

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.
TO INTRODUCE SCHEDULE F/SOFTWARE)	91-407
DEFINED DATA NETWORK)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed October 4, 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 attached to its tariff on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

AT&T has filed a tariff called Schedule F/Software Defined Data Network ("SDDN"). In support of its filing, AT&T has provided the estimated revenue impact of the new service 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.

SDDN is a service which facilitates the transmission of data, video, or fax communications. It expands Software Defined Network service by permitting customers to originate communications from on-network locations that terminate at off-network locations. Competitors could use the revenue, cost, and unit volume information and the weighted cost and forecasted unit volume information contained in the information sought to be protected to learn valuable pricing and market information. This information, in turn, could be used by competitors in the pricing and marketing of their services to the detriment of AT&T. Thus, 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:

1. The revenue, cost, and unit volume data contained in the Revenue Analysis filed in support of the tariff for SDDN, 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.

2. AT&T shall, within 10 days of the date of this Order, serve edited copies on any party of record.

Done at Frankfort, Kentucky, this 8th day of November, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director