

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 petition of South Central Bell Telephone Company ("South Central Bell") filed October 10, 1989 pursuant to 807 KAR 5:001, Section 7, for confidential protection of Attachment 6 to the information filed pursuant to the Commission's request of October 2, 1989 on the grounds that the information would permit South Central Bell's competitors to determine its revenues and expenses associated with its operations in Kentucky, and it appearing to this Commission as follows:

South Central has filed, pursuant to the Commission's request at the second quarterly meeting on October 2, 1989, information pertaining to its operations in Kentucky, including its "Viewgraphs on Budget" appended to the information as Attachment 6. South Central Bell maintains that public disclosure of this information would permit its competitors to determine revenues and expenses associated with its operations in Kentucky and thereby provide those competitors with sensitive financial data which they could use to compete with South Central Bell. The petition does not identify the competition nor does it state how the information could be used to the detriment of South Central Bell.

807 KAR 5:001, Section 7, protects information as confidential only when it is established that disclosure would result in competitive injury to the person from whom the information was obtained. To satisfy this requirement parties seeking to prevent disclosure must show by specific, factual, evidential material that they actually face competition and that substantial competitive injury will likely result from disclosure. South Central Bell has made no such showing in this petition, and the petition for disclosure should not be granted.

This Commission being otherwise sufficiently advised,

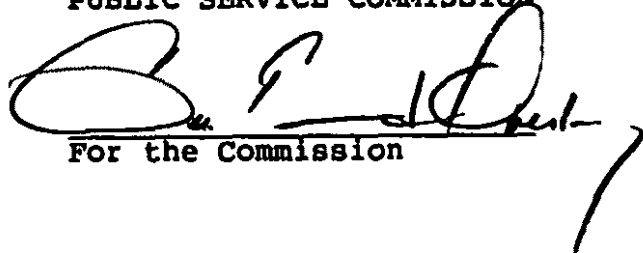
IT IS ORDERED that:

1. The petition by South Central Bell for confidential protection of the information provided at the Commission's request at the second quarterly meeting on October 2, 1989 and appended thereto as Attachment 6 shall be held in abeyance to allow South Central Bell to supplement its petition with a statement setting forth with specificity the identification of competitors to whom the information would be of value and the competitive harm that will result from public disclosure of the information.

2. If such information is not filed within 10 days of the date of this Order, the petition for confidentiality shall, without further Orders herein, be denied.

Done at Frankfort, Kentucky this 8th day of November, 1989.

PUBLIC SERVICE COMMISSION

A handwritten signature in black ink, appearing to be "B. P. D.", written over a horizontal line. The signature is stylized and cursive.

For the Commission

ATTEST:

Executive Director