

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT)
OF THE REVENUE/COST SUPPORT MATERIAL)
FILED WITH THE PROPOSED TARIFF OF)
BELLSOUTH TELECOMMUNICATIONS, INC.,)
FOR THREE NEW LOCAL EXCHANGE SERVICE) CASE NO. 96-212
OPTIONS--COMPLETE CHOICE* SERVICE,)
AREA PLUS® SERVICE, AND AREA PLUS®)
SERVICE WITH COMPLETE CHOICE* FOR)
RESIDENTIAL FLAT RATE CUSTOMERS)
FILED WITH THE COMMISSION ON MAY 17, 1996)

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed May 17, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost information filed in support of its proposed tariffs for Complete Choice* Service, Area Plus® Service, and Area Plus® Service with the Complete Choice* option on the grounds that disclosure of the information is likely to cause BellSouth competitive injury, and it appearing to this Commission as follows:

BellSouth has filed a proposed tariff which introduces Complete Choice* Service, Area Plus® Service, and Area Plus® Service with the Complete Choice* option. These are new services which provide customers with options to receive an expanded flat rate local calling area, toll discounts and vertical service choices. In support of the proposed tariff, BellSouth has submitted cost information which it seeks to protect as confidential.

The information sought to be protected is not known outside of BellSouth and is not disseminated within BellSouth except for those employees who have a business need to know the information. BellSouth 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.

BellSouth's potential competitors for local service include telecommunications companies such as AT&T, MFS and Time Warner, who have expressed an interest in entering the local exchange market, and telecommunications carriers such as AT&T, MCI and Sprint in the intraLATA toll market. Disclosure of the cost information filed in support of the three new services would enable these competitors to determine the price or rate below which BellSouth provides the services. Competitors could use this information in formulating strategic plans for entry, pricing, marketing and overall


business strategies concerning these 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.

This Commission being otherwise sufficiently advised,

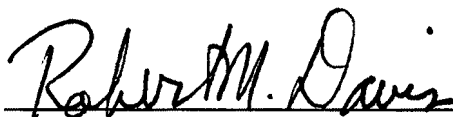
IT IS ORDERED that the petition to protect as confidential cost information filed in support of the proposed tariffs for Complete Choice* Service, Area Plus® Service, and Area Plus® Service with the Complete Choice* option, which BellSouth has petitioned to be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 12th day of July, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director