

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)
INFORMATION FILED WITH BELL SOUTH) CASE NO. 96-019
TELECOMMUNICATIONS, INC.'S PROPOSED)
CONTRACT ARRANGEMENT WITH PERDUE FARMS)

O R D E R

This matter arises on petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed January 24, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data developed in connection with a special service arrangement agreement with Perdue Farms for Four-Wire AccuPulse® Service. BellSouth asserts that disclosure of the information is likely to cause it competitive injury.

This service is currently tariffed, but is only available on a two-wire facility. In support of its application for approval of the contract, BellSouth has provided cost support data which it seeks to protect as confidential.

The information BellSouth seeks to protect is not known outside the company and is not disseminated within it except to those employees who have a legitimate business need to know and to act upon the information. BellSouth seeks to preserve and protect the confidentiality of the information through all appropriate means, including the maintenance of security at its offices.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by KRS 61.878(1). 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.

AccuPulse® Service is an alternative to dedicated private line networks and uses the exchange switching network. Competitors for the service are providers of microwave, digital radio, and fiber network services. Disclosure of the information would enable competitors to determine BellSouth's cost and contribution from the service which they could use to market their competing services to the detriment of BellSouth. Therefore, disclosure of the information is likely to cause BellSouth competitive injury and the information should be protected as confidential.

The Commission being otherwise sufficiently advised,

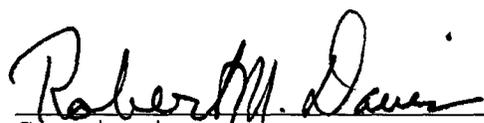
IT IS ORDERED that the cost support data filed in support of the proposed contract with Perdue Farms, which BellSouth seeks to protect from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 1st day of March, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director