

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC.'S)
REQUEST FOR CONFIDENTIAL TREATMENT)
OF INFORMATION FILED IN SUPPORT OF ITS) CASE NO. 96-614
SPECIAL PROMOTION REQUEST FOR)
INTEGRATED SERVICES DIGITAL NETWORK -)
BUSINESS SERVICE (ISB))

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed December 27, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, and demand data developed in connection with the proposed promotion of Integrated Services Digital Network - Business ("IBS") Service on the grounds that disclosure of the information is likely to cause BellSouth competitive injury, and it appearing to this Commission as follows:

BellSouth plans to reinstate a special promotion designed to stimulate the sale of IBS to business customers. In support of the promotion, BellSouth has provided revenue and demand data 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 to those employees who have a legitimate business need to know and act upon 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.

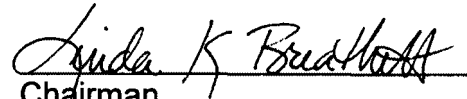
IBS allows business customers to transmit voice and data over ISDN channels through the exchange network. The service is an alternative to other local exchange service offerings, private line/data services and dedicated private line networks. Competitors for local exchange service include Personal Communication Services, resellers, interexchange carriers and alternate access providers. Competitors for private line/data services are interexchange carriers, resellers and vendors of microwave, digital radio, fiber, USAT and other wireless equipment and services. Disclosure of the information would enable BellSouth's competitors to determine the expected change in demand resulting from the promotion which they could use to market their own services. 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 revenue and demand data developed in connection with the proposed special promotion of IBS, 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 24th day of January, 1997.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director