

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 TARIFF)	)	CASE NO. 95-260
FOR INTRASTATE DIRECTORY ASSISTANCE/	)	
DIRECTORY ASSISTANCE CALL COMPLETION	)	

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 June 15, 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 it appearing to this Commission as follows:

In this proceeding, South Central Bell has proposed a new tariff offering for Directory Assistance/Directory Assistance Call Completion ("DA/DACC") Service. DA/DACC will enable customers who obtain a telephone number from the Directory Assistance System to connect to the number without having to hang up and redial. In support of the tariff for this service, 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 KRS 61.878(1). That subsection of the statute 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 disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

Competitors for DA/DACC are certain interexchange carriers and alternate operator service companies. The cost information sought to be protected would enable these competitors to determine the price or rate below which South Central Bell cannot provide the service. Since the same information is not available to South Central Bell from its competitors, public disclosure of the information would be detrimental to South Central Bell. Therefore, the information should be protected as confidential.

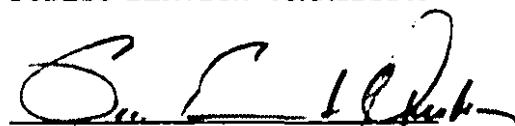
South Central Bell also maintains that the information should be protected because it contains vendor-specific price information which South Central Bell has agreed not to disclose. However, since it has been determined that the information is entitled to protection for other reasons, that issue need not be addressed in this Order.

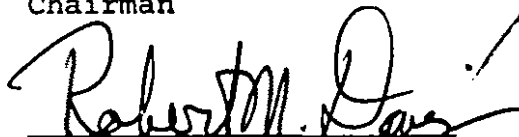
This Commission being otherwise sufficiently advised,

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 13th day of July, 1995.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director