

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC.'S)
REQUEST FOR CONFIDENTIAL TREATMENT) CASE NO. 97-048
OF INFORMATION FILED IN SUPPORT OF ITS)
COURTESYCOMPLETE* SERVICE)

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed January 31, 1997, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost study filed in support of its tariff for CourtesyComplete* 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 has filed revisions to its tariff which introduces a new service called CourtesyComplete*. This service is a variation of BellSouth's current Directory Assistance Call Completion Service and it enables a business subscriber to pay call completion charges as a courtesy to customers who request the business listing from Directory Assistance. After receiving the requested number, the directory assistance caller will hear a recording that offers call completion courtesy of the business subscribing to the new service. The Directory Assistance caller pays for the directory assistance charge and the business pays the call completion charge. In support of the new tariff, BellSouth has filed a cost study 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 business need to know and act upon the information. BellSouth seeks to preserve and protect the confidentiality of the information through all appropriate means.

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. The petition filed by BellSouth does not satisfy the requirements of the statute and therefore must be denied.

Although the petition establishes that Directory Assistance, which the new service is a part, is a competitive service it does not demonstrate how BellSouth's competitors could use the information to gain an unfair business advantage. Therefore, there is no showing that disclosure of the information will result in competitive injury.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

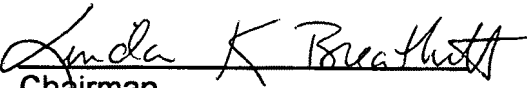
1. The petition to protect as confidential the cost study filed in support of BellSouth's tariff for CourtesyComplete* Service is hereby denied.


2. The information sought to be protected shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of this Order to allow BellSouth an opportunity to file an amended petition in accordance with the requirements of the statute.

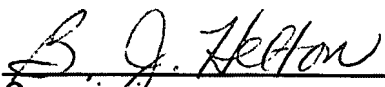
3. If at the expiration of the 20-day period no amended petition is filed, the information shall, without further Orders herein, be placed in the public record.

Done at Frankfort, Kentucky, this 6th day of March, 1997.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director