

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. 97-123
PROPOSED PROMOTION FOR A CALLER ID/)
EQUIPMENT OFFER)

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed March 17, 1997, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the sales, revenue and demand information filed in support of its promotion of Caller ID, Caller ID Deluxe, and Enhanced Caller ID 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 offer a special promotion to its business customers to begin April 15, 1997 and run through May 31, 1997. During this promotion, business customers who order either Caller ID, Caller ID Deluxe, or Enhanced Caller ID Service will receive a \$35.00 credit toward their subscription.¹ In support of the promotion, BellSouth has filed sales, revenue and demand information which it seeks to protect as confidential.

¹ Case No. 96-571, BellSouth Telecommunications, Inc.'s Request for Confidential Treatment of Information Filed in Support of its Proposed Promotion of BellSouth Telecommunications, Inc., for a Multi-Feature Get Acquainted Offer.

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 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 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 current competitors in the local exchange market include alternate access providers, resellers, and interexchange carriers. These competitors could offer the same services in conjunction with other service offerings, or as separate services. Disclosure of the demand information could assist such competitors in planning and devising market strategies for any competing services they offer. Therefore, disclosure of the information is likely to cause BellSouth competitive injury, and the information should be protected as confidential.

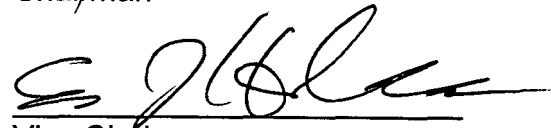
This Commission being otherwise sufficiently advised,

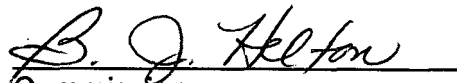
IT IS ORDERED that the sales, revenue, demand and cost studies filed in support of the planned promotion of Caller ID, Caller ID Deluxe, and Enhanced Caller ID Services, which BellSouth has petitioned to be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

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

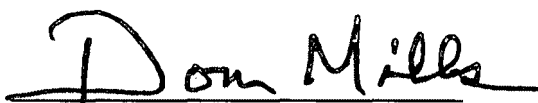
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director