the price or rate below which South Central Bell cannot provide DACC. Competitors could then use this information to price their own services. Therefore, disclosure of

this information is likely to cause South Central Bell competitive injury and the information should be protected as confidential.


South Central Bell also maintains that the information is a trade secret which should be classified as proprietary confidential business information. Because the information is entitled to protection under the provisions noted earlier, this issue need not be addressed.

This Commission being otherwise sufficiently advised,

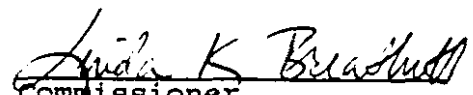
IT IS ORDERED that the cost information filed in support of the proposed tariff revision, which South Central Bell has petitioned to be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 9th day of June, 1995.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director