

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. 97-048
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, and amended on March 26, 1997, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost information filed in support of 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, as part of its directory assistance service, is introducing a new feature called CourtesyComplete* Service. In support of the feature, BellSouth has filed a cost study that it seeks to protect as confidential. The cost study provides both study methodology and cost information.

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.

Directory assistance service, of which CourtesyComplete* Service is a part, competes with similar services provided by other entities, such as interexchange carriers and alternate operator service companies. Disclosure of the cost study information would enable BellSouth's competitors to determine BellSouth's cost and demand not only for this service, but also for Directory Assistance Call Completer Service. Competitors could use this information in formulating strategic plans for entry, pricing and marketing and overall business strategies concerning their services to the detriment of BellSouth. Therefore, the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the cost study filed in support of CourtesyComplete* Service, 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 30th day of April, 1997.

PUBLIC SERVICE COMMISSION

Jinda K. Brantlett
Chairman

E. J. Holmes
Vice Chairman

B. J. Helton
Commissioner

ATTEST:

Don Mella
Executive Director