

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF SOUTH CENTRAL BELL)	
TELEPHONE COMPANY FOR CONFIDENTIAL)	
TREATMENT OF INFORMATION FILED IN)	CASE NO.
SUPPORT OF ITS SPECIAL SERVICE)	91-393
ARRANGEMENT CONTRACT WITH CITIZENS)	
FIDELITY BANK)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed October 14, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost information filed in support of South Central Bell's Special Service Arrangement Contract with Citizens Fidelity Bank to provide Integrated Services Digital Network Primary Rate Interface on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell has contracted to provide Citizens Fidelity Bank with Integrated Services Digital Network Primary Rate Interface. Citizens Fidelity Bank will use this interface to tie its PBX system to an ESSX system. In support of its application, South Central Bell has provided cost information which it seeks to protect as confidential.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central

Bell except to those employees who have a legitimate business need to know and act upon the information. South Central Bell seeks to preserve the confidentiality of the information through all appropriate means, including the maintenance of appropriate security at its offices.

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.

Primary rate interface services are offered by interexchange carriers ("IXCs"). With intraLATA competition eminent, IXCs will be allowed to expand their offerings to compete with South Central Bell in the intraLATA market. Disclosure of the cost information sought to be protected would allow competitors to determine South Central Bell's costs and contribution from the service. This information could be used by the IXCs to market their competitive services to the detriment of South Central Bell. Therefore, disclosure of the information is likely to cause South Central Bell competitive injury and the information should be protected as confidential.


This Commission being otherwise sufficiently advised,
IT IS ORDERED that:


1. The cost information filed in support of South Central Bell's Special Service Arrangement Contract with Citizens Fidelity Bank, which South Central Bell 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.

2. South Central Bell shall, within 10 days of the date of this Order, file an edited copy of the contract with the cost information obscured for inclusion in the public record, with copies to all parties of record.

Done at Frankfort, Kentucky, this 1st day of November, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director