

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CINCINNATI BELL TELEPHONE )	
COMPANY TO PROVIDE "CALL BLOCKING" SERVICE) )	CASE NO.
FOR ALL DIRECT-DIALED "DIAL-IT" TYPE )	89-252
SERVICES )	

O R D E R

This matter arising upon petition of Cincinnati Bell Telephone Company ("Cincinnati Bell"), filed August 11, 1989, pursuant to 807 KAR 5:001, Section 7, for confidential protection of a cost study filed pursuant to Order of the Commission, on the grounds that public disclosure of the information could result in competitive injury to Cincinnati Bell, and it appearing to the Commission as follows:

Cincinnati Bell, pursuant to Commission Order, filed a detailed cost study supporting the tariff rates for the "Call Blocking" service applied for in this proceeding. Cincinnati Bell maintains that this study contains information pertaining to its cost methodologies, revenue requirements, forecasting, and other financial details that are unique to Cincinnati Bell and its operation and that public disclosure of this information to Cincinnati Bell competitors could result in competitive injury to Cincinnati Bell.

807 KAR 5:001, Section 7, protects information from public disclosure as confidential only when it is established that

disclosure will result in competitive injury to the party possessing the information. To satisfy the regulation, and the underlying statute upon which it is based, the party claiming confidentiality must demonstrate actual competition and the likelihood of substantial competitive injury if the information is disclosed. The petition seeking confidential protection of the cost study while alleging that public disclosure will result in competitive injury to Cincinnati Bell does not state how or why such injury will occur and, therefore, it has not been established that the information is entitled to such protection.

This Commission being otherwise sufficiently advised, IT IS ORDERED:

1. The petition by Cincinnati Bell for confidential protection of the cost study reporting the tariff rates for the proposed service shall be held in abeyance to allow Cincinnati Bell to supplement its petition with a statement setting forth, with specificity, the reasons for believing that disclosure of the information sought to be protected will cause Cincinnati Bell substantial competitive injury.

2. If such statement is not filed within 10 days, the petition for confidentiality shall, without further Orders herein, be denied.

Done at Frankfort, Kentucky this 26th day of September, 1989.

ATTEST:

PUBLIC SERVICE COMMISSION

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Executive Director

  
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For the Commission