

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AT&T COMMUNICATIONS )  
OF THE SOUTH CENTRAL STATES, INC. ) CASE NO. 91-391  
TO INTRODUCE AT&T PLAN Q )

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed September 23, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, cost, and unit volume data contained in the Revenue Analysis filed in support of its application herein on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

In this proceeding, AT&T has filed an amendment to its tariffs for Optional Calling Plans. The amendment adds a tariff for a new proposed service which AT&T has designated as Plan Q Service. Plan Q Service is an area code calling plan which gives a participating customer a 10 percent discount on total charges of customer-dialed outbound calls to the area code having the highest usage charges for a billing period. The discount will be applied to the interstate and intrastate direct dial station calls. In support of its tariff, AT&T has filed a Revenue Analysis which contains revenue, cost, and unit volume data which it seeks to protect as confidential.

The information sought to be protected is not known outside of AT&T and is not disseminated within AT&T except to those employees who have a legitimate business need to know and act upon the information. AT&T seeks to preserve the confidentiality of the information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, 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.

Disclosure of the revenue, cost, and unit volume information contained in the Revenue Analysis would allow AT&T's competitors to learn valuable pricing and market information which its competitors could use in pricing and marketing their own services. Therefore, disclosure of the information is likely to cause AT&T competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,


IT IS ORDERED that the revenue, cost, and unit volume data contained in the Revenue Analysis filed in support of the proposed tariff for Plan Q Service, which AT&T has petitioned 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 4th day of November, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

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Commissioner

ATTEST:

  
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Executive Director