

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL BELL TELEPHONE COMPANY'S)	CASE NO.
EXPERIMENTAL INCENTIVE REGULATION PLAN)	89-076

O R D E R

This matter arising upon the following:

1. Motion by South Central Bell Telephone Company ("SCB"), filed May 1, 1989, and supplemented on July 20, 1989 for protection of the budgetary process for 1989 from public disclosure, AT&T Communications of the South Central States, Inc. ("AT&T") having filed objections thereto on May 12, 1989.
2. Proposed Agenda for the May 15, 1989 Quarterly Meeting filed May 12, 1989 by SCB pursuant to Commission Order of April 18, 1989, AT&T having filed objections thereto on May 12, 1989.
3. Request by SCB filed June 5, 1989 for clarification of the status of intervenors in this docket, AT&T having filed its response thereto on June 13, 1989.

and it appearing to the Commission as follows:

On April 18, 1989, the Commission entered an Order specifying the information SCB must file in this proceeding. The Order further directs SCB to file an agenda for each quarterly meeting and identify on the agenda those items which SCB contends are entitled to protection from disclosure as confidential.

In accordance with the Order, SCB filed a proposed agenda on May 12, 1989 listing the topics to be discussed at the May 15,

1989 quarterly meeting and designating the topics it deemed to be confidential. One of the topics SCB listed as confidential was the "Kentucky Budget," and in relation to that topic, SCB had previously filed on May 1, 1989 a petition for confidential protection of its budgetary process for 1989.

On June 29, 1989, SCB filed a petition to protect as confidential the quarterly report on the status of the budgetary process. No other petition for confidential treatment has been filed for any of the remaining topics listed on the proposed agenda. Both petitions for confidentiality filed on May 1, 1989 and June 29, 1989 are to be addressed in a separate Order.

The April 18, 1989 Order, in specifying the information to be filed with the Commission, provides that certain information shall be reported periodically and that other information shall be reported in advance of each quarterly meeting. The Order contemplates that a petition for confidential protection shall be filed simultaneously with those items that SCB contends are entitled to protection from public disclosure. While SCB has filed petitions for confidential protection, it has not always done so in accordance with the April 18, 1989 Order.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The quarterly meetings previously ordered herein shall be held on September 28, 1989, December 28, 1989, March 28, 1990, and June 28, 1990.

2. SCB shall file 20 days prior to each quarterly meeting the following:

(a) A proposed agenda of the topics to be discussed designating the topics for which SCB requests confidential protection, together with all data, reports and documents required to be submitted by the April 28, 1989 Order and any additional documents or information which SCB intends to present at the meeting.

(b) A petition for protection from public disclosure for each document or other information which SCB believes is entitled to confidential treatment. Such petition shall state in accordance with 807 KAR 5:001, Section 7, with specificity, the reasons SCB believes public disclosure of the information would cause it substantial competitive injury.

3. The intervening parties may, no later than 10 days after any petition for confidentiality is filed herein, file objections thereto.

4. The public portion of the quarterly meeting shall be open to all parties for the purpose of addressing those agenda items for which confidential protection has not been requested and those items which the Commission determines are not entitled to protection from public disclosure.

5. The confidential portion of the quarterly meeting shall be open to SCB and the Attorney General for the purpose of addressing those agenda items which the Commission has determined are entitled to protection from public disclosure, which determination shall be made no later than 5 days prior to the scheduled quarterly meeting.

